



**ANGLICAN CHURCH OF AUSTRALIA**

*The Fifteenth General Synod*

**SUPPLEMENT TO BOOK 2**

**BILLS**

**BILLS FOR RULES**

**R07**

**R08**

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## INTRODUCTION

This is a supplement to Book 2 of the papers for the Fifteenth Session of the General Synod, *Bills*.

As foreshadowed at page 2-002 of Book 2, the Church Law Commission, at the request of the Standing Committee, has prepared the following Bills for Rules:

- Bill R07 – A Rule to Amend Rule XV – Rules under S 32 of the Constitution
- Bill R08 – A Rule to Amend Rule 1 – Standing Orders (Standing Order 7).

Explanatory Memoranda and the Bills are set out in this supplement.

To satisfy the requirements of notice, the Standing Committee has been requested to shorten the period of notice pursuant to Rule 1 – Standing Orders, Standing Order 66(2).

In anticipation of the Standing Committee resolving to shorten the period of notice, the following steps have been taken:

- This supplement has been sent by email to each Diocesan Registrar;
- This supplement has been posted on the General Synod website and an email has been sent to each member of the General Synod drawing attention to that posting.

After consultation with a Working Group established by the Standing Committee to make recommendations for processes to handle breakdown in the relationship between a Diocesan Bishop and a Diocese, the Church Law Commission does not propose to promote a Canon on that subject at the Fifteenth Session of the General Synod, contrary to what was foreshadowed at page 2-002 of Book 2.

The pagination in this supplement follows sequentially from the last page of Book 2.

## **BILL RO7**

### **A RULE TO AMEND RULE XV – RULES UNDER S 32 OF THE CONSTITUTION**

#### **EXPLANATORY MEMORANDUM**

It is now clear that the work of the Episcopal Standards Commission in considering complaints against Bishops has incurred and is likely to continue to incur expense to the General Synod.

There is little option but to put in place a protocol to regulate the incurring of expense by the Commission and to make rules for the sharing of the expenses by the dioceses affected and the Church as a whole.

If no rules were made, the expenses would need to be shared by the dioceses in accordance with the formula set for calculating the General Assessment.

The proposed amendments are for a scheme for each case to be examined and for a particular additional assessment to be made on the dioceses affected of a fair and reasonable proportion of the expenses leaving only the balance to be paid within the general Statutory Assessment.

*Promoter: Church Law Commission*

*Contact: Justice Peter Young*

## **BILL R07**

### **A RULE TO AMEND RULE XV- RULES UNDER S 32 OF THE CONSTITUTION**

The following further rules are inserted:-

#### **EPISCOPAL STANDARDS COMMISSION**

23. The Standing Committee shall, in the first instance, discharge the financial obligations of the Episcopal Standards Commission incurred in accordance with any directions or protocol adopted by the Standing Committee.
24. As soon as practicable after advice to the General Secretary that, in accordance with any directions or protocol, the Episcopal Standards Commission has incurred or is likely to incur a financial obligation, the General Secretary shall inform the members of the Executive of Standing Committee of such advice together with the name of the the diocese or dioceses that appear to be involved.
25. The Executive shall arrange for consultations with such diocese or dioceses as to the equitable sharing of the money necessary to discharge the costs incurred and to be incurred by the Episcopal Standards Commission with respect to the investigation in which it incurred or is likely to incur the aforesaid financial obligations.
26. The Executive shall make a report to the Standing Committee.
27. The Standing Committee shall determine the proportion of the costs referred to in sub-rule 25 that ought to be borne by particular dioceses affected which determination shall constitute an assessment on any such diocese.
28. The Standing Committee shall include in its reporting to the next following ordinary session of General Synod provision for meeting such costs in part by such dioceses and in part pursuant to s 32(b1) of the Constitution.
29. The Standing Committee shall also include in such financial reporting the best estimate of the anticipated costs of the Episcopal Standards Commission for the following triennium.

30. A bishop or other person who has incurred expense in or about the reporting of conduct of a bishop to the Special Tribunal may request the Standing Committee to treat those expenses in the same way as expenses claimed by the Episcopal Standards Commission and the Standing Committee may accede to that request and act accordingly.
31. Notwithstanding anything in sub-rules 10 or 11, the costs of sittings of the Special Tribunal and the Appellate Tribunal may be apportioned in accordance with sub-rule 27.
32. Sub-rules 23 and following shall also apply in respect of actions taken prior to the enactment of the Amendment to this Rule by the General Synod of 2010.

## **BILL RO8**

### **A RULE TO AMEND RULE 1 – STANDING ORDERS (STANDING ORDER 7)**

#### **EXPLANATORY MEMORANDUM**

Standing Order 7 prescribes the order of business for the first day of each session of the General Synod.

Paragraph (j) of Standing Order 7 gives motions by request of the Standing Committee and the House of Bishops priority over the other business referred to in paragraphs (k) and (l) and, specifically, other motions.

The Standing Committee considers that a motion by request of a diocesan synod or diocesan council should also have such priority. It is proposed to amend paragraph (j) to give effect to this.

*Promoter:* Church Law Commission  
*Contact:* Mr Mark Payne

## **BILL RO8**

### **A RULE TO AMEND RULE 1 – STANDING ORDERS (STANDING ORDER 7)**

In Rule I, paragraph (j) of Standing Order 7 is amended as follows –

- (a) the full stop after the word “Bishops” is deleted and a semi-colon is inserted instead;
- (b) the following matter is inserted at the end of the paragraph –
  - “(iii) a diocesan synod or diocesan council.”.