

COMMISSARY ORDINANCE 2022

AN ORDINANCE with respect to the appointment of a Commissary.

NOW THE SYNOD HEREBY DETERMINES:

Part 1 - Preliminary

1 - Short title

This Ordinance may be cited as the *Commissary Ordinance 2022*.

2 - Commencement

This Ordinance will come into operation on a date and at a time to be determined by the President.

3 - Definitions

In this Ordinance, unless the context or subject matter otherwise dictates:

“Bishop” means the bishop of the diocese for the time being.

“Commissary” means a person appointed pursuant to section 6A of the Constitution and in accordance with the provisions of this Ordinance..

“consultation” means a consultation conducted in accordance with the provisions of this Ordinance.

4 – Appointment

Subject to the provisions of this Ordinance, the Bishop may appoint a person as Commissary for the purposes of section 6A of the Constitution.

5 – Consultation

- (1) The Bishop must undertake a consultation process before appointing a Commissary.
- (2) The consultation:
 - (a) must be between the Bishop and the Diocesan Council; and
 - (b) may include other bodies and persons determined by the Bishop after consultation with the Diocesan Council.

6 – Matters to be considered

The matters to be considered as part of the consultation required by this Ordinance include:

- (a) the period of the appointment and the terms, duties and stipend applicable to the appointment; and
- (b) the leadership and ministry requirements of the Diocese during the period for which the Commissary will be acting; and
- (c) any other matters or conditions relevant to the appointment.

7 –Approval of Diocesan Council

A person must not be appointed Commissary without the approval of the Diocesan Council.

8 – Period and termination of appointment

- (1) The appointment of a Commissary is to be limited as to duration (and applies subject to the operation of subsection (2)).
- (2) The appointment of the Commissary is terminated:
 - (a) if the Bishop revokes the appointment; or
 - (b) if the Commissary resigns by giving notice in writing to the Diocesan Council; or
 - (c) if the Diocesan Council, after taking reasonable steps to consult with the Bishop, passes a special resolution revoking the appointment.
- (3) In this section -
special resolution means a resolution for which 75% of the votes cast are in favour.

11 – Duties of Commissary

- (1) Subject to subsection (2), a Commissary appointed by the Bishop will exercise the powers vested in the Bishop by the Constitution.
- (2) The powers and authorities to be exercised by a Commissary will not include powers and authorities vested in the Bishop by Chapter I, Chapter II and sections 17, 18, 19, 20 and 30 of the Constitution and will not include the authority to appoint an Archdeacon or Dean.

Legislative History

Passed on and effective from 15 October 2022: