

## **DIOCESAN COUNCIL ORDINANCE 2007**

AN ORDINANCE to provide for the appointment and the regulation of the affairs of the Diocesan Council; to repeal The Diocesan Council Ordinance 1980; and for other purposes.

THE SYNOD HEREBY DETERMINES:

### **Part 1—Preliminary**

#### Title

1. This Ordinance may be cited as the “Diocesan Council Ordinance 2007”.

#### Interpretation

2. In this Ordinance, unless the context or the subject matter otherwise indicates:

“**election Synod**” means a Synod at which the elections held pursuant to *The Elections and Appointment Ordinance 1980* take place;

“**election year**” means an election year under section 14 of the Constitution;

### **Part 2—Diocesan Council**

#### Composition

3. The Diocesan Council will consist of:
  - (a) the persons referred to in paragraph (a) of section 21(1) of the Constitution *ex officio*;
  - (b) two Archdeacons appointed by the Bishop pursuant to paragraph (b) of section 21(1) of the Constitution;
  - (c) the Chancellor and the Secretary of Synod *ex officio* pursuant to paragraph (c) of section 21(1) of the Constitution (who will be non-voting members);
  - (d) pursuant to paragraph (d) of section 21(1) of the Constitution, four members of the clergy and eight lay members of the Synod elected by the Synod;
  - (e) deleted
  - (f) not more than two other communicant members of the Church, as may be appointed by the Diocesan Council pursuant to paragraph (f) of section 21(1) of the Constitution.

### Election and appointment of members

4. (1) An Archdeacon appointed under section 3(b) will hold office until the Bishop appoints another Archdeacon in his or her place.
- (2) The persons referred to in section 3(d) will be elected by ballot at each election Synod and a person so elected will hold office until a successor is elected at an election Synod.
- (3) deleted
- (4) A person referred to in section 3(f) may be appointed by the Diocesan Council at any time and will hold office for such period as the Diocesan Council may determine or until the day preceding the date appointed for the first meeting of the Diocesan Council after an election Synod, whichever period is the shorter.

### Vacancies

5. (1) A member of the Diocesan Council holding office under section 3(d) or (f) may resign by notice in writing to the Bishop.
- (2) A lay member of the Diocesan Council holding office under section (3)(d) will cease to be a member by force of this subsection if he or she ceases to be a member of the Synod other than in accordance with section 14(1) of the Constitution.
- (3) A member of the Diocesan Council holding office under section 3(d) or (f) will cease to be a member by force of this subsection if he or she is absent from three consecutive meetings of the Diocesan Council without leave of absence.

(3A) A member of the Diocesan Council holding office under section 3(d) or (f) will cease to be a member by force of this subsection if he or she is employed by the Synod.

- (4) A casual vacancy—
  - (a) under section 3(d) will be filled by election at the next meeting of Synod;
  - (b) deleted;
  - (c) under section 3(f) will be filled by the Diocesan Council.
- (5) A person appointed under subsection (4) will hold office for the balance of the term of the person's predecessor.

- (6) The Diocesan Council may continue to act despite a vacancy in an office.

#### Meetings and quorum

6. (1) The Diocesan Council must meet at least six times in each calendar year, at times and places determined by the Diocesan Council.
- (2) The Bishop will preside at a meeting of the Diocesan Council and in the absence of the Bishop the Assistant Bishop (if any) will preside and in the absence of the Assistant Bishop (if any) or in any other case the members present at the meeting will elect a chair.
- (3) Nine members of the Diocesan Council, comprising not less than four ordained persons and not less than four lay persons, form a quorum of the Diocesan Council.
- (4) In determining whether a quorum for a meeting has been established, non-voting members of Diocesan Council are not to be counted.

#### Committees

7. (1) The Diocesan Council may appoint such committees as the Diocesan Council thinks fit to assist the Diocesan Council in the performance of any function or to exercise any power of the Diocesan Council on behalf of the Diocesan Council.
- (2) A committee of the Diocesan Council may include members who are not members of the Diocesan Council but must have at least one member of the Diocesan Council as a member of the Committee.
- (3) A committee of the Diocesan Council has such functions as are specified by the Diocesan Council.
- 7A. (1) The Diocesan Council may delegate any of its functions or powers -
- (a) to a committee of the Diocesan Council; or
  - (b) to a person occupying a specified office or position.
- (2) A delegation under this section -
- (a) may be subject to such conditions as the Diocesan Council thinks fit; and
  - (b) is revocable at will and does not derogate from the power of the Diocesan Council to act in any matter itself.

#### Records

8. (1) The Diocesan Council must—
  - (a) keep proper records of its proceedings; and
  - (b) furnish to the Synod an annual report of its activities including the exercise of its powers on behalf of the Synod and of the activities of its committees including the exercise of their delegated powers and functions on behalf of the Diocesan Council and any other report required by the Synod from time to time;
  - (c) ensure proper records of its Committees are kept; and
  - (d) maintain a delegations register.
- (2) The annual report of the Diocesan Council must include a full account of the income and expenditure of all funds under the control and management of the Synod.
- (3) Diocesan Council shall report to Synod all new policies established by the Diocesan Council and amendments to existing policies, and Synod may by resolution amend any such policy.

#### **Part 5—Interim arrangements following repeal of MDC Ordinance**

15. (1) The Diocesan Council will ensure the continued operation of St Barnabas' Theological College and may make, amend and repeal rules for the governance of the College provided that no rule may be made, amended or repealed without the consent of the Bishop.
- (2) The Diocesan Council, or a committee appointed by the Diocesan Council, may act as the governing body of St Barnabas' Theological College.
- (3) The Diocesan Council may exercise such powers as may be conferred on it by the Rules of the Anglican Home Mission Society Inc.

#### **Part 6—Repeal and Transitional arrangements**

##### Repeal

16. *The Diocesan Council Ordinance 1980* is repealed.

##### *Legislative History*

Passed 26 May 2007.

Amended on and effective from 15 October 2022: sections 1,2,3,4(1), 4(3), 5(1), 5(3), 5(4), 6(3), 6(4), 7(2), 7(3), 7(4), 7A, 8(1), 8(3), 17 and deletion of Parts 3 and 4