

A MEASURE

to amend the *Constitution*.

NOW THE SYNOD HEREBY DETERMINES:

Part 1 - Preliminary

1 - Short title

This may be cited as the *Constitution (Commissary, Virtual Meetings, Lay Members of Synod) Amendment Measure 2021*.

2 - Commencement

This Measure will come into operation after it has been confirmed by the Synod in accordance with section 30(b) of the *Constitution*.

3 - Amendment of the Constitution

The *Constitution* is amended in the manner set out in Part 2.

Part 2 - Amendment of the Constitution

4 – Insertion of section 6A

After section 6 insert:

Position of Commissary or Administrator

- 6A.(1) During the absence of the Bishop from the Province or during any period which may be proposed by the Bishop and agreed to by the Diocesan Council, the following provisions will apply:
- (a) subject to subsection (3), the powers vested in the Bishop by this Constitution will be exercised by a Commissary appointed in such manner as the Synod will determine by Ordinance;
 - (b) if no Commissary has been appointed pursuant to paragraph (a), or if the person appointed is unable or unwilling to act, and subject to subsection (3), the

powers vested in the Bishop by this Constitution will be exercised by an Administrator appointed in accordance with subsection (2).

- (2) In the event of the Bishop's death, resignation or becoming incapable, and subject to subsection (3), the powers vested in the Bishop by this Constitution will be exercised by an Administrator who will be the Assistant Bishop (if any) or (if more than one) the Assistant Bishops in order of their appointment as Assistant Bishops, or if none, or in his or her or their absence or incapacity or unwillingness to act, the person or persons appointed in order by the Diocesan Council to be the Administrator (which appointments may be made and rescinded from time to time as the Diocesan Council may determine), or if none or in his or her or their absence or incapacity or unwillingness to act, the Dean or in his or her absence or incapacity or unwillingness to act, the Archdeacons in order of seniority.
- (3) The powers and authorities to be exercised by a Commissary or Administrator will not include powers and authorities vested in the Bishop by Chapter I, Chapter II and sections 17, 18, 19, 20 and 30 of this Constitution, and will not include the authority to appoint an Archdeacon or the Dean.
- (4) In this section –

incapable, in relation to the Bishop, has the meaning contained in the *Bishop (Incapacity) Canon 1995*.

5 – Amendment of section 13 – Lay members of Synod

- (1) Section 13(1)(c) – after “for which the election is conducted” insert:

and does not purport to be a member of any other parish in the Diocese

(2) Section 13(2) – after paragraph (b) insert:

and

(c) is a member of the parish for which the election is conducted or the appointment is made and does not purport to be a member of any other parish in the Diocese,

(3) Section 13(3) – after paragraph (d) insert:

or

(e) the Bishop is satisfied following receipt of a notice in writing from the parish council of the parish which the person was elected or appointed to represent, that the person has ceased to be a member of the parish; or

(f) the parish which the person was elected or appointed to represent ceases to be a registered parish.

6 – Amendment of section 15 – Sessions of Synod

(1) Section 15(1) – delete “There” and substitute:

Subject to subsection (4), there

(2) Section 15 – after subsection (3) insert:

(4) A session of the Synod may, instead of being held at a place with members of the Synod being physically present, be held:

(a) remotely; or

(b) with some members of the Synod being physically present at one or more venues and other members participating remotely,

if:

(c) the Bishop, after consultation with the Diocesan Council, determines that, because of special or extenuating

circumstances, the session should be conducted under this subsection; and

(d) arrangements have been put in place (as determined to be appropriate by the Bishop after consultation with the Diocesan Council) so that the session may be conducted insofar as members are participating remotely, by:

(i) audio visual means; or

(ii) audio means; or

(iii) any other means of communication determined by the Bishop after consultation with the Diocesan Council.

(5) If arrangements are put in place under subsection (4):

(a) a member of the Synod will be taken to be at the relevant meeting (and to form part of the quorum for the meeting) if the member registers as a participant at the meeting in a manner determined or approved by the Bishop as part of the arrangements put in place under subsection (4); and

(b) voting (including voting by orders) on any question or motion will be conducted in a manner (and using technology) determined or approved by the Bishop after consultation with the Diocesan Council; and

(c) other procedures specified, determined or approved by or under an Ordinance for the purposes of facilitating the conduct of the business of the Synod in the relevant circumstances may apply.

7 – Amendment of section 21 – Composition of Diocesan Council

Section 21(1)(a) – delete paragraph (a) and substitute:

(a) the Bishop, the Assistant Bishop (if any), the Commissary (if any) or the Administrator (as the case requires and, if not already a member of the Diocesan Council) and the Dean ex officio;

8 – Amendment of section 31 – Definitions

- (1) Section 31(a), definition of “Administrator” – delete the definition and substitute:

“Administrator” means the administrator of the Diocese appointed pursuant to section 6A;

- (2) Section 31(a), definition of “Archdeacon” – delete “other than the Archdeacon of Adelaide”

- (3) Section 31(a), definition of “Archdeacon of Adelaide” – delete the definition

- (4) Section 31(a), definition of “Bishop” – delete ““Archdeacon of Adelaide”,”

- (5) Section 31(a), definition of “Bishop” – delete “Administrator” and substitute:

Commissary or Administrator as the case requires

- (6) Section 31(a), definitions commencing “Clergyman” – delete ““Clergyman” or “licensed clergyman” or”

- (7) Section 31(a) – after the definition of “member of the clergy” insert:

“Commissary” means a Commissary appointed pursuant to section 6A;

- (8) Section 31(a), definition of “Communicant” – delete “of which Easter shall be one”

- (9) Section 31(a), definition of “Dean and Chapter” – delete the definition

- (10) Section 31(a), definition of “Dean of Adelaide” – delete the definition and substitute:

“Dean” means the person appointed as the Dean of the Cathedral Church of St Peter by the Bishop, subject to such conditions (if any) as may be lawfully prescribed;

(11) Section 31(a), definitions commencing “Lay synodsmen” – delete ““Lay synodsmen” or”

(12) Section 31(d) – delete “, Archdeacon or member of the Dean and Chapter” and substitute:

or Archdeacon

9 – Amendment of Fourth Schedule

Fourth Schedule – delete the declaration and substitute:

I DO HEREBY DECLARE that I am a member of The Anglican Church of Australia, that I am a communicant of the said Church, that I do not belong to any other religious denomination, that I have received the Holy Communion not less than three times during the past twelve months, that I have attained the age of sixteen years, that I am a member of the parish of:

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and that I do not consider myself to be a member of any other parish in the Diocese of Adelaide

10 – Amendment of Fifth Schedule

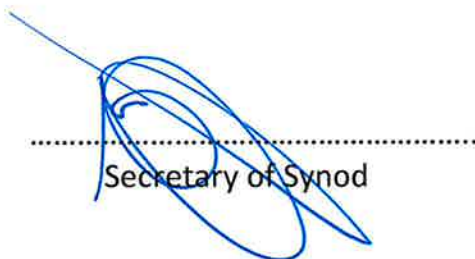
Fifth Schedule – delete the declaration and substitute:

DO HEREBY DECLARE

1. That I am a member of The Anglican Church of Australia and that I am a communicant of the said Church.
2. That I belong to no other religious denomination.
3. That I am a member of the Anglican Parish of and that I do not consider myself to be a member of any other Anglican parish in the Diocese of Adelaide.

4. That I have received the Holy Communion not less than three times during the past twelve months.
5. That I have attained the age of 18 years.
6. That I submit to and agree to be bound by:
 - (a) the Constitution of the Diocese of Adelaide; and
 - (b) every Ordinance from time to time in force; and
 - (c) any lawful direction made under the Constitution or any Ordinance that applies to lay members of the Synod.
7. That I hereby accept the office of lay member of the Synod and any other office to which I may be elected or appointed pursuant to the said Constitution and Ordinances and promise to perform the duties thereof honestly, impartially, faithfully and to the best of my judgement and ability and in accordance with and subject to the said Constitution and Ordinances.
8. That I acknowledge that my appointment to the Synod relates to my membership of the Parish of for the duration of the three years of the current Synod triennium and that I may be removed from office if I cease to be a member of that Parish.

CERTIFIED as a copy of the Measure as passed by the Synod on 16 October 2021.


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Secretary of Synod