

DIOCESE OF ARMIDALE

PROVINCIAL SYNOD TRIBUNAL ORDINANCE 2018 ACCEPTANCE ORDINANCE

NO. 2 OF 2020

An Ordinance for accepting an Ordinance passed by the Provincial Synod of New South Wales of the Anglican Church of Australia in 2018, entitled “Provincial Synod Tribunal Ordinance 2018” so as to give it effect within the Diocese.

WHEREAS it is expedient to accept the “Provincial Synod Tribunal Ordinance 2018” 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 2018” 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 “Provincial Synod Tribunal Ordinance 2018 Acceptance Ordinance 2020.”

SCHEDULE

1. Provincial Synod Tribunal Ordinance 2018

Schedule 1

PROVINCIAL SYNOD TRIBUNAL ORDINANCE 2018

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 the Metropolitan as President or a Deputy President appointed by him 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 2018.
2. The Provincial Tribunal shall consist of the Metropolitan as President, a Deputy 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; and
 - (b) One each by the 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 Deputy President and two members of the panel, who have been elected by different dioceses, 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 Deputy 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 Section 55(2) and (3) of the Constitution of the Anglican Church of Australia provided that jurisdiction under Section 55(3) shall not be exercised except as prescribed by ordinance of the synod of the relevant diocese.
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 relevant Diocesan Bishop.
15. The Standing Committee of Provincial Synod may make such regulations to implement this Ordinance.
16. The Deputy 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 Tribunal Ordinance 1892 is repealed.