

DIOCESE OF ARMIDALE

NSW PROVINCIAL SYNOD TRIBUNAL ORDINANCE 2020 ACCEPTANCE ORDINANCE

No. 11 of 2021

An Ordinance for accepting an Ordinance passed by the Provincial Synod of New South Wales of the Anglican Church of Australia in 2020, entitled “Provincial Synod Tribunal Ordinance 2020” so as to give it effect within the Diocese.

WHEREAS it is expedient to accept the “Provincial Synod Tribunal Ordinance 2020” passed by the Provincial Synod of New South Wales of the Anglican Church of Australia,

NOW the Synod of the Diocese of Armidale assembled in pursuance of the powers conferred on it by the Constitution for the good government of the Anglican Church of Australia within the State of New South Wales ordains and rules as follows:-

1. That the “Provincial Synod Tribunal Ordinance 2020” passed by the Provincial Synod of New South Wales and as set out hereto in the Schedule of this Ordinance, shall be accepted by Diocese of Armidale.
2. This Ordinance may be cited and known as the “NSW Provincial Synod Tribunal Ordinance 2020 Acceptance Ordinance 2021.”

SCHEDULE

PROVINCIAL SYNOD TRIBUNAL ORDINANCE 2020

AN ORDINANCE to provide for the Provincial Tribunal of New South Wales.

WHEREAS Section 55 of the Constitution of this Church makes provision for a Provincial Tribunal to consist of a President appointed by the Metropolitan and at least two other members as may be prescribed by Ordinance of Provincial Synod to be elected in accordance with such Ordinance,

NOW the Provincial Synod Ordains as follows to implement such constitutional provisions.

1. This Ordinance may be cited as the *Provincial Tribunal Ordinance 2020*.
2. The Provincial Tribunal shall consist of a President, appointed by the Metropolitan either for a fixed term or otherwise and a panel of eight qualified persons.
3. The eight qualified persons shall be elected as follows:
 - (a) Two by the Standing Committee of the Diocese of Sydney;
 - (b) One by each Diocesan Council of each other Diocese.

Such appointment should be made for four years, provided that a person sitting in a part heard case may continue to conclude such a case.
4. The Tribunal shall normally convene as a group consisting of the President and two members of the panel, who have been elected by different dioceses and nominated by the President.
5. No person who is an officer or member of a diocese shall sit on an Appellate reference involving a person resident or licensed in such diocese.
6. A qualified person is a lay person eligible to be appointed as a member of the Appellate Tribunal or a person in priest's orders for at least seven years.
7. No member of the Appellate Tribunal or Special Tribunal may sit on the Provincial Tribunal. No diocesan bishop may sit on the Provincial Tribunal.
8. A quorum of any sitting of the Provincial Tribunal shall be two persons.
9. Decisions of the Provincial Tribunal shall be by a majority. In the case of an equality of differing opinions, the view of the President shall prevail.
10. A casual vacancy in the panel shall be filled by those with authority to appoint or elect.
11. The Provincial Tribunal shall have jurisdiction in accordance with subsections 55(2) and (3) of the Constitution of the Anglican Church of Australia.
12. The Provincial Tribunal may make any order that the tribunal from which any appeal is brought was competent to make.
13. The Provincial Tribunal may make any order for costs as may be appropriate.

14. The President shall convey any determination of the Provincial Tribunal to the Metropolitan and the relevant Diocesan Bishop.
15. The Standing Committee of Provincial Synod may make such regulations to implement this Ordinance.
16. The President and not less than three members of the panel may make rules of procedure, not inconsistent with the Ordinance or any regulations, for the efficient conduct of its business.
17. The Metropolitan shall at the request of any two members of the Standing Committee appoint a Deputy President to hold office for such term as the Metropolitan may think appropriate. A Deputy President when presiding shall have all the powers and duties of the President.
18. The *Tribunal Ordinance 1892* and the *Tribunal Ordinance 2018* are repealed.