

ANGLICAN DIOCESE OF THE NORTHERN TERRITORY

CONSOLIDATED LEGISLATION 2023

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Adopted - 17 August 1996
Amended - January & May 2003
Amended - April 2015
Amended - May 2019

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Australian Prayer Book Regulations

Adopted - 7 March 1978

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Canons & Bills of General Synod

Canon of General Synod Ordinance	Adoption/ Assented To	Latest	Name of Canon/Bill of General Synod
1972	Adopted	Y	A Canon to amend the Consecration of Bishops Canon 1966 (6) 1969
1977	Adopted	Y	A Canon to provide for the formation and administration of missionary dioceses 1977
1993	Adopted		Alternative Tables of Lessons Amendment Canon 1992
1986	Adopted	Y	Alternative Tables of Lessons Canon 1985
1983	Adopted	Y	Appellate Tribunal (Amendment) Canon 1981
1983	Adopted	Y	Appellate Tribunal Canon 1981
1993	Adopted	Y	Appellate Tribunal Canon Amendment Canon 1992
1996	Adopted	Y	Archdeacons Canon 1995
1993	Adopted	Y	Authorised Lay Ministry Canon 1992
1983	Assented to		Bill No 1 1981 passed 27/8/1981
1986	Assented to		Bill No 1 1985 passed 27/8/1985
1983	Assented to		Bill No 2 1981 passed 27/8/1981
1986	Assented to		Bill No 2 1985 passed 31/8/1985
1999	Adopted/Assented to	Y	Bishop (Incapacity) (Amendment) Canon 1998
1996	Adopted/Assented to	Y	Bishop (Incapacity) Canon 1995
1991	Assented to		Canon concerning authority on certain matters 1989
1993	Adopted	Y	Canon concerning authority on certain matters 1989
1993	Assented to		Canon concerning Baptism 1992
1999	Adopted	Y	Canon concerning Baptism 1998
2019	Adopted	Y	Canon Concerning Confessions (Revision) Canon 2017
2019	Adopted	Y	Canon concerning Confessions (Vulnerable Persons) Canon 2017
1991	Assented to		Canon concerning confessions 1989
1993	Adopted	Y	Canon concerning confessions 1989
2015	Adopted	Y	Canon concerning confessions 1989 (Amendment) Canon 2014
1993	Assented to		Canon concerning Confirmation 1992
1999	Adopted	Y	Canon concerning Confirmation 1992
2008	Adopted	Y	Canon Concerning Holy Orders 2004
1999	Adopted	Y	Canon concerning Oaths Affirmations Declarations and Assents 1992
1993	Assented to		Canon concerning Services 1992
1999	Adopted	Y	Canon concerning Services 1992
2019	Adopted	Y	Canon Concerning Services Amendment Canon 2017
1993	Assented to		Canon concerning the Holy Communion of the Lord's Supper 1992
1993	Assented to		Canon concerning Vesture of Ministers 1992
1996	Adopted	Y	Canon concerning Vesture of Ministers 1992
1973	Adopted	Y	Canon for admission to Holy Communion (14) 1973
1986	Adopted	Y	Canon for the admission of children to Holy Communion 1981
1974	Adopted	Y	Canon for the appointment of the Special Tribunal and a Board of Assessors (3) 1962
1991	Assented to		Canon Law Repeal Canon 1989
1993	Adopted	Y	Canon Law Repeal Canon 1989
1974	Adopted	Y	Canon prescribing matters incidental to the exercise of jurisdiction by the special Tribunal and the Appellate Tribunal (6) 1962
1974	Adopted	Y	Canon providing for the appointment of a Board of Assessors in relation to the Appellate Tribunal (5) 1962
1974	Adopted	Y	Canon providing for the appointment of the members of the Appellate Tribunal (8) 1962
1966	Founding		Canon providing for the Formation of a Diocese of the Northern Territory (6) 1966
1972	Adopted		Canon to amend the Long Service Leave Canon 1966 (3) 1969
1974	Adopted		Canon to amend the Long Service Leave Canon 1966-1969 and to provide for long service leave for Deaconesses (8) 1973
1974	Adopted	Y	Canon to prescribe the form of the declaration to be made by Clergy (7) 1973
1973	Adopted	Y	Canon to provide for lay assistance at Holy Communion (12) 1973
1969	Founding		Canon to provide for the creation of a Synod of the Diocese of the Northern Territory and to terminate the existence of the Diocesan Council created by Canon 7 of 1966
1972	Adopted	Y	Canon to Regulate and promote the Order of Deaconesses (7) 1969
1974	Adopted	Y	Canon to specify offences under Section 54, 55 and 56 of the Constitution (4) 1962

Canons & Bills of General Synod

Canon of General Synod Ordinance	Adoption/ Assented To	Latest	Name of Canon/Bill of General Synod
2002	Adopted	Y	Canons Amendment (Bishop to the Defence Force) Canon 2001
2002	Adopted	Y	Chancellors Canon 2001
1992	Assented to		Church of England Clarification Canon 1992
2019	Assented to		Constitution (Appellate Tribunal) Amendment Canon 2017
2019	Assented to		Constitution (Jurisdiction of Special Tribunal) Amendment Canon 2017
1991	Assented to		Constitution Alteration (Canonical Fitness) Bill 1989
1991	Assented to		Constitution Alteration (Canonical Fitness) Canon 1989
2008	Assented to		Constitution Alteration (Chapter IX) Canon Amendment 2007
1999	Assented to		Constitution Alteration (Composition of General Synod) Canon 1998
1986	Adopted	Y	Constitution Alteration (Deacons and the Houses of Synod) Canon 1985
1986	Adopted	Y	Constitution Alteration (Definition of "Member") Canon 1985
1999	Assented to		Constitution Alteration (Discipline Clarification) Canon 1998
1991	Assented to		Constitution Alteration (Making of Canons) Bill 1989
1991	Assented to		Constitution Alteration (Making of Canons) Canon 1989
1993	Assented to		Constitution Alteration (Miscellaneous Sections) Canon 1992
2002	Assented to		Constitution Alteration (Special Tribunal) Canon 2001
2000	Assented to		Constitution Alteration (Suspension from Duties) Canon 1998
2002	Assented to		Constitution Alteration (Suspension from Duties) Canon 2001
1991	Assented to		Constitution Alteration (Title of the Primate) Bill 1989
1991	Assented to		Constitution Alteration (Title of the Primate) Canon 1989
1999	Assented to		Constitution Alteration (Tribunals) Canon 1998
1991	Assented to		Constitution Alteration Bill 1987
1991	Assented to		Constitution Alteration Canon 1987
1992	Assented to		Constitution Alterations (Sections 17 & 23) Canon 1992
2008	Assented to		Constitution Amendment (Section 54A) Canon 2007
2011	Assented to		Constitution Amendment (Appellate Tribunal Part Heard Matters) Canon 2010
2011	Assented to		Constitution Amendment (Chapter V) Canon 2010
2008	Assented to		Constitution Amendment (Diocesan Council) Canon 2007
2011	Assented to		Constitution Amendment (Diocesan Council) Canon 2010
2011	Assented to		Constitution Amendment (Diocesan Council) Repeal Canon 2010
1996	Assented to		Constitution Amendment (Interpretation) Canon, 1995
2023	Assented to		Constitution Amendment (Mandatory Deposition) Canon (8) 2022
2023	Assented to		Constitution Amendment (Mandatory Suspension) Canon (7) 2022
2015	Assented to		Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014
2015	Assented to		Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014
2008	Assented to		Constitution Amendment (Provinces and Dioceses) Canon 2007
1996	Assented to		Constitution Amendment (Rights of Non-Members of General Synod) Canon 1995
2008	Assented to		Constitution Amendment (Section 10) Canon 2007
2011	Assented to		Constitution Amendment (Section 30) Canon 2010
1992	Assented to		Constitution Amendment (Section 51) Canon 1992
2011	Assented to		Constitution Amendment (Sentences of Tribunals) Canon 2010
1996	Adopted	Y	Constitution of a Diocese Alteration Canon 1995
2002	Assented to		Constitutional Alteration (Tribunals) Amendment Canon 2001
2002	Adopted	Y	Defence Force Ministry Canon 1985
2023	Adopted	Y	Episcopal Standards (Child Protection) (Amendment) Canon (9) 2022
2019	Adopted		Episcopal Standards (Child Protection) Canon 2017
2008	Adopted	Y	Episcopal Standards Canon 2007
2023	Adopted	Y	Episcopal Standards Investigations Amendment Canon (12) 2022
1977	Adopted	Y	Godparents Canons 1977
2002	Adopted	Y	Holy Communion Canon 2001
2008	Adopted	Y	Holy Orders (Reception into Ministry) Canon 2004
2019	Adopted	Y	Holy Orders (Removal from Exercise of Ministry) Canon 2017
2015	Adopted	Y	Holy Orders, Relinquishment and Deposition Canon 2004 Amendment Canon 2014
1977	Adopted		Long Service Leave (Amendment) Canon 1977
2002	Adopted		Long Service Leave (Amendment) Canon 2001
1986	Adopted		Long Service Leave Canon (Amendment) Canon 1985
1996	Assented to		Long Service Leave Canon (Amendment) 1995

Canons & Bills of General Synod

Canon of General Synod Ordinance	Adoption/ Assented To	Latest	Name of Canon/Bill of General Synod
1992	Adopted/Assented to		Long Service Leave Canon 2002
2008	Adopted		Long Service Leave Canon 2008
2011	Assented to	Y	Long Service Leave Canon 2010
1986	Adopted	Y	Marriage of Divorced Persons Canon 1981
1983	Adopted	Y	Matrimony (Prohibited Relationships) Canon 1981
1999	Assented to		Metropolitan Canon 1998
1996	Adopted	Y	Missionary Dioceses Amendment Canon 1995
1993	Assented to		Oaths Declarations and Assents Canon 1992
1983	Adopted	Y	Offences Amendment Canon 1981
1999	Adopted	Y	Offences Amendment Canon 1998
2019	Adopted	Y	Offences Amendment Canon 2017
1986	Adopted	Y	Ordination of Women to the Office of Deacon Canon 1985
1986	Adopted	Y	Ordination Service for Deacons Canon 1985
1996	Adopted	Y	Prayer Book for Australia 1995
2008	Adopted	Y	Protection of the Environment Canon 2007
1986	Adopted	Y	Reception Canon 1981
1996	Adopted	Y	Reception Canon Amendment Canon 1995
1999	Assented to		Revised Constitution Amendment (Interpretation) Canon 1998
2023	Adopted	Y	Safe Ministry Legislation Amendments Canon (11) 2022
2019	Adopted	Y	Safe Ministry to Children Canon 2017
1983	Adopted	Y	Solemnisation of Matrimony Canon 1981
2008	Assented to		Solemnisation of Matrimony Canon 2007
2019	Adopted	Y	Special Tribunal (Limitation Period) Canon 2017
1993	Adopted	Y	Special Tribunal Procedure 1992
2003	Adopted	Y	Special Tribunal Procedure Amendment and Repeal Canon 2001
1996	Assented to		The Constitution Amendment (Table Annexed) Canon 1995
1993	Adopted	Y	The Law of the Church of England Clarification Canon 1992
1983	Adopted	Y	The Ministry to the Sick Canon 1981
1983	Adopted	Y	The National Superannuation and Retirement Council Canon 1981
1977	Adopted	Y	The use of the Surplice Canon 1977

PARISH BOUNDARIES
(suggestions received are noted in italics)

ALICE SPRINGS - that part of the Northern Territory South of Barrow Creek, both sides of the Stuart Highway

ALYANGULA - the Community of Alyangula on Groote Eylandt

ANGURUGU - the Community of Angurugu on Groote Eylandt

DARWIN - the city area of Darwin, all suburbs south of Fitzner Drive Ludmilla and west of RAAF gates and Winnellie Post Office, including RAAF housing, Narrows and Bishop Street Industrial area

East boundary is not well defined-especially east of the Bishop St industrial area.

FRED'S PASS & BATCHELOR - the rural area south and east of the town of Palmerston, including Batchelor and Adelaide River and as far east as the East Alligator River, whose North Western boundary includes the rural residents in the Wallaby Holtze Road area

KATHERINE - from Adelaide River to Dunmarra on the Stuart Highway, and including the Victoria River and Daly River areas to the west and the Roper River and Adelaide River areas to the east

KUNBARLLANJNJA (Oenpelli) - the Community of Kunbarllanjnja, outstations and mining camps

Kunwinjku speaking communities in stead of "outstations". This would formalise access to places inside Kakadu National park as well as allowing collaboration with Goulburn Island, Manangrida and Cocker Island.

MINYERRI - The Community of Hodgson Downs and Hodgson River.

NGUKURR (Roper River) - the Community of Ngukurr, with an outreach amongst Aboriginal people on nearby cattle stations.

NIGHTCLIFF - generally, the northern suburbs including those north of Fitzner Drive and west of Lee Point Road

NUMBULWAR - the Community of Numbulwar

No outstations are mentioned

PALMERSTON - the City of Palmerston

At some stage this will become more than a single parish. Does any provision need to be made.

SANDERSON – all areas east of the Cathedral and Nightcliff boundaries (including Marrara subdivision, Winnellie Industrial area and Berrimah) out to boundary of the City of Palmerston

TENNANT CREEK - from Barrow Creek to Dunmarra along the Stuart Highway and Barkly Highway and the Sandover Country to the east of the town

UMBAKUMBA - the Community of Umbakumba on Groote Eylandt

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Alice Springs is a parish of the Diocese of the Northern Territory with pastoral responsibility for that part of the Northern Territory south of Barrow Creek, both sides of the Stuart Highway. The Parish of Alice Springs will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Alyangula is a parish of the Diocese of the Northern Territory with pastoral responsibility for the Community of Alyangula on Groote Eylandt. The Parish of Alyangula will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Angurugu is a parish of the Diocese of the Northern Territory with pastoral responsibility for the Community of Angurugu on Groote Eylandt. The Parish of Angurugu will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Fred's Pass is a parish of the Diocese of the Northern Territory with pastoral responsibility for the rural area south and east of the town of Palmerston, including Batchelor and Adelaide River and as far east as the East Alligator River, whose north western boundary includes the rural residents in the Wallaby Holtze road area. The Parish of Fred's Pass will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Kunbarllanjnja is a parish of the Diocese of the Northern Territory with pastoral responsibility for the Community of Kunbarllanjnja outstations and mining camps. The Parish of Kunbarllanjnja will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Minyerri is a parish of the Diocese of the Northern Territory with pastoral responsibility for the Community of Hodgson Downs and Hodgson River. The Parish of Minyerri will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

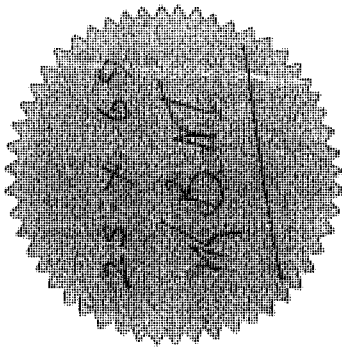
SENTENCE OF CONSECRATION

WHEREAS certain persons have consulted together to build a church in Roper River to the Honour of God and for worship according to the rites of the Church of England and

WHEREAS sufficient monies were subscribed for this purpose and WHEREAS the said building has been erected on land to be leased to the Corporation of the Synod of the Diocese of the Northern Territory in trust for the use of the members of the Church of England in Roper River and

WHEREAS the Rev'd D.C. Woodbridge Rector and Mr. Earnabas Roberts and Mr. Douglas Daniels Churchwardens have certified that the building is clear of all legal encumbrances and that no debt rests on the land or building and have requested and petitioned that we would consecrate and set apart the building thus erected for the abovesaid uses

WE HEREBY by Divine Permission Bishop of the Northern Territory do hereby agree and assent that the said building shall be so consecrated and set apart as is desired by the said petitioners under the title of Saint Matthew, on this twenty-fifth day of October in the year of our Lord one thousand nine hundred and sixty nine.



Handwritten signature: + Kerman N.

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Katherine is a parish of the Diocese of the Northern Territory with pastoral responsibility from Adelaide River to Dunmarra on the Stuart Highway, and including the Victoria River and Daly River areas to the west and the Roper River and Adelaide River areas to the east. The Parish of Katherine will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Nightcliff is a parish of the Diocese of the Northern Territory with pastoral responsibility for the northern suburbs of Darwin including those north of Fitzler Drive and west of Lee Point Road. The Parish of Nightcliff will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

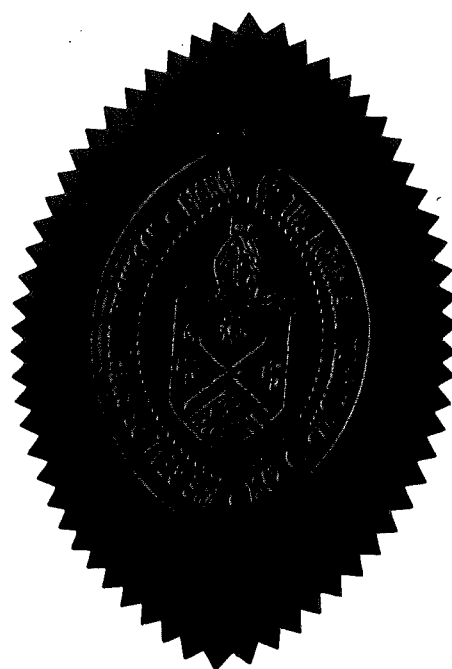
The Parish of Palmerston is a parish of the Diocese of the Northern Territory with pastoral responsibility for the City of Palmerston. The Parish of Palmerston will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the Twentieth day of April 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the Twentieth day of April 2007



A handwritten signature in black ink, appearing to read 'M. P. ...'.

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The group known at the date of this decree as the Darwin Urban Aboriginal Ministry (and any legitimate successor thereof so recognised by the Diocesan Council) is a ministry unit within the Diocese of the Northern Territory, with responsibility for Christian ministry amongst urban Aboriginal people in and about the region of the City of Darwin.

The said unit will have such access to the churches of the said Diocese in the given region for the purpose of worship as it may agree in writing with the church concerned. It is authorised to form a management team which will function as far as may be practical in a similar manner as does a parish council under *The Parishes Ordinance 1977-2003*.

The said unit will be represented at the Synod of the Diocese by a person nominated by the said unit to the Bishop at least two months before the Synod concerned, and appointed by the Bishop pursuant to the constitution of the said Synod.

This decree will come into effect on the same date as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2006.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2006.

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Sanderson is a parish of the Diocese of the Northern Territory with pastoral responsibility for all areas east of the Cathedral and Nightcliff boundaries (including Marrara subdivision, Winnellie Industrial area and Berrimah) out to boundary of the City of Palmerston. The Parish of Sanderson will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Numbulwar is a parish of the Diocese of the Northern Territory with pastoral responsibility for the Community of Numbulwar. The Parish of Numbulwar will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Tennant Creek is a parish of the Diocese of the Northern Territory with pastoral responsibility from Barrow Creek to Dunmarra along the Stuart Highway and Barkly Highway and the Sandover Country to the east of the town. The Parish of Tennant Creek will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Umbakumba is a parish of the Diocese of the Northern Territory with pastoral responsibility for the Community of Umbakumba on Groote Eylandt. The Parish of Umbakumba will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF THE NORTHERN TERRITORY



PURSUANT to section 4(1) of *The Parishes Ordinance 1977-2003*, the Diocesan Council decrees as follows.

The Parish of Darwin is a parish of the Diocese of the Northern Territory with pastoral responsibility for the city area of Darwin, all suburbs south of Fitzner Drive Ludmilla and west of RAAF gates and Winnellie Post Office, including RAAF housing, Narrows and Bishop Street Industrial area. The Parish of Darwin will function in accordance with *The Parishes Ordinance 1977-2003*.

This decree will come into effect on the same day as is fixed and confirmed pursuant to section 2 of *The Parishes Ordinance Amendment Ordinance 2003*.

This decree was made in accordance with the requirements of section 4 of *The Parishes Ordinance 1977-2003* on the day of 2007.

CONFIRMED AND REGISTERED

In the Diocesan Registry at Darwin
in the said Territory by the Registrar
on the day of 2007

Registrar

SECTION 1

GENERAL SYNOD CANONS CONCERNING THE DIOCESE

(including the Constitution of
the Diocesan Synod)

law/sect-1

A CANON TO PROVIDE FOR THE CREATION OF A SYNOD OF THE
DIOCESE OF THE NORTHERN TERRITORY AND TO TERMINATE
THE EXISTENCE OF THE DIOCESAN COUNCIL CREATED BY
CANON NO 7 OF 1966

No 2 of 1969

WHEREAS the Diocesan Council of the Diocese of the Northern Territory was by Clause 5 of the Diocese of the Northern Territory Diocesan Council Canon 1966 invested with inter alia the function of drawing up a draft constitution for the said Diocese including provision for synodical government and in due time submitting such draft constitution for enactment by the appropriate church bodies AND WHEREAS the said Council on the fifteenth day of June 1969 adopted a Constitution and requested the General Synod with effect from such time as the General Synod might deem expedient to ratify the Constitution and to terminate the existence of the said Council.

NOW the General Synod prescribes as follows:

1. There shall be a Synod of the Diocese of the Northern Territory constituted by accordance with the constitution set out in the Schedule to this Canon.
2. Clauses 1, 2, 3, 4, 5, 6, 7, 9 and 10 of "The Diocese of the Northern Territory Diocesan Council Canon, 1966" and hereby repealed.
3. This Canon shall come into operation on 1 July 1970 or such other time as the Standing Committee of General Synod shall see fit.
4. This Canon may be cited as the "Canon Constituting the Synod of the Diocese of the Northern Territory, 1969".

**A CANON PROVIDING FOR THE FORMATION
OF A DIOCESE OF THE NORTHERN TERRITORY**

No 6 of 1966

WHEREAS the Constitution makes provision for the formation of a new diocese, as a missionary diocese, by separation of territory from a diocese

AND WHEREAS the Diocese of Carpentaria has initiated a proposal to form a new diocese as a missionary diocese by separation from it of all that part of its territory which forms part of the Northern Territory of the Commonwealth of Australia

AND WHEREAS the Province of Queensland in which the Diocese of Carpentaria is included has in session of its Synod resolved that it recognises the desirability of creating a new missionary diocese of the Northern Territory but, being required by its constitution to withhold ratification thereof until it shall have obtained satisfactory assurance of the establishment of a suitable provision for the support of the Bishop of the proposed new diocese, that it recommends to the Diocese of Carpentaria that it submit the proposed consideration and direction as to ways and means of establishing such suitable provision and that the proposal be resubmitted to it for ratification after such provision shall have been made.

NOW the General Synod prescribes as follows:

1. The formation of a new diocese as a missionary diocese of the Church of England in Australia to be known as the Diocese of the Northern Territory and comprising all that part of the Northern Territory of the Commonwealth of Australia at present included within the boundaries of the Diocese of Carpentaria subject to the provisions of Clause 3 hereof is hereby ratified.
2. The said new diocese shall be a diocese of the Province of Queensland.
3. This Canon shall not come into operation unless and until it is adopted by an ordinance of the Diocese of Carpentaria and the Province of Queensland agrees by Ordinance that the said Missionary Diocese be formed and such adoption and agreement be declared by the Primate.
4. This Canon may be cited as "The Diocese of the Northern Territory Formation Canon of 1966".

A CANON TO PROVIDE FOR THE FORMATION
AND ADMINISTRATION OF MISSIONARY DIOCESES

No 4 of 1977
No 10 of 1985 (amendment)
No 11 of 1995 (amendment)

The General Synod prescribes as follows:

1. In this canon unless the context otherwise requires -

"Constitution" means the Constitution of the Anglican Church of Australia;

"Missionary Diocese" includes the dioceses of Carpentaria and Northern Territory as existing from time to time and by whatever name called;

"Standing Committee" means the Standing Committee of General Synod".
2. Repealed.
3. The following provisions shall be deemed incorporated in the constitution of any new missionary diocese unless inconsistent with the initiating canon or the constitution in its schedule but the provisions shall not by reason of this section be deemed incorporated in the constitution of any existing missionary diocese.
 - (i) The first bishop shall be elected by a meeting of the members of the house of bishops.
 - (ii) A budget of anticipated receipts and expenditure of the missionary diocese for the ensuing two years shall be prepared by its council and submitted annually to the standing committee for approval.
 - (iii) An annual statement of income and expenditure and balance sheet shall be forwarded by the diocese to the standing committee.
 - (iv) The constitution of any new missionary diocese shall not be altered until a resolution approving such alteration has been passed by standing committee of General Synod.
4. (i) Subject to the sub-section (viii) hereof whenever the office of bishop of a missionary diocese shall become vacant, a bishop shall be elected in the manner provided in this section.

Sect 1– CMD Page 1

- (ii) For the purposes of the election there shall be a board of electors comprising of:

- (a) The Metropolitan of the province of which the missionary diocese is a part or a diocesan bishop nominated by that Metropolitan or if the missionary diocese is not part of a province the Primate or a diocesan bishop nominated by the Primate.
- (b) Four clergy and four lay members elected by the synod of the missionary diocese or if it has no synod by its diocesan council.
- (iii) Whenever the office of bishop of a missionary diocese shall become vacant or is proposed to be vacated the Primate shall within one month of such vacancy occurring or of receipt by the Primate of the proposal summon the board to meet not earlier than one month nor later than two months after the issuing of the summons at a place nominated by the Primate for the purpose of electing a new bishop of the missionary diocese. At every meeting of the board the member pursuant to paragraph (a) of the previous sub-section shall be the chairman.
- (iv) A meeting of the board shall not proceed to an election unless at least two-thirds of its members including the chairman are present. A person shall not be deemed elected unless he receives the votes of at least two-thirds of the members of the board.
- (v) If no person shall obtain such majority the meeting shall be adjourned until such time as the meeting shall determine. The board shall subject to this canon have power to regulate its own proceedings and to decide all matters relating to the election and shall have power to provide that after the first meeting if there be no person elected further consideration to the question may take place through the chairman by correspondence and voting may take place in writing addressed to the chairman.
- (vi) Repealed.
- (vii) The cost of and incidental to the first meeting of the board in any election shall be borne in equal shares by General Synod and by the missionary diocese concerned.
- (viii) The provisions of this section shall not apply to the Diocese of Carpentaria.

Sect 1– CMD Page 2

5. Each diocese other than missionary dioceses shall contribute to the General Synod office an assessment which assessment is to provide for such of the costs of the remuneration, travelling and the providing of residential accommodation of a

bishop of a missionary diocese and any incidental costs of running such diocese as is determined in each case by General Synod on the recommendation of the standing committee. The method of payment of the assessment shall be determined by General Synod.

6. A missionary diocese is not required to pay the fixed assessments of General Synod unless General Synod otherwise determines by Rule.
7. Where a Missionary Diocese has a synod such diocese may apply to General Synod to terminate its status as a missionary diocese. General Synod may on such application or on the recommendation of Standing Committee by resolution or by canon terminate the status of a diocese as a missionary diocese.
8. Section 8 of the Diocese of the Northern Territory Diocesan Council Canon 1966 is repealed.
9. This canon may be cited as the "Missionary Dioceses Canon 1977-1995".

**THE CONSTITUTION OF THE SYNOD OF
THE DIOCESE OF THE NORTHERN TERRITORY**

1. The Synod of the Diocese of the Northern Territory is hereby established in accordance with this Constitution and subject in all things to the Constitution of the Anglican Church of Australia.
2. The Synod shall consist of:
 - (a) the Bishop
 - (b) all clergy licensed by the Bishop
 - (bb) clergy employed as locum tenens rector of a parish for a period of more than three months (the term of the membership of the Synod to be for the period of the locum tenens).
 - (c) lay representatives of parishes elected pursuant to the Parishes Ordinance 1977-93.
 - (d) the Chancellor of the Diocese
 - (e) the Registrar of the Diocese
 - (ee) the Treasurer of Synod
 - (f) persons (if any) appointed by the Bishop as hereinafter provided.
- 2A. The number of lay representatives of each parish shall not exceed by more than one the number of clergy licensed to that parish, provided always that each parish shall be entitled to one lay representative at least; provided also that the due election of a lay representative shall not be affected by a subsequent reduction in the number of licensed clergy.
- 2B. The Bishop may appoint in writing within a period of six weeks preceding the commencement of any Synod such number of lay members of Synod as does not exceed the number of persons who at the time of such nomination are Synod members by virtue of paragraph (b) of clause 2 hereof but who are not clergy licenced to a parish. Persons so appointed shall be members of Synod for the duration thereof.
3. Synod may make ordinances for the order and good government of the Anglican Church of Australia in the Diocese of the Northern Territory, including inter alia for the management and disposal of all Church property, monies, revenues and collections, not diverting any specifically appropriated, or the subject of any specific trust, not interfering with any vested rights and for the government of all persons holding office under, that no ordinance passed by the Synod shall have any force of law or contract or be binding on the Synod or any person recognising its authority unless and until the Ordinance is assented to by the Bishop in writing.
4. There shall be a Diocesan Council constituted in such manner as Synod may by

ordinance prescribe. Synod may delegate to the diocesan council or to any committee of Synod such of the powers and functions of Synod as Synod may think fit and may revoke any such delegation.

5. Every parish shall be entitled to representation in Synod.
6. Every lay representative and every person appointed by the Bishop shall have attained the age of eighteen years and be a communicant of the Anglican Church of Australia.
7. Every lay representative and every person appointed by the Bishop shall in each session of Synod, before voting in Synod, sign and deliver to the Registrar of the Diocese a declaration in the form following:

"I whose name is hereto subscribed do declare that I am a communicant of the Anglican Church of Australia. I undertake as a member of Synod to act in conformity with the Constitution of the Anglican Church of Australia and with the Constitution of Synod and all laws relating thereto".
8. Once at least in every two years the Bishop shall convene Synod by summons under his hand addressed to all persons who are members of Synod by virtue of clause 2 hereof to meet at such time and place as the Bishop may direct. Synod shall have power to adjourn from time to time and from place to place as may be agreed upon by a majority of the members present. If after request to convene Synod made by the Diocesan Council the Bishop neglects for one calendar month to summon Synod the Diocesan Council may convene Synod by similar summons under the hand of the Registrar.
9. Any lay representative and any person appointed by the Bishop may resign his seat in Synod by writing under his hand addressed to the Bishop. Any such resignation of a lay representative shall be forthwith reported in writing by the Bishop to the rector or priest in charge of the parish concerned and the vacancy shall be filled as soon as practicable. Any such resignation by a person appointed by the Bishop shall empower the Bishop to nominate a person to succeed the member who has so resigned.
10. No person may be elected as a lay representative of more than one parish.
11. A lay representative, or a person appointed by the Bishop, who shall have been absent from Synod for the whole of one session of Synod without the leave of Synod shall, if the Diocesan Council so resolves, cease to be a member of Synod.
12. The Bishop, or in his absence his Commissary, or in the absence of both a priest of the Diocese elected by the Diocesan Council, shall be President of Synod. During a vacancy in the See, the Administrator of the Diocese shall be President of Synod.
13. The Treasurer of Synod shall be elected by Synod for the term described in clause 13A hereof.
- 13A. Persons elected by Synod to the positions listed hereunder shall hold the same for

a term which shall expire at the next Session of Synod after a period of twenty months from the date of the election concerned:
membership of:

- (a) repealed
 - (b) the Board of Electors of the Bishop
 - (c) repealed
- 13B. Persons elected to membership of General Synod shall hold office for a term which shall expire at the first session of Synod held after the conclusion of the session of General Synod which next follows the election of the person concerned.
- 13C. Notwithstanding the authority vested in Diocesan Council to make appointments to fill vacancies in any position the election or appointment to which is a function of Synod if any such vacancy exists or occurs in the period from the date of the issue of a summons to convene a session of Synod until the end of the said session the election or appointment shall be by Synod.
- 13D. The term of office of any person elected or appointed to a position by or on behalf of Synod pursuant to this Constitution shall terminate:
- (a) upon resignation, incapacity to act or death; or
 - (b) in the case of a cleric ceasing to be licensed by the Bishop; or
 - (c) when a person who was a permanent resident in the Northern Territory at the time of his or her election or appointment ceases to be so resident, provided that the Diocesan Council may resolve, by a majority of at least two-thirds of its members, to extend the person's term beyond such cessation.
14. The seal of Synod shall be kept in the custody of the Registrar and shall not be affixed to any document except with the authority of Synod or of the Diocesan Council.
15. Synod may from time to time make amend and repeal standing orders for the ordering of its own proceedings.
16. Synod may assess by resolution the amount which shall be payable annually by each parish in the diocese for the purpose of defraying the necessary expenses of Synod and of diocesan administration.
17. A quorum of Synod shall be as fixed by Synod in its standing orders from time to time provided that the number so fixed shall not be less than one third of the number of the members of Synod. If at the expiration of half an hour after the time appointed a quorum is not present the President shall without taking the chair adjourn Synod to a later hour of the day or to the next regular day of meeting, but except when the President so adjourns Synod, Synod shall be adjourned only by its own resolution.
18. A session of Synod:

- (a) shall be deemed to commence when the President opens the proceedings of Synod at the place set out in a summons issued pursuant to Clause 8 hereof:
- (b) shall be deemed to have ended:
 - (i) when Synod has disposed of all business duly brought before it, or
 - (ii) at the end of the 31st day of May next after the day for which Synod has been summoned to meet,

whichever shall first occur.

- 19. Subject to clause 20 of this Constitution, voting in Synod shall be by majority of the members present provided that voting shall be by Orders when standing orders so provide.
- 20. This Constitution may, subject always to the Constitution of the Anglican Church of Australia, be amended by an ordinance of Synod supported by the votes of not less than three quarters of the members of each Order in Synod.
- 21. Subject to the requirements of the Associations Incorporation Act of the Northern Territory the Synod may be wound-up upon such terms as may be resolved either by the Synod upon a resolution passed by a majority of at least three quarters of the members of each Order in the Synod or in the event that it is not possible to convene the Synod by Diocesan Council upon resolution agreed to by the Bishop and passed by a majority of at least three quarters of its members provided that any resolution for the winding-up of the Synod shall provide for the assets of the Synod (as far as the law permits) to be transferred to the nominee of the Anglican Church of Australia or its successor or if there is no such body an organisation with objects similar to those of the Synod.

SECTION 2

STANDING ORDERS OF THE DIOCESAN SYNOD

Adopted	-	August	1970
Amended	-	August	1974
	-	August	1976
	-	August	1979
	-	June	1991
	-	June	1993
	-	June	2000

STANDING ORDERS OF SYNOD

ORDER OF BUSINESS FOR EACH SESSION

1.
 - (1) The President shall take the chair, and prayers shall be said.
 - (2) The roll of members of Synod shall be called.
 - (3) The Registrar of the Diocese shall orally report to Synod the due signing and delivery to him of each declaration under Clause 7 of the Constitution which has been so signed and delivered. If at any time during the Session any other such declaration is so signed and delivered the Registrar shall forthwith orally report the same to Synod.
 - (4) The President shall appoint a Secretary or Secretaries for the Session.
 - (5) The President may, if he thinks fit, address the Synod.
 - (6) The election of the Chairman of Committee shall take place. The President shall be eligible for election as Chairman of Committee.
 - (7) The minutes of the previous session of Synod (having been adopted by Diocesan Council as a true record of the proceedings) shall be confirmed in such form as Synod resolves.
 - (8) The report of the Diocesan Council, with statements of account duly audited, shall be presented.
 - (9) Elections for such positions as are due to be filled by Synod shall take place as soon as conveniently possible after nominations close pursuant to Order 13.
 - (10) Questions shall be read and answered in accordance with these Standing Orders.
 - (11) Reports of Select Committees and of all other persons and bodies reporting to Synod, shall be presented.
 - (12) Petitions shall be presented.
 - (13) Motions upon notice shall be moved, in the order in which notice thereof shall have been given.
2. Synod may at any time upon motion resolve that further consideration of a question then before it be deferred to a later time or occasion in the session, and thereupon the next business shall be proceeded with and the remaining business

shall be dealt with in due order subject to the resumption at the proper time or occasion of the business so deferred.

3. Any business not disposed of at the end of the 31st day of May in a session shall lapse.

QUESTIONS

4. (1) Any member of Synod may, upon notice, put to the President a question relating to any matter which concerns Synod or any Committee of Synod or any body which reports to Synod.
- (2) In putting any such question no statement of fact shall be made and no argument or opinion shall be offered and no imputation shall be made.
- (3) Notice of a question shall be in writing and shall reach the Registrar of the Diocese not less than seven days before the first day of the session of Synod at which the question is to be asked.

REPORTS

5. Upon the presentation of the report of the Diocesan Council, or of a Select Committee, or of any person or body reporting to Synod, the following motions and no others shall be in order:
 - (a) that the report be received;
 - (b) that the report be adopted;
 - (c) that the report be read;
 - (d) that the report be printed;
 - (e) that the report be referred back for reconsideration, or to a Select Committee.

PETITIONS

6. (1) Every petition shall be in writing and shall contain a prayer and shall be signed by the petitioner or petitioners.
- (2) A copy of every petition shall reach the Registrar of the Diocese not less than two months before the first day of the session of Synod at which the petition is to be presented.

- (3) Every petition shall be presented to Synod by a member of Synod who shall assert his belief in the bona fides of the petitioner or petitioners but is not required to support the prayer of the petition.
- (4) The only question which shall be entertained by Synod on the presentation of a petition shall be that the petition be received.
- (5) Further consideration of the petition shall be on motion.

MOTIONS

7. (1) Except as expressly provided in the Standing Order, all motions shall be upon notice.
- (2) Synod may by resolution permit the moving of any motion without notice, not being a motion for leave to introduce a Bill, or a motion to amend or repeal Standing Orders. A member seeking leave of Synod to move a motion without notice shall furnish a copy of the proposed motion in writing to the President.
- (3) Notice of a motion to be moved on notice shall be in writing, and shall reach the Registrar of the Diocese not less than two months before the first day of session of Synod at which the motion is to be moved.
- (4) Except in Committee of the whole Synod, no motion or amendment unless seconded shall be further discussed, nor shall any entry thereof be made in the minutes.
- (5) Any of the following motions may, without leave, be moved without notice, namely -
 - (a) a motion moved in the course of the passage of a Bill, after leave to bring in the Bill has been granted;
 - (b) a motion upon the presentation of a report or of a petition;
 - (c) a motion upon a point of order, or altering the President's ruling thereon;
 - (d) a motion moved in Committee of the whole Synod;
 - (e) a motion moved under Standing Order 10 (superseding a Question);
 - (f) a motion to suspend any of these Standing Orders;

- (g) a motion that the sitting of Synod be adjourned;
 - (h) a motion that a member of Synod have leave to move a motion without notice;
 - (i) a motion "that Synod do now resolve itself into a Committee of the whole Synod";
 - (j) a motion that a matter be referred to a Select Committee;
 - (k) a motion that further consideration of a question be deferred to a later time in the session;
 - (l) a motion for the amendment of a question;
 - (m) a motion which relates only to procedure.
7. (6) Notwithstanding anything in this Standing Order, a motion to repeal or amend Standing Orders shall be moved only upon notice.

RULES OF DEBATE

8. (1) Every member shall stand while speaking and address the President and shall be entitled to be heard in silence till he resumes his seat.
- (2) The President may take part in debate without leaving the chair, and may vote on any question.
- (3) When the President rises in his place all other members shall be seated, and continue sitting until he resumes his seat.
- (4) Any member may speak to a point of order at any time, and no member may speak more than once thereto. Upon the taking of any point of order, the member speaking shall resume his seat until it be settled. The President shall decide a point of order before the debate continues, and such a decision shall be final unless altered by a vote of the Synod forthwith.
- (5) The President shall call to order any member who in his opinion is digressing from the subject matter of the question under discussion, or who shall make personal reflections on, or impute improper motives to, any member, or is in contravention of these Standing Orders.
- (6) No member shall speak more than once (except in Committee of the whole Synod) on the same question unless in personal explanation, and in such explanation he shall not introduce any new matter; provided that the mover of any original question, but not of an amendment, shall be allowed to reply before the question be put; provided also that a member who

merely seconds a motion shall not thereby be deemed to have spoken on it.

AMENDMENTS

9. (1) A question having been proposed may be amended, but no amendment, except of a verbal character, shall be put from the chair until a written copy thereof shall have been handed to the President.
- (2) When the proposed amendment is to leave out certain words, the President shall put the question, "that the words proposed to be left out, be left out".
- (3) When the proposed amendment is to leave out certain words in order to insert or add other words, the President shall put a question, "that the words proposed to be left out, be left out"; which if resolved in the negative, shall dispose of the amendment; but, if in the affirmative, another question shall be put, "that the words of the amendment be inserted or added in place thereof".
- (4) When the proposed amendment is to insert or add certain words, the President shall put the question, "that the words proposed to be inserted, be inserted".
- (5) Amendments may be proposed to a proposed amendment as if such proposed amendment were an original question; but no more than one amendment on any question shall be proposed to Synod at the same time.
- (6) When amendments have been made, the original question, as amended, shall be put; but when amendments have been proposed but not made, the question shall be put as originally proposed.

SUPERSEDING A QUESTION

10. (1) A question may be superseded
 - (a) by a motion "that the question be now put";
 - (b) by a motion "that Synod proceed to the next business".

No debate shall be permitted on either of these motions.

- (2) If the motion "that the question be now put" be carried, the question then before Synod shall, without further amendment, be put forthwith, save that the member who moved the motion may reply.
- (3) If the motion "that Synod proceed to the next business" be carried, the question then before Synod shall lapse, and may be revived only upon

motion duly made.

- (4) If either of the said motions be negatived, the President shall again propose the question which was under debate at the time of such motion, and the debate shall be resumed from the point at which it was interrupted.
- (5) In Committee of the whole Synod, no questions may be superseded.

VOTING

11. (1) At the close of any debate the President shall put the question to the vote.
- (2) The President may require the voting on the question to be by orders, and if he so requires the voting shall be by orders.
- (3) Any member of Synod may at this stage, but not at any other, call for voting by orders. If any member does so, the President shall forthwith inquire how many members of Synod desire voting to be by orders. If not less than six members of Synod including the member who called for voting by orders, so desire, then voting shall be by orders.
- (4) In the case of voting by orders, the President shall first take the sense of the clergy present by division, then of the laity, and (if the Bishop is the President) lastly shall give his own decision for or against the question. In the case of voting by orders, the motion is not carried unless it is carried by a majority in each order.
- (5) If voting is not by orders, the President shall call for the voices of Synod, and declare whether in his opinion, the ayes or the noes have it. If his decision is challenged, the President shall direct that the vote be taken by a show of hands, and shall appoint a teller for each party.
- (6) The President shall have a deliberate vote, and in the case of an equality of votes, a casting vote, except in the case of a vote by orders.

ORDINANCES

12. (1) An Ordinance of Synod shall be made by a Bill which shall be introduced by a motion that the Bill be read a first time.
- (2) Notice of every such motion shall be given in writing to the Registrar of the Diocese not less than two months before the first day of the session at which such motion is to be moved and such notice shall include a copy of the Bill.
- (3) An Ordinance of Synod shall be made by:
 - (a) Synod agreeing to a motion that the Bill be read a first time;

- (b) Synod agreeing to the Bill in principle by agreeing to a motion that the Bill be read a second time.
 - (c) The Committee considering the Bill in detail and agreeing to it either with or without amendment;
 - (d) Synod agreeing to a motion that the Bill be read a third time, and
 - (e) the Bishop consenting in writing to the Bill as passed by Synod.
- (4) A motion that a Bill be read a first time may be moved by any member of Synod and shall be put forthwith without debate.
- (5) When Synod has agreed to a motion that a Bill be read a first time, a motion may be moved forthwith without notice:
- (a) that the Bill be read a second time; or
 - (b) that the second reading be an order of the day for another time;
- but if no such motion is moved and passed the second reading will become an order of the day for the following day.
- (6) When a motion that a Bill be read a second time has been moved and spoken to by the mover, before the debate continues, the President may allow questions to be asked of, and replied to by, the mover or seconder to elucidate the purpose and effect of the Bill.
- (7) When Synod has agreed to a motion that a Bill be read a second time, Synod shall, without a motion being moved, forthwith be deemed to have resolved itself into Committee to consider the Bill in detail, unless Synod resolves that consideration of the Bill by the Committee be an order of the day for another time.
- (8) When the Committee meets to consider a Bill in detail, the Chairman of Committee may inquire whether any member intends to propose an amendment or ask a question on any clause of the Bill and, if no member so intends, the Chairman may declare the Committee has completed its consideration of the Bill and may report.
- (9) Subject to Standing Order 12(8), in Committee the Chairman may allow the Bill to be considered:
- (a) as a whole;
 - (b) clause by clause; or
 - (c) by groups of clauses or by groups of clauses and single clauses;

as the Chairman deems will best facilitate consideration of the amendments of the Bill that are to be proposed.

- (10) In Committee, if the Bill is not taken as a whole:
 - (a) the consideration of the title and any preamble is postponed until after the clauses have been agreed to; and
 - (b) the question shall be put by the Chairman with respect to each clause or each group of clauses, as the case requires, that it stand as printed; and
 - (c) when the clauses have all been agreed to, either with or without amendment, the question shall be put first in respect of any preamble, then in respect of the title, that it stands as printed.
- (11) When the Committee has completed its consideration of a Bill:
 - (a) Synod shall reconvene and the Chairman shall report to the President that the Committee has agreed to the Bill, with or without amendment, as the case requires;
 - (b) without a motion being moved, the President shall put to Synod the question "that the report be agreed to";
 - (c) that question is open to amendment that the Bill or specified clause be recommitted to the Committee to consider an amendment.
- (12) When the question that the report of the Chairman be agreed to has been put to and passed by Synod, the motion that the Bill be read a third time may be either moved forthwith without notice or made an order of the day for another time.
- (13) A motion that a Bill be read a third time shall not be moved unless and until the Chairman has, by certificate endorsed on a copy of the Bill, certified that the copy is a true copy of the Bill as agreed to by the Committee.
- (14) A motion that a Bill be read a third time is open to amendment that the Bill or a specified clause be recommitted to the Committee to consider an amendment.
- (15) If a Bill or clause of a Bill is recommitted to the Committee:

- (a) Synod shall without a motion being moved forthwith be deemed to have resolved itself into Committee to consider the proposed amendment;
 - (b) the procedure following the passing of the motion that the Bill be read a second time, except that the Committee shall consider only amendments relating to the purpose of its recommittal; and
 - (c) the procedure following completion of the consideration of the Bill in Committee shall as nearly as practicable be the same as that following completion of consideration of the Bill in Committee in the first instance.
- (16) Where Synod has agreed to a motion that a Bill be read a first, second or third time, it is not necessary for the title or any other part of the Bill to be read to Synod
- (17) A motion making the consideration of a Bill an order of the day may be moved without notice.
- (18) Amendments of an oral or formal nature or to alter the numbering of section, sub-sections, paragraphs, sub-paragraphs or cross-references in consequence of an amendment made to a Bill, may be made, and clerical or typographical errors may be corrected in any part of a Bill, by the Chairman of Committee without any motion being agreed to.

SUMMARY OF STEPS TO ENACT LEGISLATION

1. The mover:
 - (a) gives a personal introduction
 - (b) says, "I move that the Bill (identified) be read a first time".
2. If that motion passes, the mover says, "I move that the Bill be read a second time", and then:
 - (a) explains the Bill in general terms
 - (b) may be asked questions to make clear the Bill's purpose and effect.
3. Upon the last mentioned motion being passed, the Synod automatically changes into its Committee mode, with the Chairman of Committees presiding.
4. The Chairman of Committees:

- (a) ascertains whether or not members wish to consider the Bill in detail
 - (b) arranges for the text of the Bill to be considered by members in one of the following manners:
 - (i) as a whole
 - (ii) by groups of clauses
 - (iii) clause by clause (preamble and title last).
5. At the conclusion of the Committee's business:
- (a) the Committee automatically changes back into its Synod mode and the Chairman of Committees reports to the President on the Bill, with or without amendments
 - (b) the President proposes, "that the report be agreed to".
6. Upon the form of the Bill begin agreed, the Chairman of Committees certifies a correct copy of it.
7. (a) If this certification cannot be given immediately (a reprint might be required or there could be some other reason for delay) the mover of the Bill says, "I move that the third reading of the Bill be made an Order of the Day for (specifying a later time)".
- (b) If the certification is given, the mover of the Bill says, "I move that the Bill be read a third time".

Upon the last resolution being passed, the legislation is made subject to the Bishop indicating his consent to it in writing. Upon being made, the Bill is called an Ordinance.

ELECTIONS

13. Nominations in respect of the elections referred to in paragraph (9) of Order 1 shall be in writing signed by the nominator, a seconder and the nominee. The nominations must be received by the Registrar by the time stipulated either by resolution of the Synod or in the absence of such resolution by the Bishop. If more nominations are received than are required a ballot shall be held.

COMMITTEE OF THE WHOLE SYNOD

14. (1) Synod may at any time upon motion resolve itself into a Committee of the

whole Synod.

(2) In Committee of the whole Synod the Chairman of Committee shall preside, but in his absence any member may be elected to the Chair.

(3) The Chairman of Committee shall have a casting vote only.

(4) Motions may be moved -

"that the Chairman leave the Chair"

or

"that the Committee do now report progress, and ask leave to sit again"

which, if seconded, shall be at once put without debate.

(5) The same rules as to quorum and order of debate shall be observed in Committee as in Synod, save as is otherwise provided in these Standing Orders.

SELECT COMMITTEES

15. (1) Upon the carrying of a motion that a matter be referred to a Select Committee, Synod shall forthwith proceed to the election of such Committee.

(2) A Select Committee may be of such number of members of Synod as Synod may decide, and shall be elected by nomination, or, if necessary, by ballot; and in all cases the consent to act of the person nominated shall be first obtained.

(3) A Select Committee may elect its own chairman and regulate its procedure in such manner as it thinks fit.

(4) The member of a Select Committee who was first nominated shall act as convenor of the first meeting.

(5) A Select Committee shall report to Synod or to the Diocesan Council, as Synod shall at the time of its appointment decide. A Select Committee shall report to Synod or to the Diocesan Council, as Synod shall at the time of its appointment decide. A Select Committee may be instructed to report to a later Session of Synod.

(6) A Select Committee shall be deemed to remain constituted until its report is delivered in accordance with its instructions, notwithstanding that any of its members may have in the meantime died, resigned, or ceased by effluxion of time to be members of Synod.

NOTIFICATION OF THE BUSINESS OF SYNOD

16. (1) The Registrar of the Diocese shall cause to be delivered or to be posted, not later than six weeks before the first day of a session of Synod, to each member of Synod, copies of all petitions, reports, and notices of motion which have reached him in accordance with these Standing Orders together with all accompanying documents.
- (2) The non-receipt, or late receipt, of a document by a member of Synod shall not invalidate any proceeding of Synod.

AMENDMENT OF STANDING ORDERS

17. These Standing Orders may be amended or repealed upon motion on notice.

SUSPENSION OF STANDING ORDERS

18. Any Standing Order except Standing Order 17 (Amendment of Standing Orders) may upon motion be suspended.

QUORUM

19. (1) The quorum necessary for the transaction of the business of Synod shall be one third of the number of members.
- (2) If at any time during the proceedings of Synod a quorum shall not be present proceedings shall cease until there shall be a quorum present, but if at the expiration of fifteen minutes a quorum is still lacking, the proceedings shall be continued on the next day at 10am which shall be "the time appointed" for the purposes of Section 17 of the Constitution.

PARLIAMENTARY PRACTICE

20. All cases not herein provided for, resort shall be had to the rules, forms and practices of the Legislative Assembly of the Northern Territory so far as they can be applied.

INTERPRETATION

21. (1) A "question" is a motion or amendment, which having been duly moved and seconded is "proposed" or stated from the chair.
- (2) A question is said to be "put" when it is finally submitted by the chair to the vote.
- (3) "The Constitution" means the Constitution of the Diocese of the Northern Territory as set out in the schedule to the canon of General Synod of the Anglican Church of Australia known as the "Canon Constituting the Synod of the Diocese of the Northern Territory 1969", and includes every amendment to the said Constitution which may from time to time be in force.

SECTION 3

CONSOLIDATED ORDINANCES

OF THE DIOCESE

ADMINISTRATOR OF THE DIOCESE ORDINANCE

No 5 of 1976

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | |
|-----------------------------|--|
| TITLE: | 1. This Ordinance shall be called "The Administrator of the Diocese Ordinance 1976". |
| COMMENCEMENT | 2. This Ordinance shall come into effect on 1st September 1976. |
| ADMINISTRATOR
OF DIOCESE | 3. During any vacancy in the office of the Bishop or when the Bishop is either absent from the Diocese for more than 30 days or is incapacitated the authorities powers rights and duties of the Bishop shall be exercised by the Administrator of the Diocese.

4. The Administrator shall be appointed by the Bishop by instrument in writing under his hand and seal except in the case of a vacancy.

5. In the case of either a vacancy or the failure of the Bishop to appoint the Administrator shall be appointed by the Diocesan Council. |

DIOCESE OF THE NORTHERN TERRITORY

THE ANGLICARE NT ORDINANCE 1996-2015

No 2 of 1996

No 1 of 1998

No 3 of 2002

No 1 of 2015

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

Preamble

Whereas:

- A. By an Ordinance of the NT Synod called the “Anglicare NT Ordinance 1996-2002” there was established an organisation called “Anglicare N.T.” which resulted from the amalgamation of two agencies known as Anglicare Top End and Anglicare Central Australia trading as St. Mary’s Family Services (“the Agencies”).
- B. The NT Synod was incorporated as an incorporated association originally under the *Associations Incorporation Ordinance 1963* (NT) on 26 October 1970. As a result of the transitional provisions under the current Associations Act and its predecessors, the NT Synod became incorporated under the *Associations Act* (NT).
- C. The NT Synod authorizes and Anglicare N.T. agrees that Anglicare N.T. be registered as a public company limited by guarantee with the name “Anglicare NT Limited” (“the Company”) to carry on the work of and be the successor in law of the unincorporated agency of the NT Diocese known as Anglicare N.T. in the Area of Interest in furtherance of the mission of the NT Diocese and the offering of spiritual hope by the proclamation of the gospel and in accordance with the Christian principles and teachings through assisting people in need of relief of poverty, sickness, suffering, distress, misfortune, disability, destitution, or helplessness.
- D. Anglicare N.T. will be incorporated as the Company.
- E. Section 9 of the Anglicare NT Ordinance 1996-2002 provides that all property of Anglicare N.T. and the Agencies is vested in the NT Synod.
- F. Under clause 3 of the NT Synod Constitution, it is expedient for the NT Synod to make an ordinance to vest the Property held for Anglicare N.T. by the NT Synod in the Company for the order and good government of the Church in the Diocese of the Northern Territory.
- G. Pursuant to clause 4 of the NT Synod Constitution and section 5 of The Diocesan Council Ordinance, the NT Synod may delegate to the NT Diocesan Council the power and authority to make decisions on behalf of the

NT Synod when managing the business and passing resolutions as the sole member of the Company.

Part 1 – Preliminary

TITLE 1. This Ordinance shall be called “The Anglicare NT Ordinance 1996-2015.”

DEFINITIONS 2. In this Ordinance (including the preamble), unless the context otherwise requires or indicates –

Anglicare N.T. means the unincorporated agency of the NT Diocese that carries on the benevolent work in the Area of Interest in furtherance of the mission of the NT Diocese.

Area of Interest means the Northern Territory, unless another geographic area within Australia is specifically approved by the NT Synod and where relevant through the application of the 2007 Bishops Protocol ‘Anglican Agencies Working Across Diocesan Boundaries’.

Bishop means the Bishop of the NT Diocese, and shall include a person appointed as the Administrator in accordance with the Administrator of the Diocese Ordinance of 1976.

Church Trust Property has the same meaning as in the Anglican Church of Australia Trust Property Act 1917.

Company means the Australian public company limited by guarantee registered in accordance with Part 3 of this Ordinance.

Constitution means the constitution of the Company as amended from time to time.

Constitution of the Anglican Church of Australia means the constitution set out in the Schedule to the *Anglican Church of Australia Constitution Act 1961*.

Corporations Act means the *Corporations Act 2011* (Cth).

NT Diocesan Council means the body established by the General Synod pursuant to General Synod Canon 7 of 1966 (as amended by General Synod Canons 2 of 1969 and 4 of 1977) for the purpose of governance of the NT Synod and constituted in the manner set out in the NT Diocesan Council Ordinance.

NT Diocesan Council Ordinance means the Diocesan Council

Ordinance 1970-1995 constituting the NT Diocesan Council.

NT Diocese means the Anglican Diocese of the Northern Territory established in 1968 by the General Synod pursuant to clause 1 of General Synod Canon 6 of 1966.

NT Synod means Anglican Synod of the NT Diocese established by General Synod Canon 2 of 1969 and governed in accordance with the NT Synod Constitution, subsequently incorporated as The Synod of the Diocese of the Northern Territory Incorporated, being an incorporated association established under the *Associations Act* (NT) which bears the ABN 83 035 175 830

NT Synod Constitution means the Constitution of the NT Synod, as amended from time to time, promulgated by General Synod Canon 2 of 1969 which invested the NT Synod with legislative power to pass ordinances for the order and good government of the Anglican Church of Australia in the NT Diocese.

Property means real and personal property of the Anglicare N.T. as listed in the Schedule to this Ordinance.

INTERPRETATION 3. In this Ordinance:

- (a) the singular includes the plural and vice versa, and
- (b) the masculine includes the feminine and vice versa, and
- (c) a reference to a person includes a reference to a body corporate, and vice versa.

Part 2 – Service Provision

SERVICE PROVISION CHARTER

4. In the context of expressing the Christian philosophy of care, the Company shall facilitate the provision of welfare and associated community services and the promotion and support of family life and such matters as are incidental to the provision of these services and activities, including maintenance, care, protection, counselling and support of families and individuals.

REGISTRATION OF A COMPANY

5. The board of Anglicare N.T. shall authorise an application to be made to the Australian Securities and Investments Commission for Anglicare N.T. to be registered under Part 5B.1 of the Corporations Act as a public company limited by guarantee:
 - (a) with the name “Anglicare NT Limited”;
 - (b) with the Constitution; and
 - (c) provided that the Constitution satisfies the requirements under section 150 of the Corporations Act, to apply for registration omitting the word “Limited” from its name.

Part 4 – Regulation of the Company

CONSTITUTION

The Company will be regulated by the Constitution.

INCONSISTENCIES BETWEEN CONSTITUTION AND THIS ORDINANCE

7. To the extent there are any inconsistencies between the Constitution and this Ordinance, this Ordinance shall prevail. The NT Synod shall take steps to amend the Constitution to remove such inconsistency from the Constitution.

Part 5 – Vesting of Property

VESTING OF PROPERTY IN THE COMPANY

8. Pursuant to section 51 of the Constitution of the Anglican Church of Australia and clause 3 of the NT Synod Constitution, the Property is vested in the Company.

IMPLEMENTATION OF VESTING OF PROPERTY IN THE COMPANY

9. Pursuant to section 51 of the Constitution of the Anglican Church of Australia and clause 3 of the NT Synod Constitution, the Property is vested in the Company.

Part 6 – Delegation to the NT Diocesan Council

DELEGATION OF
NT SYNOD POWER
TO THE NT DIOCESAN
COUNCIL

10. Pursuant to clause 4 of the NT Synod Constitution and section 5 of the NT Diocesan Council Ordinance, NT Synod delegates to NT Diocesan Council the power and authority to make decisions on behalf of the NT Synod when managing the business and acting as sole member of the Company, including to:

- (a) making amendments to the Constitution;
- (b) approving the annual financial reports and the auditor's report;
- (c) appointing and removing the directors of the Company; and
- (d) appointing and fixing the remuneration of the auditor.

APPOINTMENT OF
DIRECTORS OF
THE COMPANY

11. The first directors of the Company shall be those specified in the Schedule of Part B of this Ordinance, and thereafter the directors of the Company will be appointed in accordance with the Constitution:

Part 7 – Report to NT Synod

REPORTING BY
THE COMPANY

12. The Company is to report to the NT Synod about its affairs at least once each year. Further, it is to furnish such other information as to its affairs as may be requested from time to time by resolution of NT Synod or the NT Diocesan Council.

AMENDMENT OF THIS
ORDINANCE

13. This Ordinance may be amended by an Ordinance of the NT Synod.

SCHEDULE – PROPERTY

All goods, chattels, rights, actions, liabilities and any other property, excepting real property, held by the NT Diocese in the name of or for the benefit of Anglicare NT on 30 June 2015, including but not limited to:

- (a) Assets and liabilities appearing on the Anglicare NT balance sheet at 30 June 2015, including;
 - (i) Financial investments;

- (ii) Bank accounts;
- (iii) Motor vehicles;
- (iv) Motor vehicle leases;
- (v) Furniture, equipment and books;
- (b) Intellectual property such as brands, brand names, logos;
- (c) Contractual rights and liabilities with any government instrumentality and with any other entity.

THE DIOCESE OF THE NORTHERN TERRITORY

THE AUSTRALIAN PRAYER BOOK ORDINANCE

No 3 of 1977

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | | |
|----------------------|----|--|
| TITLE | 1. | This Ordinance shall be called "The Australian Prayer Book Ordinance 1977". |
| COMMENCEMENT | 2. | This Ordinance shall come into effect on 1st December 1977. |
| ADOPTION
OF CANON | 3. | The Australian Prayer Book Canon 1977 of General Synod is hereby adopted by the Diocese of the Northern Territory. |
| USE
REGULATION | 4. | The Diocesan Council shall make regulations governing the use of the Australian Prayer Book in the Diocese. |

ANGLICAN DIOCESE OF THE NORTHERN TERRITORY

THE BISHOPRIC ENDOWMENT ORDINANCE

No. 1 of 2017

BE IT ORDAINED by the Synod of the Diocese or the Northern Territory as follows.

- | | |
|--------------------------------|---|
| TITLE | 1. This Ordinance shall be called “The Bishopric Endowment Ordinance 2017. |
| COMMENCEMENT | 2. This Ordinance shall come into effect on 1st January 2018. |
| REPEAL | 3. “The Bishopric Endowment Ordinance 1999” is hereby repealed. Nothing in this section shall affect anything lawfully done or suffered to be done pursuant to the repealed Ordinance before the coming into effect of this Ordinance. |
| BISHOPRIC
ENDOWMENT
FUND | 4. There is a Bishopric Endowment Fund of the Diocese (hereafter called “the Fund”) being the assets identified by the certificate under the Bishop’s seal annexed hereto. |
| MANAGEMENT | 5. The Fund shall be managed by the Diocesan Council. Every reasonable effort shall be made to achieve a rolling 5 year average of annual distributions not exceeding 5%. |
| FUND
EXPENDITURE | 6. Monies shall be drawn from the Fund to pay the following expenses associated with the employment of the Bishop.
(a) Such stipend at such times and in such instalments as the Diocesan Council may determine.
(b) All rates, taxes and insurance premiums properly imposed or payable in respect of residential expenses.
(c) All reasonable repairs, maintenance, alterations and additions to any residence owned by the Diocese for the use of the Bishop.
(d) Such necessary travelling allowance as the Diocesan Council may determine.
(e) Such adequate retirement or superannuation allowance as the Diocesan Council may determine.
(f) Such other reasonable expenses in relation to the work of the bishop as the Diocesan Council may determine. |
| CONTINGENCY | 7. In the event that the monies available from the Fund are insufficient to pay any amount authorized under the preceding section, payment shall be made out of other Diocesan funds and the amount so paid shall be reimbursed out of the Fund as soon as practicable. |
| REPORT AND
AUDIT | 8. A statement of accounts and balance sheet showing the financial position of the Fund as at the end of the last concluded financial year, and certified by the Diocesan Auditor, shall be presented to Synod at each of its sessions. |

DIOCESE OF THE NORTHERN TERRITORY
THE BISHOP ELECTION ORDINANCE 1999 - 2019

No. 1 of 1999
No. 2 of 2017 (amendment)
No. 1 of 2019 (amendment)

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | | |
|-----------------------------|-----|--|
| TITLE | 1. | This Ordinance shall be called “The Bishop Election Ordinance 1999-2019”. |
| COMMENCEMENT | 2. | This Ordinance shall come into effect on the date that section 4 of the Missionary Diocese Canon 1977-1995 of General Synod ceases to have effect in relation to the Diocese. |
| VACANCY IN OFFICE OF BISHOP | 3. | The office of Bishop shall become vacant when the person who holds the office:

(1) resigns by notice in writing to the Diocesan Council;

(2) attains the age of seventy years;

(3) dies;

(4) is the subject of a declaration of vacancy made pursuant to the Bishop (Incapacity) Canon 1995 of General Synod; or

(5) becomes ineligible (except by temporary suspension) to hold the office pursuant to the Constitution of the Anglican Church of Australia or legislation enacted pursuant thereto. |
| BISHOP ELECTION | 4. | (1) Whenever the office of Bishop becomes vacant a successor shall be elected in the manner provided in this Ordinance. |
| BOARD OF ELECTORS | (2) | For the purpose of the election there shall be a Board of Electors comprising: |

- (a) the Chancellor who shall be the Chairman;
- (b) if the Chancellor is unable to act or if the office of Chancellor is vacant: a member of the Diocese elected Chairman by a majority of at least two-thirds of the members of the Diocesan Council;
- (c) five clergy and five lay members elected by the Synod.

BOARD MEETING

- (3) The Chairman shall as soon as possible after either a notice referred to in clause 3(1) is given or the office of bishop becomes vacant from another cause (or within such other period as the Diocesan Council may resolve by a majority of at least two-thirds of its members) summon the Board to meet not earlier than one month or later than two months after the issue of the summons at a place within the Diocese nominated by the Chairman for the purpose of electing a successor to the office. The Board may adjourn as it deems necessary but it shall seek to elect a Bishop as soon as possible.

CONSULTATION WITHIN DIOCESE

- 5. Prior to proceeding to an election the Board shall undertake such enquiries with respect to ascertaining appropriately qualified candidates for the position as it deems appropriate. This process shall include: (a) confirming that a candidate satisfies the Safe Ministry Due Diligence Appointment Protocol of the Diocese; (b) consulting with each ministry unit and relevant agency with respect to its vision for the Diocese and the qualities that it considers desirable in a candidate.

BOARD QUORUM

- 6. The board shall not proceed to an election unless at least two-thirds of its members including the Chairman are present. Members shall be taken to be present at a Board meeting if they attend either in person or by such technological means as the Board may approve. A member may neither attend a meeting, nor vote, by proxy.

ELECTION MAJORITY 7. A person shall not be elected Bishop unless the person receives the votes of at least two-thirds of the members of the Board.

DIOCESE OF THE NORTHERN TERRITORY

THE CLERGY APPOINTMENT AND REGULATION ORDINANCE 1974-2020

No 1 of 1974
No 2 of 1976 (amendment)
No 3 of 1993 (amendment)
No 3 of 1999 (amendment)
No 2 of 2005 (amendment)
No 3 of 2017 (amendment)
No 2 of 2019 (amendment)
No 1 of 2020 (amendment)

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- TITLE 1. This Ordinance shall be called “The Clergy Appointment and Regulation Ordinance 1974-2020”.
- REPEAL 2. (i) Upon the coming into effect of this Ordinance “The Benefices Ordinance of 1955 Amendment Ordinance of 1966” of the Diocese of Carpentaria (hereinafter called “The Repealed Ordinance”) shall cease to apply to the Diocese of the Northern Territory.
- (ii) The Clergy Appointment and Regulation Ordinance 1974-1993 is amended by repealing the First Second and Third Schedules thereof and substituting the following Schedules.
- (ii) Nothing in this section shall affect anything lawfully done or any right liability or obligation properly occurring pursuant to the coming into effect of this Ordinance and in particular every person holding office under the Repealed Ordinance shall continue to hold such office under and in accordance with this Ordinance.
- DEFINITION 3. In this Ordinance
- (1) "Diocese" means the Diocese of the Northern Territory.
- (2) "Bishop" means the Bishop of the Diocese and includes the Administrator of the Diocese.
- (3) "The Tribunal" means the Diocesan Tribunal.
- (4) "Registrar" means Registrar of the Diocese.

BISHOP TO DETERMINE VACANCIES

4. The Bishop shall determine the date upon which any appointed clergy position in the Diocese becomes vacant.

PROPOSAL BOARD

5. There shall be in each parish of the Diocese a Proposal Board (hereinafter called "the Board") to be constituted as hereinafter provided to nominate or approve clergy to be appointed to the parish concerned.
6. The Board shall be constituted of the Bishop and the wardens of the parish to which the appointment is to be made; in the absence of a warden the council of the parish concerned may appoint one of its members in his stead.
7. When a vacancy is determined pursuant to Section 4 hereof the Bishop shall within one month summon a meeting of the Board of the Parish concerned at such time and place as he may determine. The Board shall nominate a cleric to the Bishop for institution to the parish unless the cleric is nominated by a church society or organisation in which event the Board will inform the Bishop whether or not it approves the nomination.

BISHOP MAY REFUSE NOMINEE

8. The Bishop may decline to institute a cleric nominated as aforesaid; his decision shall be final and his reason therefor need not be disclosed. In this event a further nomination may be made.

BOARD MAY SURRENDER RIGHTS

9. The Parish members of the Board may surrender their right of nomination or approval absolutely to the Bishop.

APPOINTMENT TO BE MADE WITHIN SIX MONTHS

10. If within six months after a vacancy has been determined pursuant to Section 4 hereof the Board has not nominated or approved a cleric whom the Bishop is prepared to institute the Bishop shall assume the sole right of appointment.

TERM OF APPOINTMENT

11. Subject to Sections 12 and 15 hereof a cleric shall be appointed and licensed for a period of seven years provided that the Bishop may vary the term with the consent of the Board or in the case of a cleric nominated by a Church society or organisation with the consent of the society or organisation.
12. The licence of a stipendiary cleric shall terminate upon him or her attaining the age of one year more than the retirement age

stipulated pursuant to the law of the Commonwealth of Australia for qualification for the aged pension except that a licence may be granted for a term beyond a grantee's licence termination age with firstly such conditions as the Bishop deems appropriate and secondly the consent of the Board or the nominated church society or organisation. The term of any grant applying beyond the grantee's licence termination age shall not exceed three years.

NON-PAROCHIAL APPOINTMENTS

- 12A. A cleric may be appointed and licensed by the Bishop for such term and upon such conditions as the Bishop deems appropriate to the intent that such clergy shall not be licensed to a parish but shall be licensed to officiate to a greater degree than is hereafter provided with respect to permission to officiate. The conditions of licensing clergy provided in this Ordinance shall apply to appointments pursuant to this section except insofar as they are appropriate only to appointments to a parish.

CONDITIONS OF LICENSING CLERGY

13. Before any cleric shall be entitled to be licensed within the Diocese there shall be lodged with the Registrar the following documents:-
- (1) A nomination
 - (a) If the nominee seeks to be licensed as the Rector of a parish - by the Bishop.
 - (b) If the nominee seeks to be licensed as an assistant priest or curate - by the Rector of the parish.
 - (c) If the nominee is nominated by a church society or organisation - by the secretary of that society or organisation.

The nomination shall set out the terms of employment upon which the nominee is to be appointed.

- (2) Letters of Orders.
- (3) If the nominee is not a cleric of the Diocese, testimonial references by the Bishop of the Diocese in which the applicant was previously licensed.
- (4) Oath of Canonical Obedience to the Bishop in the form of the first schedule hereto.
- (5) Declaration of assent to the Thirty-nine Articles of Religion and the Book of Common Prayer in the form in the second schedule hereto.
- (6) Declaration of submission to Synod in the form in the third schedule hereto.

- (7) Satisfactory evidence that the nominee is provided for in age or infirmity by membership of the Australian Provident Fund or some other form of insurance acceptable to the Bishop.
 - (8) Evidence of compliance by the nominee with the Safe Ministry Due Diligence Appointment Protocol of the Diocese.
14. The form of licence shall be in accordance with the fourth schedule hereto.
15. A licence may be revoked by the Bishop upon his giving to the licensee any of the following periods of notice in writing of the revocation:
 - (1) 28 days;
 - (2) such period less than 28 days as may be determined by a resolution passed by a majority of at least three-quarters of the members of Diocesan Council;
 - (3) such period as may be indicated pursuant to a requirement to revoke the licence pursuant to any other Diocesan legislation.
16. The licence of an assistant cleric may be revoked pursuant to Section 15 hereof upon the request of the Rector of the parish in which the licence is held.
17. Any licensed cleric may seek to have his licence terminated and to resign his appointment upon giving two months notice in writing to the Bishop of his intention to do so.

PERMISSION TO OFFICIATE

18. The Bishop may issue to any cleric permission to officiate within the Diocese which permission may be revoked at any time by the Bishop upon his giving notice in writing of the revocation to the holder. The Bishop's decision shall be final. Permission to officiate shall not entitle the holder to be summoned to Synod.
19. A permission to officiate may be resigned by the holder upon his giving the Bishop two months notice in writing of such resignation.

DIOCESAN TRIBUNAL

20. (1) There shall be a Diocesan Tribunal constituted as provided in Section 54(1) of the Constitution of the Anglican Church of Australia and operating as provided in that Constitution and in The Clergy Appointment and Regulation Ordinance 1974-2020.
20. (2) In addition to the President, there shall be two Tribunal Members, one cleric and one lay person, who shall be

appointed by Diocesan Council. Each Member's term shall be such as is specified in their appointment, or any renewal thereof, subject to a maximum of five years per appointment. Any Member's term of appointment may be terminated by a resolution agreed to by at least two-thirds of the members of Diocesan Council.

- (3) In the event of a temporary absence or unavailability of any appointed member of the Diocesan Tribunal, the Diocesan Council may appoint a person to act temporarily in that member's place.
- 20A. The appointment of the Tribunal shall constitute the board of enquiry referred to in Section 54(3) of the Constitution of the Anglican Church of Australia.
21. The Tribunal shall hear and determine appeals pursuant to Section 25 hereof and charges brought pursuant to Section 27 thereof.
 22. The Registrar or his nominee shall attend the Tribunal as its Secretary. The Tribunal shall determine its own procedure for any hearing and inform the parties concerned accordingly. The Tribunal shall consider such evidence and submissions as it considers to be proper and then close the hearing.
 23. As soon as possible after a hearing the Tribunal shall determine the appeal or the validity of the charge under consideration and forthwith report to the Bishop its determination and recommendations with regard to:
 - (1) The appeal or charge.
 - (2) Monition
 - (3) Suspension or expulsion from office.
 - (4) Deprivation of rights and entitlements.
 - (5) Deposition from Holy Orders.

The Tribunal's report shall be in writing and signed by its members or the majority thereof making the decision and countersigned by the Registrar or his nominee.

LEGAL POWER IN TRIBUNAL

24. For the purposes of securing the attendance of witnesses and the production of documents and for the examination of witnesses on oath or otherwise the Tribunal shall be deemed to be an arbitrator within the meaning of the Arbitration Act 1891 (South Australia) or any substituted or amending enactment for the time being in force in the Northern Territory and shall have power to administer oaths

or take an affirmation from any witness and for the same purpose any party to a proceeding before the Tribunal to submit evidence to it shall be deemed to be a party to a reference or submission to arbitration within the meaning of such legislation.

RIGHT OF APPEAL

25. Any cleric given notice of licence revocation pursuant to subsection (1) of section 15 hereof may (subject to first obtaining the consent in writing of 3 clergy and 2 lay members of Diocesan Council) within 14 days after receiving such notice appeal to the Tribunal by notice in writing to the Registrar stating the grounds of appeal.
26. The Registrar shall thereupon convene a meeting of the Tribunal as soon as conveniently possible to hear and determine the appeal.

CHARGES

27. The Bishop, a licensed cleric or any five adult communicant members of the Church resident within the Diocese may prefer a charge against any person licensed or with permission to officiate within the Diocese or against any other person in Holy orders resident in the Diocese alleging any matter which it is thought should be determined by the Diocesan Tribunal provided that if the charge be preferred against a cleric with reference to an offence alleged to have been committed within the parish in which he is licensed the communicants shall be members of that parish.
28. The charge shall be in writing and state full particulars of the matters alleged; the original shall be sent to the Registrar and a duplicate copy to the person charged. The Registrar shall forthwith refer the charge to the Tribunal which shall upon making such enquiries as it deems fit either dismiss the charge without a hearing or declare that the charge be heard.
29. If the Tribunal declares that the charge be heard the Registrar shall convene a Tribunal hearing as soon as possible. The time and place of the hearing shall be stipulated in a notice in writing to be sent to all interested parties at least 14 days before the hearing.

INTERIM SUSPENSION

30. When a charge is preferred pursuant to Section 27 hereof against any cleric licensed or with permission to officiate in the Diocese, the Bishop may with the consent of the Diocesan Council suspend the cleric from the duties of his office until the determination of the charge by the Tribunal and the Bishop may make such arrangements for the performance of the duties of the office as he

deems proper.

PREROGATIVE OF MERCY

31. The Bishop may consult with the Tribunal regarding any decision that is made or any sentence that is recommended and in the exercise of his prerogative of mercy may mitigate a sentence, suspend its operation or both mitigate and suspend it. The Bishop shall pronounce the sentence recommended by the Tribunal even though he mitigate or suspend it.
32. The Bishop may take all such steps as he deems necessary and expedient to enforce any decision of the Tribunal.
33. Repealed

ABSENCE FROM PARISH

34. No cleric shall be absent from his parish for a period exceeding two weeks without first informing the Bishop.

MARRIAGE SOLEMNISATION

35. A cleric must satisfy himself before he solemnises a marriage that the civil law requirements in respect thereof have been complied with.

SERVICE OF DOCUMENTS

36. Any notice or document required or to be given served or sent pursuant to this Ordinance shall be deemed to be duly given served or sent by being delivered personally or by being sent through the post by prepaid registered letter addressed to the person for whom it is intended at his usual last known place of residence; such a letter shall be deemed to have been received on the fourteenth day after the date of it being posted.

SUBSTANTIAL COMPLIANCE

37. A deviation from any form in any of the schedules hereto which does not materially affect the substance of the form shall be sufficient compliance with the requirements of this Ordinance.

THE SCHEDULES

First Schedule

OATH OF CANONICAL OBEDIENCE

I (name and address of Licensee) swear that I will pay true and canonical obedience to the Bishop of the Northern Territory and the successors of that Bishop in all things lawful and honest: so help me God.

SWORN at)
by the said (name of Licensee))
this day of)
)
before me:)

Second Schedule

DECLARATION OF ASSENT

I (name and address of Licensee) firmly and sincerely believe the Catholic Faith and I give my assent to the Doctrine of The Anglican Church of Australia as expressed in the Book of Common Prayer and the Ordering of Bishops Priests and Deacons and the Articles of Religion as acknowledged in section 4 of the Constitution of the Anglican Church of Australia and I believe the Doctrine to be agreeable to the word of God.

I declare my assent to the Fundamental Declarations of the Anglican Church of Australia as set out in the first three sections of the said Constitution.

In public prayer and administration of the sacraments I will use the form prescribed by the Book of Common Prayer or a form authorised by lawful authority and none other.

SIGNED AND DECLARED at)
)
by the said (name of Licensee))
this day of)
before me:)

AND WE DO HEREBY RESERVE to ourselves and to our successors all powers and authorities dignity and honour appertaining to our spiritual office or vested in us by the said constitution and laws including the power to revoke the licence as provided in the aforesaid Ordinance.

IN WITNESS WHEREOF we have caused our Seal to be affixed hereto the day of
 in the year of our Lord and in the year of our Consecration and the
year of our Episcopate in this See.

REGISTERED by me in this Diocesan Registry at Darwin in the said Territory on this
day of .

Registrar

AN ORDINANCE TO ADOPT CERTAIN CANONS OF GENERAL SYNOD

No 2 of 1972

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:-

- | | | |
|--------------------|----|--|
| TITLE | 1. | This Ordinance shall be called the "Canons of General Synod Adoption Ordinance 1972". |
| ADOPTION OF CANONS | 2. | The Canons of General Synod set out in the schedule to this Ordinance are hereby adopted by the Diocese of the Northern Territory. |

THE SCHEDULE

- | | |
|---------------------|---|
| Canon No 3 of 1969: | A Canon to amend the Long Service Leave Canon, 1966. |
| Canon No 6 of 1969: | A Canon to amend the Consecration of Bishops Canon, 1966. |
| Canon No 7 of 1969: | A Canon to Regulate and promote the Order of Deaconesses. |

AN ORDINANCE TO ADOPT CERTAIN CANONS OF GENERAL SYNOD

No 4 of 1974

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | |
|--------------------|---|
| TITLE | 1. This Ordinance shall be called “The Canons of General Synod Adoption Ordinance 1974”. |
| ADOPTION OF CANONS | 2. The Canons of General Synod set out in the Schedule to this Ordinance are hereby adopted by the Diocese of the Northern Territory. |

THE SCHEDULE

- (a) Canon No 3 of 1962: a Canon for the appointment of the Special Tribunal and a Board of Assessors.
- (b) Canon No 4 of 1962: a Canon to specify offences under Section 54, 55 and 56 of the Constitution.
- (c) Canon No 5 of 1962: a Canon providing for the appointment of a Board of Assessors in relation to the Appellate Tribunal.
- (d) Canon No 6 of 1962: a Canon prescribing matters incidental to the exercise of jurisdiction by the special Tribunal and the Appellate Tribunal.
- (e) Canon No 8 of 1962: a Canon providing for the appointment of the members of the Appellate Tribunal.
- (f) Canon No 7 of 1973: a Canon to prescribe the form of the declaration to be made by Clergy.
- (g) Canon No 8 of 1973: a Canon to amend the Long Service Leave Canon 1966-1969 and to provide for long service leave for Deaconesses.

- (h) Canon No 12 of 1973: a Canon to provide for lay assistance at Holy Communion.
- (i) Canon No 14 of 1973: a Canon for admission to Holy Communion.

THE CANONS OF GENERAL SYNOD ADOPTION ORDINANCE

No 4 of 1977

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | |
|--------------------|--|
| TITLE | 1. This Ordinance shall be called “The Canons of General Synod Adoption Ordinance 1977”. |
| COMMENCEMENT | 2. This Ordinance shall come into effect on 1 st December 1977. |
| ADOPTION OF CANONS | 3. The following canons of General Synod are hereby adopted by the Diocese of the Northern Territory.

(1) A Canon to provide for the formation and administration of missionary dioceses, 1977.

(2) Godparents Canons 1977.

(3) The use of the Surplice Canon 1977.

(4) Long Service Leave (Amendment) Canon 1977. |

THE CANONS AND BILLS OF GENERAL SYNOD ORDINANCE

No 2 of 1983

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

TITLE 1. This Ordinance shall be called "The Canons and Bills of General Synod Ordinance 1983".

ADOPTION
OF CANONS 2. The Diocese hereby adopts the following Canons of General Synod:

(1) The National Superannuation and Retirement Council Canon, 1981.

(2) Solemnisation of Matrimony Canon 1981.

(3) The Ministry to the Sick Canon 1981.

(4) Offences Amendment Canon 1981.

(5) Appellate Tribunal Canon 1981

(6) Matrimony (Prohibited Relationships) Canon 1981.

(7) Appellate Tribunal (Amendment) Canon 1981.

ASSENT
TO BILLS 3. The Diocese hereby assents to the following Bills to alter the Constitution of the Anglican Church of Australia.

(1) the Bill No. 1 1981 passed by the General Synod on the 27th day of August 1981.

(2) the Bill No. 2 1981 passed by the General Synod on the 27th day of August 1981.

THE CANONS AND BILLS OF GENERAL SYNOD ORDINANCE

No 4 of 1986

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | |
|--------------------|--|
| TITLE | 1. This Ordinance shall be called "The Canons and Bills of General Synod Ordinance 1986". |
| ADOPTION OF CANONS | 2. The Diocese hereby adopts the following Canons of General Synod: <ul style="list-style-type: none">(1) Reception Canon 1981;(2) Canon for the admission of children to Holy Communion;(3) Marriage of Divorced Persons Canon 1981;(4) Long Service Leave Canon (Amendment) Canon 1985;(5) Constitution Alteration (Definition of "Member") Canon 1985;(6) Ordination Service for Deacons Canon 1985;(7) Alternative Tables of Lessons Canon 1985;(8) Ordination of Women to the Office of Deacon Canon 1985;(9) Constitution Alteration (Deacons and the Houses of Synod) Canon 1985. |
| ASSENT TO BILLS | 3. The Diocese hereby assents to the following bills to alter the Constitution of the Anglican Church of Australia: <ul style="list-style-type: none">(1) The Bill No 1 1985 passed by General Synod on the 27th day of August 1985.(2) The Bill No 2 passed by General Synod on the 31st day of August 1985. |

THE CANONS AND BILLS OF GENERAL SYNOD ORDINANCE

No. 1 of 1991

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | |
|------------------------------|---|
| TITLE | 1. This Ordinance shall be called "The Canons and Bills of General Synod Ordinance 1991". |
| ASSENT TO CANONS | 2. The Diocese hereby assents to the following Canons of General Synod:

(1) Constitution Alteration Canon 1987

(2) Constitution Alteration (Making of Canons) Canon 1989

(3) Constitution Alteration (Title of the Primate) Canon 1989

(4) Constitution Alteration (Canonical Fitness) Canon 1989 |
| ASSENT TO BILLS | 3. The Diocese hereby assents to the following Bills to alter the Constitution of the Anglican Church of Australia:

(1) Constitution Alteration Bill 1987

(2) Constitution Alteration (Making of Canons) Bill 1989

(3) Constitution Alteration (Title of the Primate) Bill 1989

(4) Constitution Alteration (Canonical Fitness) Bill 1989 |
| ASSENT TO PROVISIONAL CANONS | 4. The Diocese hereby assents to the following Provisional Canons of General Synod:

(1) Canon Law Repeal Canon 1989

(2) Canon concerning authority on certain matters 1989

(3) Canon concerning confessions 1989 |

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THE CANONS OF GENERAL SYNOD ORDINANCE

No. 1 of 1992

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | |
|---------------------------------|--|
| TITLE | 1. This Ordinance shall be called "The Canons of General Synod Ordinance 1992". |
| ASSENT TO CANON | 2. The Diocese hereby assents to the Constitution Amendment (Section 51) Canon 1992 of General Synod. |
| ASSENT TO PROVISIONAL CANON | 3. The Diocese hereby assents to the law of the Church of England Clarification Canon 1992 a Provisional Canon of General Synod. |
| ASSENT TO AND ADOPTION OF CANON | 4. The Diocese hereby assents to and adopts the Long Service Leave Canon 1992 of General Synod. |

THE CANONS OF GENERAL SYNOD ORDINANCE

No 1 of 1993

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | | |
|--------------------|----|---|
| TITLE | 1. | The Ordinance shall be called “The Canons of General Synod Ordinance 1993”. |
| ADOPTION OF CANONS | 2. | The Diocese hereby adopts the following Canons of General Synod: <ul style="list-style-type: none">(1) The Law of the Church of England Clarification Canon 1992.(2) Appellate Tribunal Canon Amendment Canon 1992.(3) Canon concerning authority on certain matters 1989.(4) Canon concerning confessions 1989.(5) Canon Law Repeal Canon 1989.(6) Special Tribunal Procedure 1992.(7) Alternative Tables of Lessons Amendment Canon 1992.(8) Authorised Lay Ministry Canon 1992. |
| ASSENT TO CANONS | 3. | The Diocese hereby assents to the following Canons 1992. <ul style="list-style-type: none">(1) Constitution Alterations (Sections 17 & 23) Canon 1992.(2) Constitution Alteration (Miscellaneous Sections) Canon 1992. |

ASSENT TO
PROVISIONAL
CANONS

4. The Diocese hereby assents to the following Provisional Canons of General Synod:
 - (1) Canon concerning Vesture of Ministers 1992.
 - (2) Oaths Declarations and Assents Canon 1992.
 - (3) Canon concerning the Holy Communion of the Lord's Supper 1992.
 - (4) Canon concerning Baptism 1992.
 - (5) Canon concerning Services 1992.
 - (6) Canon concerning Confirmation 1992.

THE CANONS OF GENERAL SYNOD ORDINANCE

No 1 of 1996

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

- | | |
|---------------------------------|---|
| TITLE | 1. This Ordinance shall be called "The Canons of General Synod Ordinance 1996". |
| ADOPTION OF CANONS | 2. The Diocese hereby adopts the following Canons of General Synod:

(1) Constitution of a Diocese Alteration Canon 1995
(2) Missionary Dioceses Amendment Canon 1995
(3) Archdeacons Canon 195
(4) Prayer Book for Australia 1995
(5) Reception Canon Amendment Canon 1995
(6) Canon concerning Vesture of Ministers 1992 |
| ASSENT TO 3. CANONS | The Diocese hereby assents to the following Canons of General Synod:

(1) Long Service Leave Canon (Amendment) 1995
(2) The Constitution Amendment (Table Annexed) Canon, 1995

(3) Constitution Amendment (Interpretation) Canon, 1995
(4) Constitution Amendment (Rights of Non-Members of General Synod) Canon 1995. |
| ADOPTION OF AND ASSENT TO CANON | 4. The Diocese hereby adopts and assents to the following Canon of General Synod: Bishop (Incapacity) Canon 1995 |

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THE CANONS OF GENERAL SYNOD ORDINANCE

No. 4 of 1999

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | |
|---------------------------------|---|
| TITLE | 1. This Ordinance shall be called “The Canons of General Synod Ordinance 1999”. |
| ADOPTION OF CANONS | 2. The Diocese hereby adopts the following Canons of General Synod:

(1) Canon concerning Services 1992

(2) Canon concerning Confirmation 1992

(3) Canon concerning Oaths Affirmations Declarations and Assents 1992

(4) Offences Canon Amendment Canon 1998

(5) Canon concerning Baptism 1998. |
| ASSENT TO CANONS | 3. The Diocese hereby assents to the following Canons of General Synod:

(1) Revised Constitution Amendment (Interpretation) Canon 1998

(2) Constitution Alteration (Tribunals) Canon 1998

(3) Constitution Alteration (Composition of General Synod) Canon 1998

(4) Constitution Alteration (Discipline Clarification) Canon 1998 |
| ADOPTION OF AND ASSENT TO CANON | 4. The Diocese hereby adopts and assents to the following Canon of General Synod: Bishop (Incapacity) (Amendment) Canon 1998. |
| ASSENT TO PROVINCIAL CANON | 5. The Diocese hereby assents to the following Provincial Canon of General Synod: Metropolitan Canon 1998. |

GENERAL SYNOD CANON ORDINANCE

No. 2 of 2000

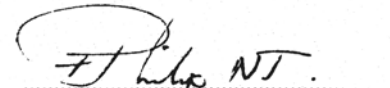
BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

- | | |
|--------------------|--|
| TITLE | 1. This Ordinance shall be called "The General Synod Canon Ordinance 2000". |
| ASSENT TO
CANON | 2. The Diocese hereby assents to the following Canon of General Synod: the Constitution Alteration (Suspension from Duties) Canon 1998 |

I certify that the bill as printed is in accordance with the bill as reported.


.....
Chairman of Committees

I give my assent to this Ordinance.


.....

DIOCESE OF THE NORTHERN TERRITORY
THE CANONS OF GENERAL SYNOD ORDINANCE

No 2 of 2002

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

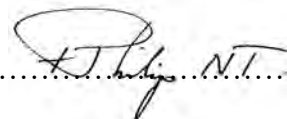
- | | |
|--------------------|--|
| TITLE | 1. This Ordinance shall be called “The Canons of General Synod Ordinance 2002”. |
| ADOPTION OF CANONS | 2. The Diocese hereby adopts the following Canons of General Synod:

(1) Defence Force Ministry Canon 1985
(2) Canons Amendment (Bishop to the Defence Force) Canon 2001
(3) Chancellors Canon 2001
(4) Holy Communion Canon 2001
(5) Long Service Leave (Amendment) Canon 2001. |
| ASSENT TO CANONS | 3. The Diocese hereby assents to the following Canons of General Synod:

(1) Constitutional Alteration (Tribunals) Amendment Canon 2001
(2) Constitution Alteration (Suspension from Duties) Canon 2001
(3) Constitution Alteration (Special Tribunal) Canon 2001. |

I certify that the bill as printed is in accordance with the bill as reported 22/6/2002.

Chairman of Committee 

I give my assent to this Ordinance..........

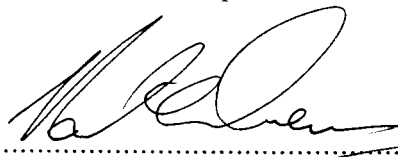
DIOCESE OF THE NORTHERN TERRITORY
CANON OF GENERAL SYNOD ORDINANCE

No 2 of 2003

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

- | | |
|-------------------|---|
| TITLE | 1. This Ordinance shall be called the “Canon of General Synod Ordinance 2003”. |
| ADOPTION OF CANON | 2. The Diocese hereby adopts the Special Tribunal Procedure Amendment and Repeal Canon 2001 of General Synod. |

I certify that the bill as printed is in accordance with the bill as reported.


.....
Chairman of Committees

I give my assent to this Ordinance.


.....

DIOCESE OF THE NORTHERN TERRITORY
THE CANONS OF GENERAL SYNOD ORDINANCE

No. 3 of 2005

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

- | | |
|------------------------------|--|
| TITLE | 1. This Ordinance shall be called “The Canons of General Synod Ordinance 2005”. |
| ADOPTION OF CANON | 2. The Diocese hereby adopts the following Canon of General Synod: Holy Orders, Relinquishment and Deposition Canon 2004, National Register Canon 2004. |
| ASSENT TO CANONS | 3. The Diocese hereby assents to the following Canons of General Synod:

(1) Constitution Amendment (Relations with other Churches) Canon 2004

(2) Constitution Alteration (Chapter IX) Canon 2004 |
| ASSENT TO PROVISIONAL CANONS | 4. The Diocese hereby assents to the following Provisional Canons of General Synod:

(1) Holy Orders (Reception into Ministry) Canon 2004

(2) Canon concerning Holy Orders 2004

(3) Restraint on Certain Consecrations Canon 2004

(4) Episcopal Standards Canon 2004. |

I certify that the bill as printed is in accordance with the bill as reported.

.....
Chairman of Committees

I give my assent to this Ordinance

.....

DIOCESE OF THE NORTHERN TERRITORY
THE CANONS OF GENERAL SYNOD ORDINANCE

No. 1 of 2008

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

- | | |
|------------------------------|---|
| TITLE | 1. This Ordinance shall be called “The Canons of General Synod Ordinance 2008”. |
| ADOPTION OF CANON | 2. The Diocese hereby adopts the following Canons of General Synod:

(1) Long Service Leave Cannon 2008
(2) Canon Concerning Holy Orders 2004
(3) Protection of the Environment Canon 2007
(4) Episcopal Standards Canon 2007
(5) Holy Orders (Reception into Ministry) Canon 2004 |
| ASSENT TO CANONS | 3. The Diocese hereby assents to the following Canons of General Synod:

(1) Constitution Amendment (Diocesan Council) Canon 2007
(2) Constitution Alteration (Chapter IX) Canon Amendment 2007
(3) Constitution Amendment (Section 10) Canon 2007
(4) Constitution Amendment (Section 54A) Canon 2007
(5) Constitution Amendment (Provinces and Dioceses) Canon 2007 |
| ASSENT TO PROVISIONAL CANONS | 4. The Diocese hereby assents to the following Provisional Canons of General Synod:

(1) Solemnisation of Matrimony Canon 2007 |

I certify that the bill as printed is in accordance with the bill as reported.

.....
Chairman of Committees

I give my assent to this Ordinance

.....
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DIOCESE OF THE NORTHERN TERRITORY

THE CANONS OF GENERAL SYNOD ORDINANCE

No. 2 of 2011

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

- | | |
|------------------|---|
| TITLE | 1. This Ordinance shall be called “The Canons of General Synod Ordinance 2011”. |
| ASSENT TO CANONS | 2. The Diocese hereby assents to the following Canons of General Synod:

(1) Constitution Amendment (Diocesan Council) Canon 2010

(2) Constitution Amendment (Diocesan Council) Repeal Canon 2010

(3) Constitution Amendment (Appellate Tribunal Part Heard Matters) Canon 2010

(4) Constitution Amendment (Section 30) Canon 2010

(5) Constitution Amendment (Sentences of Tribunals) Canon 2010

(6) Constitution Amendment (Chapter V) Canon 2010

(7) Long Service Leave Canon 2010 |

I certify that the Bill as printed is in accordance with the bill as reported.

.....
Chairperson of Committees

I give my assent to this Ordinance

.....
Bishop of the Northern Territory

ANGLICAN DIOCESE OF THE NORTHERN TERRITORY

THE CANONS OF GENERAL SYNOD ORDINANCE

No 2 of 2015

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

TITLE 1. This Ordinance shall be called “The Canons of General Synod Ordinance 2015”.

ASSENT TO
CANONS 2. The Diocese hereby assents to the following Canons of General Synod:

(1) Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014

(2) Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014

ADOPTION OF
CANONS 2. The Diocese hereby adopts the following Canons of General Synod:

(1) Holy Orders, Relinquishment and Deposition Canon 2004 Amendment Canon 2014

(2) Canon concerning confessions 1989 (Amendment) Canon 2014.

I certify that the above is a copy as passed.

.....
Chair of Committees

I give my assent to this Ordinance

.....

ANGLICAN DIOCESE OF THE NORTHERN TERRITORY

THE CANONS OF GENERAL SYNOD ORDINANCE

No 3 of 2019

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

- | | | |
|-----------------------|----|---|
| TITLE | 1. | This Ordinance shall be called “The Canons of General Synod Ordinance 2019”. |
| ASSENT TO LEGISLATION | 2. | The Diocese hereby assents to the following Canons of General Synod:

(1) Constitution (Appellate Tribunal) Amendment Canon 2017

(2) Constitution (Jurisdiction of Special Tribunal) Amendment Canon 2017. |
| ADOPTION OF CANONS | 3. | The Diocese hereby adopts the following Canons of General Synod:

(1) Safe Ministry to Children Canon 2017

(2) Episcopal Standards (Child Protection) Canon 2017

(3) Offences Amendment Canon 2017

(4) Special Tribunal (Limitation Period) Canon 2017

(5) Canon Concerning Confessions (Revision) Canon 2017

(6) Canon concerning Confessions (Vulnerable Persons) Canon 2017

(7) Holy Orders (Removal from Exercise of Ministry) Canon 2017

(8) Canon Concerning Services Amendment Canon 2017 |

ANGLICAN DIOCESE OF THE NORTHERN TERRITORY

THE CANONS OF GENERAL SYNOD ORDINANCE 2023

No 2 of 2023

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

1. This Ordinance shall be called “The Canons of General Synod Ordinance 2023”.
2. The Diocese hereby adopts the following Canons of General Synod:
 - (1) “The Episcopal standards (child protection) (amendment) Canon (9) 2022” in its entirety.
 - (2) “The Safe ministry legislation amendments Canon (11) 2022” in its entirety.
 - (3) “Episcopal standards investigations amendment Canon (12) 2022” in its entirety.
3. The Diocese hereby gives assent to the following constitution amendment Canons of General Synod:
 - (1) “Constitution Amendment (Mandatory Suspension) Canon (7) 2022”
 - (2) “Constitution Amendment (Mandatory Deposition) Canon (8) 2022”

DIOCESE OF THE NORTHERN TERRITORY

CATHEDRAL ORDINANCE 1976 - 2001

No 4 of 1976

No 2 of 1977 (amendment)

No 2 of 1981 (amendment)

No 1 of 2001 (amendment)

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | | |
|----------------------------|----|---|
| TITLE | 1. | This Ordinance shall be called "The Cathedral Ordinance 1976-2001" |
| COMMENCEMENT
AND REPEAL | 2. | <p>(1) This Ordinance shall come into effect on 1st September 1976.</p> <p>(2) Upon the coming into effect of this Ordinance "The Cathedral Ordinance of 1955 Amendment Ordinance of 1966" of the Diocese of Carpentaria (hereinafter called "The Repealed Ordinance") shall cease to apply to the Diocese of the Northern Territory.</p> <p>(3) Nothing in this section shall affect anything lawfully done or suffered or any right liability or obligation properly occurring pursuant to the Repealed Ordinance before the coming into effect of this Ordinance and in particular every person holding office under the repealed Ordinance shall continue to hold office under and in accordance with this Ordinance.</p> |
| CATHEDRAL | 3. | The Church of the Parish of Darwin (hereinafter called "the Parish") known as Christ Church Cathedral shall be and is hereby appointed to be the Cathedral Church of the Diocese (hereinafter called "the Cathedral") and shall be used as such and also as the Church of the Parish. |
| BISHOP | 4. | The Bishop shall have access to the Cathedral at all times and may celebrate and perform therein all rites and ceremonies of the Anglican Church of Australia as are connected with Episcopal or Diocesan |

functions without hindrance from any person provided that such uses shall be in consultation and cooperation with the Rector and Churchwardens of the Parish.

PARISH USER

5. Subject to the rights herein reserved for the Bishop the Rector of the Parish shall have the full charge and ordering of all services in the Cathedral except such as are connected with Episcopal or Diocesan functions.

CANONS

6. There shall be the following Canons of the Cathedral.
- (1) *Residentiary Canon.*
The Rector of the Parish shall be the Residentiary Canon.
- (2) *Honorary Canons.*
The Bishop may appoint clerical and lay Honorary Canons as he deems fit having regard to their standing and experience provided that there shall not be more than four such clerical canons and four such lay canons. Honorary Canons shall be appointed for a term not exceeding five years but shall be eligible for reappointment upon the expiry of a term. Honorary Canons must be resident in the Diocese and shall cease to hold such office upon not being so resident.
- (3) *Emeritus Canons.*
The Bishop may appoint clerical and lay Emeritus Canons as he deems fit having regard to their standing and contribution to Diocesan affairs provided that there shall not be more than six. Emeritus Canons shall not have any administrative function or voting right.

- 6A The Bishop may appoint the Rector of the Parish to be Dean of the Cathedral provided that such an appointment shall not derogate from the rights of the Bishop in relation to the Cathedral nor add to the rights of the Rector in relation thereto as herein provided unless the Bishop otherwise directs.

CHAPTER

7. The general administration of the Cathedral relevant to its Episcopal and Diocesan functions and all matters pertaining hereto shall be vested in a Chapter

(hereinafter called “the Chapter”) consisting of the Bishop the Residentiary Canon the Registrar the Honorary Canons the Churchwardens of the Parish and the Treasurer of the Parish.

- | | | |
|----------------------------------|-----|---|
| CHAPTER
CHAIRMAN | 8. | The chairman of the Chapter shall be the Bishop and in his absence the Residentiary Canon. If both be absent from a meeting the Chapter shall elect another of its members to be chairman thereof. The chairman shall have a deliberate and a casting vote. |
| CHAPTER
DELEGATION | 9. | The Chapter may delegate such of its functions as it deems fit to the parish council of the Parish (hereinafter called "the parish council"). |
| CHAPTER | 10. | A quorum for a meeting of the Chapter shall be at least one-half of its members. A meeting may be called by the Bishop or by a quorum of members provided that at least three days notice in writing thereof is given to each member.” |
| CHAPTER RIGHTS
AND POWERS | 11. | The Chapter shall have such rights and powers as are necessary and appropriate for the general administration of the Cathedral relevant to its Episcopal and Diocesan functions and all matters pertaining thereto. |
| PARISH COUNCIL
RESPONSIBILITY | 12. | The parish council shall be responsible for all aspects of the administration of the Cathedral other than those vested in the Chapter. |
| DISPUTES | 13. | Any dispute between the Chapter and the parish council as to their respective rights privileges duties or obligations shall be referred to and finally decided by the Diocesan Council. |
| SAVING CLAUSE | 14. | Where any impediment misfeasance or omission happens in relation to the carrying out of the provisions of this Ordinance the Bishop may take such measures to remedy the situation as he deems necessary. |

Nothing in this Ordinance shall be construed as interfering with the existing rights of the Bishop.

AN ORDINANCE TO ASSENT TO A CANON OF PROVINCIAL SYNOD

CONCERNING AN AMENDMENT

TO THE CONSTITUTION OF THE PROVINCE

No 3 of 1972

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | | |
|---------------------------------|----|--|
| TITLE | 1. | This Ordinance shall be called the "Provincial Constitution Amendment Ordinance 1972". |
| ASSENT OF
AMENDMENT
CANON | 2. | In accordance with Section 22 of the Constitution of the Province of Queensland, the Diocese of the Northern Territory hereby assents to "The Constitution of the Province of Queensland Amendment Canon of 1972". |

THE CONSTITUTION OF THE PROVINCE OF QUEENSLAND

AMENDMENT ORDINANCE

No 5 of 1977

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | | |
|--------------------|----|---|
| TITLE | 1. | This Ordinance shall be called "The Constitution of the Province of Queensland Amendment Ordinance 1977". |
| COMMENCEMENT | 2. | This Ordinance shall come into effect on 1st December 1977. |
| ASSENT
TO CANON | 3. | The Constitution of the Province of Queensland Canon of 1976 of the Synod of the Province is hereby assented to by the Diocese of the Northern Territory. |

THE CONSTITUTION OF THE PROVINCE OF QUEENSLAND

AMENDMENT ORDINANCE

No 1 of 1981

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | |
|--------------------|--|
| TITLE | 1. This Ordinance shall be called "The Constitution of the Province of Queensland Amendment Ordinance 1981". |
| ASSENT
TO CANON | 2. The Constitution of the Province of Queensland Canon of 1979 of the Synod of the Province is hereby assented to by the Diocese of the Northern Territory. |

THE CONSTITUTION OF THE PROVINCE OF QUEENSLAND

AMENDMENT ORDINANCE

No 1 of 1983

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | | |
|--------------------|----|---|
| TITLE | 1. | This Ordinance shall be called "The Constitution of the Province of Queensland Amendment Ordinance 1983". |
| ASSENT TO
CANON | 2. | The Diocese hereby assents to the Constitution of the Province of Queensland Amendment Canon of 1983 of the Synod of that Province. |

PROVINCIAL SYNOD CONSTITUTION CONSENTING ORDINANCE

No. 3 of 2000

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | |
|---------|---|
| TITLE | 1. This Ordinance shall be called "The Provincial Constitution Consenting Ordinance 2000". |
| CONSENT | 2. This Synod consents to the alteration to the Constitution of the Province of Queensland:

(1) by repealing all of the sections thereof; and

(2) by inserting in their place the new sections set out in the schedule to this Ordinance. |

SCHEDULE

CONSTITUTION OF THE PROVINCE OF QUEENSLAND

Interpretation

1. In this Constitution except so far as the contrary intention appears:
"Canon" means a canon of the Synod of the Province;
"Chancellor" means the Provincial Chancellor;
"Church" means The Anglican Church of Australia;
"Diocese" means a diocese of the Church within the Province;
"Diocesan" means the diocesan bishop of a Diocese;
"General Synod" means the General Synod of the Church;
"Province" means the Province of Queensland;
"Provincial Council" means a Provincial Council established in accordance with the provisions of this Constitution;
"Registrar" means the Registrar of the Province;

"Senior Diocesan" means the bishop of a diocese most senior in time of consecration;

"Synod" means the Synod of the Province.

Province

2. The Province as duly constituted on the day before this Constitution comes into effect shall continue in accordance with the provisions of this Constitution.

Provincial Synod

3. The Synod shall consist of the Diocesan of each Diocese, the Chancellor and the Registrar together with such clerical and lay representatives of each Diocese as prescribed by canon of the Province. Unless or until otherwise prescribed by Canon of the Province each Diocese shall be entitled to be represented in Synod by 8 clerical and 8 lay people. The representatives of each Diocese shall be elected or appointed in such manner as the Diocese determines.
4. Each Diocesan shall certify and transmit to the Registrar a list of the names and addresses of the clerical and lay representatives of the Diocese. In the event of any change in the representation of a Diocese its Diocesan shall certify and transmit to the Registrar a supplementary list showing the change. Any list or supplementary list so certified and received by the Registrar shall be evidence that the representatives indicated by such documentation are entitled to be such representatives.
5.
 - (1) There shall be separate Houses of the Diocesans of the Clergy and of the Laity which shall sit together in the Synod and transact business therein and vote together unless a vote by Houses is required by not less than two-thirds of the members present in any one of the Houses.
 - (2) In the event of a vote by Houses being required all questions shall be put firstly to the House of Laity secondly to the House of Clergy and thirdly to the House of Diocesans and no question shall be deemed to be resolved in the affirmative by the Synod unless it is so resolved by a vote of the majority of those present in each of the Houses.
 - (3) A House by majority of its members voting may decide to consider separately any matter in debate whereupon further discussion on the matter shall be postponed until there has been an opportunity of such separate consideration.
6. The Metropolitan of the Province shall be the Archbishop of the Diocese of Brisbane.

7. The Registrar shall be the Registrar of the Diocese of Brisbane who shall be an ex officio member of Synod.
8. The Metropolitan may appoint a person to be the Chancellor who shall be an ex officio member of the Synod.
9. The Synod shall elect from amongst its members a Clerical Secretary and a Lay Secretary.
10. (1) The Synod may proceed to dispatch business notwithstanding the failure of any Diocese to provide for its representation in the Synod and notwithstanding a vacancy in the office of the Metropolitan or of any of the Diocesans.

(2) No canon rule act or exercise of power of the Synod shall be invalidated by reason only of the fact that any person to be elected appointed or summoned to the Synod has not been elected appointed or summoned or by reason only of any informality with respect to the electing appointing or summoning.
11. The Metropolitan (or in his absence the Senior Diocesan present) shall be the President of the Synod and of the House of Diocesans.
12. The President may at any time during the Synod call upon another Diocesan present to preside temporarily whether or not the President is present
13. The presence of more than one half of the members of each House (with each House having present representatives of more than one half of the Dioceses) shall be necessary to constitute a meeting of the Synod and for the exercise of its powers, provided that any number less than a quorum may adjourn the Synod from day to day.
14. The Synod shall meet at such time and place as may be determined by the Metropolitan. The Metropolitan shall convene a meeting of Synod at the request of at least two Diocesans or on a resolution of Provincial Council passed with at least two thirds majority.
15. At least two months before any session of the Synod the President shall by mandate under his hand and seal (bearing the date upon which the mandate was signed and sealed) summon the Diocesans and require them and the clerical and lay representatives of their Dioceses to convene for the Synod session at an appointed time and place.
16. (1) The proceedings of the Synod shall be duly recorded and shall be authenticated by the signature of the President.

- (2) Every canon of the Synod shall be printed in duplicate and each duplicate shall be certified as correct by the President and the Secretaries of the Synod and filed in the records of the Synod.

The Powers of Synod

17. Subject to the terms firstly hereof secondly of the Constitution and canons of General Synod and thirdly the Constitution and canons of each of the Dioceses the Synod may make canons and rules relating to the order and good government of the Church within the Province. No canon of the Synod passed thereby after this Constitution comes into effect shall be binding on a Diocese unless and until that Diocese has adopted it by ordinance.
18. The Synod may prescribe Standing Orders for its conduct including the method by which a canon of the Synod may be duly passed.

Provincial Council and Committee of Synod

19. There shall be a Provincial Council of the Province which shall be constituted in such manner and shall have such powers as are prescribed by canon of the Synod.
20. The Synod may delegate to the Provincial Council any of its powers other than the power to pass and make canons of the Synod.
21. The Synod may appoint a committee for the purpose of carrying into effect any Canon or resolution passed by the Synod.

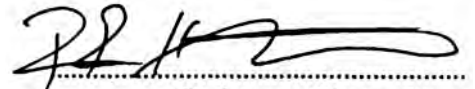
Standing Committee

22. The Synod may elect a Standing Committee for the purpose of carrying out the instructions of Synod and for such other purpose as may be delegated to it by the Synod. The Standing Committee shall consist of the Metropolitan, the Diocesans, the Chancellor, the Registrar, the Treasurer, and 2 clerical and 2 lay representatives.
23. If the Synod at any session resolves to elect a Standing Committee, it shall proceed to such election by ballot, and the persons so elected shall continue and remain in office until their successors are appointed. The Standing Committee or a Provincial Council may fill any vacancy in the office of an elected member of the Standing Committee.

Amendment of this Constitution

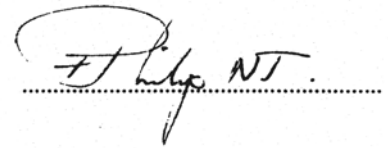
24. This Constitution may be amended by canon assented to by each Diocese by ordinance subject to the provisions of the Constitution of the General Synod.

I certify that the bill as printed is in accordance with the bill as reported.



Chairman of Committees

I give my assent to this Ordinance.



THE DIOCESAN COUNCIL ORDINANCE 1970-2023

No 1 of 1970
No 3 of 1974 (amendment)
No 1 of 1986 (amendment)
No 3 of 1991 (amendment)
No 3 of 1995 (amendment)
No 1 of 2021 (amendment)
No 1 of 2023 (amendment)

WHEREAS in the Constitution of the Synod of the Diocese of the Northern Territory it is provided that there shall be a Diocesan Council constituted in such manner as Synod may by ordinance prescribe.

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

1. This Ordinance shall be called “The Diocesan Council Ordinance 1970-2023”.
2. There shall be a Diocesan Council of the Diocese.
3. (1) The Diocesan Council shall consist of:
 - (a) The Bishop;
 - (b) The Registrar (non-voting);
 - (c) Repealed;
 - (d) The Chancellor;
 - (dd) The Treasurer;
 - (e) Subject to subsection (5), three clergy and three lay persons (each being at the time of their election members of Synod) to be elected by Synod for a term which shall expire at the next session of Synod after a period of forty-two months from the date of the election concerned.
 - (f) Up to two other persons who are themselves each nominated by two members of Diocesan Council by nomination in writing signed by the two nominators and the nominee. A person shall not be elected under this subsection unless the person receives the votes of at least a majority of the members of Diocesan Council. The term of the appointment shall expire at the next Synod following appointment. Lay appointees shall be

communicant members of the Anglican Church of Australia in the Northern Territory. Clergy appointees shall hold the Bishop's licence.

- (2) A lay member of the diocesan Council who ceases to be a member of Synod shall not for that reason only cease to be a member of Diocesan Council.
 - (3) A cleric who ceases to hold the Bishop's licence shall ipso facto cease to be a member of the Diocesan Council.
 - (4) Repealed.
 - (5) At the Synod which resolves to amend this Ordinance so to include this subsection 3(5), two of the clergy persons and one of the lay persons elected by Synod pursuant to subsection 3(1)(e) shall each be elected for a term which shall expire at the next session of Synod. In the absence of persons volunteering to be subject to a shorter term, those persons will be determined by lot.
4. The Bishop shall be Chairman of the Diocesan Council but if he is absent from a meeting the Diocesan Council shall elect a chairman for such meeting.
 5. Subject always to:
 - (a) the Constitution of the Anglican Church of Australia and the enactments of General Synod;
 - (b) the Constitution of the Synod of the Diocese of the Northern Territory; and
 - (c) the Ordinances and resolutions of Synod,the Diocesan Council shall exercise a general superintendence and control over the affairs of the Diocese, and in particular, but so that the generality of the foregoing be not affected, may
 - (d) appoint and dismiss clerks, servants and employees of the Diocese;
 - (e) receive and expend moneys on behalf of Synod;
 - (f) acquire and dispose of any property in the name of and on behalf of Synod;
 - (g) affix the Seal of Synod to any document;

- (h) appoint any appropriately qualified person to any position the election or appointment to which is a function of Synod in the events either that Synod fails to exercise the function or the person concerned ceases to hold the position; in the latter event the tenure of the position shall be for the balance term of the person originally elected or appointed.
 - (i) repealed
 - (j) perform any function, or exercise any power, of Synod which may be delegated to the Diocesan Council by Synod from time time.
7. The Diocesan Council shall present to each session of Synod a report on the affairs of the Diocese and the business transacted by the Diocesan Council since its preceding report, together with the statements of account, duly audited, of the finances of Synod.
8. (1) The Diocesan Council shall meet at such times and places, and shall regulate its procedure in such manner, as it shall think fit.
- (2) Notwithstanding subsection (1) of this section, the Bishop may at any time summon the Diocesan Council in writing to meet at a particular time and place and thereupon the Diocesan Council shall so meet.

THE DIOCESE OF CARPENTARIA LEGISLATION

REPEAL ORDINANCE

No 6 of 1976

PREAMBLE WHEREAS pursuant to Section 19 of the Constitution of the Provincial Synod (the Province) of Queensland the Diocese of the Northern Territory is subject to the constitution and canons of the Diocese of Carpentaria (except as local circumstances may prevent) until they are altered by the Synod of either Diocese AND WHEREAS certain legislation of the Diocese of Carpentaria still applies in the Diocese of the Northern Territory AND WHEREAS it is deemed expedient to repeal such legislation.

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

TITLE 1. This Ordinance shall be called "The Diocese of Carpentaria Legislation Repeal Ordinance 1976".

COMMENCEMENT 2. This Ordinance shall come into effect on 1 September 1976.

REPEAL 3. On the coming into effect of this Ordinance that legislation of the Diocese of Carpentaria which still applies in the Diocese of the Northern Territory shall cease to so apply.

SAVING CLAUSE 4. Nothing in this Ordinance shall affect anything lawfully done or suffered or any right liability or obligation properly occurring pursuant to the repealed legislation before the coming into effect of this Ordinance and in particular every person holding office under the repealed legislation shall continue to hold office under and in accordance with the Ordinances of the Diocese of the said Territory.

THE INTERPRETATION ORDINANCE

No 3 of 1976
No 2 of 1986 (amendment)

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

TITLE 1. This Ordinance shall be called "The Interpretation Ordinance 1976-1986".

COMMENCEMENT
AND REPEAL 2.

- (1) This Ordinance shall come into effect on 1 September 1976.
- (2) On the coming into effect of this Ordinance the "Ordinance Interpretation Ordinance of 1955" of the Diocese of Carpentaria (hereinafter called "the Repealed Ordinance") shall cease to apply to the Diocese of the Northern Territory.
- (3) Nothing in this section shall effect anything lawfully done or suffered or any right liability or obligation properly occurring pursuant to the Repealed Ordinance before the coming into effect of this Ordinance.

COMMONWEALTH ACTS
INTERPRETATION ACT

3. So far as they are applicable the provisions of the Commonwealth "Acts Interpretation Act 1901-1973" shall apply to all ordinances of the Synod as if an ordinance were an act unless the contrary intention appears.

CERTIFICATE OF
ORIGINAL RECORD

4. Upon the Synod passing any ordinance or motion a written record thereof in the terms as passed certified by the President in the following form shall be deemed to be the original record.

"I certify that the foregoing ordinance/motion was passed by the Synod on the day of as witness my hand this day of

President

COMMENCEMENT
OF ORDINANCES

5. Ordinances of the Synod shall take effect on the day on which the Bishop assents in writing thereto except where a date later than the giving of such consent is provided in the ordinance in which case it shall take effect on such later date. A notation of the Bishop's consent shall be made on the original record of every ordinance and a copy thereof shall appear on any ordinance printed by authority of the Bishop and shall be received as prima facie evidence of the date of such assent.

DEFINITIONS

6. The words hereunder defined will have the meanings there attributed to them for the purpose of all legislation of the Synod unless the contrary intention appears:

Administrator	the Administrator of the Diocese.
Bishop	the Bishop of the Diocese and where the context so admits or requires the Administrator or any other person properly exercising the powers of the Bishop.
Chancellor	the Chancellor of the Diocese appointed by the Bishop by instrument in writing under his hand and seal.
Cleric	a duly ordained priest or deacon of the Anglican Church or any Church in communion therewith authorised by the Bishop.
Commissary	a person appointed by the Bishop to exercise his powers within the terms of such appointment.
Diocesan Council	the Diocesan Council of the Diocese.
Diocese	the Diocese of the Northern Territory as defined in "The Diocese of the Northern Territory Formation Canon of 1966" of General Synod.
General Synod	the General Synod of the Anglican Church of Australia.
Parish	a division of the Diocese constituted under "The Parishes Regulation Ordinance 1972-74" of the Diocese.
President	the Bishop or any other person lawfully presiding at any meeting of the Synod.
Registrar	the Registrar of the Diocese appointed by the Bishop by instrument in writing under his hand and seal.

Sect 3 – IO Page 2

Synod	the Synod of the Diocese as constituted by the "Canon Constituting the Synod of the Diocese of the Northern Territory 1969" of General Synod.
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Treasurer the Treasurer of the Synod.

law\interpretation ord

DIOCESE OF THE NORTHERN TERRITORY

THE LEGISLATION AMENDMENT ORDINANCE

No 1 of 1995

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

- TITLE
1. This Ordinance shall be called "The Legislation Amendment Ordinance 1995".
- REFERENCES TO CLERGY AND LAITY
2. All legislation of the Diocese hereinbefore enacted including its Constitution is hereby amended by deleting each word listed in column 1 hereunder wherever appearing and in each case inserting in its place the word opposite the subject word in column 2 hereunder.

Column 1

clergyman
clergymen
layman
laymen

Column 2

cleric
clergy
lay person
lay persons.

DIOCESE OF THE NORTHERN TERRITORY

THE OFFICE OF ASSISTANT BISHOP ORDINANCE

No. 3 of 2011

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

- | | | |
|---------------|----|--|
| TITLE | 1. | This ordinance shall be called "The Office of Assistant Bishop Ordinance 2011" |
| CREATION | 2. | The Synod hereby creates the office of Assistant Bishop: in the Diocese, of which there may be more than one. The Bishop may appoint and license a cleric to such an office, subject to the provisions of this Ordinance and "The Clergy Appointment and Regulation Ordinance 1974-2005." |
| PREREQUISITES | 3. | Any appointment must first be agreed as to the cleric to be appointed and the terms of the appointment, including the matters referred to in Section 5. Agreement shall be signified by a resolution of Diocesan Council (hereinafter referred to as "the Council") which recites the details agreed and which is passed by a majority of at least two-thirds of the members of the Council including the Bishop. |
| | 4. | Such as resolution as aforesaid shall not be considered by the Council except upon it receiving from the Bishop at least four weeks prior notice in writing, which notice shall give a summary of the outcome of the consultation process referred to in Section 5. |
| | 5. | In the event of the Bishop contemplating an appointment to office of an Assistant Bishop, the Bishop shall initiate a consultation process with the Council, or such delegates of the Council as it may nominate. The said process shall investigate and assess all matters as to the appropriateness of an appointment and of the proposed appointee, including: the justification for an appointment, the areas of responsibility and duty to be involved, other terms and conditions associated with the appointment (including proposed emoluments) and the practical resources required to support the appointment. The consultation shall proceed as the parties concerned agree (by a majority which includes the Bishop) to be appropriate to reach the point of either not appointing or the Bishop giving the notice referred to in Section 4. |
| | 6. | The Primate of the Anglican Church of Australia and the Metropolitan of the Province of Queensland must each be |

notified of any intended appointment, in the same manner as the Council pursuant to Section 4.

7. A cleric appointed to the office of Assistant Bishop shall not be consecrated unless his or her appointment has first been confirmed by the Primate and the aforesaid Metropolitan as to canonical fitness and the Primate has informed the Bishop in writing that a majority of the Metropolitans are satisfied with the sufficiency of the proposed emoluments referred to in Section 5.

GENERAL SYNOD

8. "The Assistant Bishops' Canon, 1966" of the General Synod is hereby adopted by the Diocese.

I certify that the Bill as printed is in accordance with the bill as reported.

.....
Chairperson of Committees

I give my assent to this Ordinance

.....
Bishop of the Northern Territory

THE DIOCESE OF THE NORTHERN TERRITORY

THE ORDINATION OF WOMEN TO THE OFFICE OF PRIEST ORDINANCE

No. 4 of 1991

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | |
|---------------------|--|
| TITLE | 1. This Ordinance shall be called "The Ordination of Women to the Office of Priest Ordinance 1991". |
| AUTHORITY TO ORDAIN | 2. The Bishop or with the mandate of the Bishop any other bishop of the Anglican Church of Australia or of any Church in communion therewith may within the Diocese ordain a woman to the office of priest. |
| FORM OF ORDINATION | 3. The form of office to be used for the ordination of a woman to the office of priest shall be the form appropriate to that office set out in the Ordinal included in the Book of Common Prayer or in the Ordinal included in An Australian Prayer Book or in accordance with any other form appropriate to that office and approved for use in the Diocese. The language of any such form shall be adapted for the purpose so far as may be necessary for the admission of a woman to that office. |
| LICENSING OF WOMEN | 4. The Bishop may grant to any woman who has been ordained in Australia or elsewhere to the office of priest a licence to perform the duties of a priest in the Diocese. |
| SAVINGS | 5. Nothing in the Ordinance shall limit any power of authority possessed by the Bishop prior to the making of this Ordinance. |
| PASTORAL GUIDELINES | 6. Pastoral guidelines which may be issued by the Bishop consequent upon this Ordinance should be taken into account by those concerned but no rights or duties at law shall be conferred or imposed by them or arise out of non-compliance with them. |

DIOCESE OF THE NORTHERN TERRITORY

THE PARISHES ORDINANCE 1977-2023

No 1 of 1977
No 1 of 1979 (amendment)
No 3 of 1983 (amendment)
No 1 of 1985 (amendment)
No 1 of 1987 (amendment)
No 2 of 1993 (amendment)
No 1 of 1994 (amendment)
No 1 of 1995 (amendment)
No 1 of 2002 (amendment)
No 1 of 2003 (amendment)
No 1 of 2009 (amendment)
No 1 of 2013 (amendment)
No 4 of 2017 (amendment)
No 2 of 2021 (amendment)
No 3 of 2023 (amendment)

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

- | | |
|----------------------------|--|
| TITLE | 1. This Ordinance shall be called “The Parishes Ordinance 1977-2023”. |
| COMMENCEMENT
AND REPEAL | 2. (1) This Ordinance shall come into effect on 1st December 1977.

(2) Upon the coming into effect of this Ordinance “The Parishes Regulation Ordinance 1972-1976” (hereinafter called “the Repealed Ordinance”) shall be repealed.

(3) Nothing in this section shall affect anything lawfully done or suffered or any right liability or obligation properly occurring pursuant to the Repealed Ordinance before the coming into effect of this Ordinance and in particular every person holding office under the Repealed Ordinance shall continue to hold office under and in accordance with this Ordinance. |
| DEFINITIONS | 3. In this Ordinance –

(1) “audit” means an audit, taken in its ordinary meaning in accordance with Australian Auditing Standards as amended from time to time.

(2) “auditor” means an auditor as that term is defined pursuant to Australian Auditing |

Standards as amended from time to time, and who is a full member of one or more of CPA Australia, Chartered Accountants Australia & New Zealand or Institute of Public Accountants.

- (3) “audited” means:
 - a) that which has gone through the process of an audit as defined in sub-section (3); and
 - b) if matters come to the auditor’s attention that causes the auditor to believe that the parish accounts are not prepared in all material respects in accordance with the applicable financial reporting framework, that which has been reported to the Registrar.
- (4) “parish accounts” means, at a minimum standard, a statement of the receipts and payments of the parish for the year ended on the previous 31st December and a statement of assets and liabilities as at the previous 31st December with appropriate explanatory notes, compiled in accordance with the applicable standards set by the Australian Accounting Standards Board.
- (5) “parishioner” means a communicant member of the parish who has attained the age of eighteen years.
- (6) “parish property” includes Diocesan property occupied possessed or under the control of a parish.
- (7) “review” a review taken in its ordinary meaning in accordance with Australian Auditing Standards as amended from time to time, comprising:
 - i) an engagement agreement, prescribed by the Registrar, between the parish and the reviewer;
 - ii) performance of a set of review procedures prescribed by the Registrar; and
 - iii) the issuance of a reviewer’s report in a form prescribed by the Registrar.
- (8) “reviewer” is an independent person who is nominated by the churchwardens and who they reasonably believe has the requisite ability and

practical experience to carry out a competent examination of the parish accounts.

(9) “rector” means a cleric so appointed either permanently or temporarily by the Bishop.

3A. (1) No parishioner shall be entitled to take part in or be counted for the purposes of a quorum at any parish council or annual or special meeting of the parish unless the parishioner has in the case of an annual meeting thereat and in the case of other meetings at or more recently than the annual meeting last before the meeting concerned subscribed a declaration:

- a) to have been baptised
- b) to have attained the age of eighteen years
- c) to be a member of the Anglican Church of Australia
- d) to have attended Divine Service in the parish concerned EITHER at least 12 weeks during the last 12 months OR at least 6 weeks during the last 3 months preceding the day of the declaration and
- e) not to be a parishioner of any other parish.

(2) Notwithstanding anything contained in this section, on the request of the Parish Priest the Bishop may at his discretion appoint a person who is not a member of the Anglican Church to any parochial position.

3B. Any lay person engaged in a remunerated position for or on behalf of the Diocese, or for or on behalf of any parish or other ministry unit of the Diocese, shall not be eligible to hold any office designated to be filled by election or appointment pursuant to this Ordinance provided that the executive officers of the council of the parish to which the office to be filled relates may resolve to exempt a person from this embargo.

QUALIFICATIONS

3C. Every person seeking to hold any position pursuant to this Ordinance must comply with the Safe Ministry Due Diligence Appointment Protocol of the Diocese.

PARISHES

4. (1) Parishes and other ministry units within the Diocese shall be such as are decreed by Diocesan Council. A decree may specify such status jurisdiction function and conditions in relation to a parish or other ministry unit as

Diocesan Council may deem appropriate.

- (2) At least twenty-eight days prior written notice of any proposed decree shall be given firstly to any parish or other ministry unit to be affected by the decree and secondly to each member of Diocesan Council.
- (3) Any such decree must be supported by the affirmative votes of at least three-quarters of the members of Diocesan Council including the affirmative vote of the Bishop.
- (4) A decree shall come into effect on the date that it prescribes provided that such date must be at least fourteen days after written notice of the passing of the decree has been given to any parish or other ministry unit affected by the decree.
- (5) The Registrar shall keep a record of such decrees.

PARISH COUNCIL

5. (1) The temporal affairs of each parish and all matters pertaining thereto shall be administered by a parish council (hereinafter called "the council") consisting of all clergy and stipendiary lay persons holding the Bishop's licence to work in the parish and parishioners holding office pursuant to this Ordinance.
- (2) A cleric shall not be treasurer of the council or hold a like office.

COUNCIL DUTIES

6. The council will assume such duties and responsibilities as are necessary and appropriate for its function and in particular:
 - (1) control and maintain in good repair and adequately insured all parish property provided that no alteration may be made to the structure design or ornament of the parish church except with the Bishop's prior approval in writing;
 - (2) insure against any liability which may be incurred by the parish or any person acting on its behalf;
 - (3) pay from parish moneys:

- a) stipends of parish clergy;
- b) wages and expenses properly payable by the parish;

(4) at least annually review the amount of stipends and if possible discuss the same with the Bishop provided that no stipend alteration is to be made except with the Bishop's prior approval;

(5) Repealed.

(6) consult with the rector concerning spiritual affairs of the parish.

COUNCIL POWERS

7. (1) The council is empowered to do all lawful things necessary and appropriate for the carrying out of its duties and responsibilities and without limiting the generality thereof:

- a) to depute to its members or parishioners either solely or in committee such duties and powers as it determines;
- b) to appoint and dismiss employees upon such terms as it thinks fit except in relation to work involving spiritual or pastoral duties;
- c) to expend parish moneys for any proper purpose;
- d) to sell or otherwise dispose of any parish property provided that no real property or property being used or possessed in relation to divine service shall be disposed of except with the Bishop's prior approval in writing;
- e) subject to the prior approval in writing of the Diocesan Council to erect or alter any building or fixture upon parish property;
- f) to fill any casual vacancy in the parishioner membership of the council except the rector's churchwarden.

(2) The Council shall give due weight to any resolution of a parish annual or special meeting but shall not be bound thereby.

COUNCIL MEETINGS

8. (1) The council shall meet at least each month unless it otherwise resolves provided that it shall not defer its next meeting for more than two months except with the Bishop's approval.

- (2) A quorum for the council shall be at least one half of its members.
- EXECUTIVE OFFICERS 9. The rector and the churchwardens shall be the executive officers of the council and subject to its directions shall exercise a general superintendence of the temporal affairs of the parish.
- ANNUAL MEETING 10. (1) A parish annual meeting shall be held in February or March each year on a date determined either before 15th February by the council or thereafter by the rector or in default of such determination a date set by the Bishop.
- (2) Notice in writing of the meeting requesting resolutions or nominations pursuant to sub-section (3) of this section shall be displayed in a conspicuous place at the parish church (or such place as the council may decide) for at least twenty-one days prior to the date thereof.
- (3) (a) The text of any extraordinary resolution to be moved at the meeting shall be given to the rector or a churchwarden at least eight days before the meeting.
- (b) Nominations for peoples churchwarden, member of the council and lay representative of the Synod may be given in writing signed by the nominee and two parishioners to the rector or a churchwarden not later than eight days before the meeting.
- (c) The person to whom any notice of resolution or nomination is given pursuant to this sub-section shall cause notice thereof to be displayed adjacent to the notice of meeting for seven days prior to the date thereof.
- (d) Not later than one month before an annual meeting the council may by a majority of at least two-thirds of its members prescribe an alternative manner by which notice of resolutions or nominations may be given pursuant to this subsection.
- (4) Ten parishioners shall be a quorum.
- ANNUAL MEETING BUSINESS 11. (1) The order of business at an annual meeting shall be:
- a) prayers;
- b) tabling of minutes of previous annual

- meeting;
 - c) rector's report;
 - d) financial report including, as required by section 19, an audited or reviewed statement of parish accounts for the year ended on the previous 31st December and a draft budget for the next year;
 - e) any other report on matters relevant to the parish, approved by the Rector or Parish Council;
 - f) determination of the number of parishioner members of the council which shall be a multiple of three;
 - g) announcement by the rector either of his appointments pursuant to Section 12 hereof or of his intention to defer such appointments as therein provided;
 - h) determination of the number of people's churchwardens which shall be one or two;
 - i) appointment of two-thirds of the parishioner members of the council including the people's churchwardens and any resolutions pursuant to Section 14 hereof;
 - j) appointment of parish lay representatives of the Synod;
 - k) appoint an auditor or reviewer who shall not be a parishioner (provided that if an appointment cannot be made at the meeting the council shall make the appointment as soon as possible thereafter);
 - l) extraordinary resolutions of which notice has been given pursuant to Section 10 (3) hereof;
 - m) reading and confirmation of minutes of the meeting.
- (2) (a) If the number of nominees pursuant to section 10 (3) hereof is less than or equal to the number of positions the nominees will automatically be appointed.
- (b) If there are more nominees than positions appointments will be determined by an election at the meeting provided that the meeting may resolve by a majority of at least two-thirds an alternative method of appointment provided that such will ensure the appointments are made within fourteen days after the meeting.
- (c) If there are less nominees pursuant to Section 10(3) hereof than positions the

meeting may nominate persons for the remaining positions and make appointments therefrom pursuant to the procedure provided in the foregoing clauses of this sub-section.

RECTOR'S APPOINTMENTS

12. Either at the time provided in the annual meeting order of business or within seven days thereafter the rector shall appoint a parishioner to be his churchwarden and may appoint such number of parishioners as with his churchwarden constitutes one-third of the parishioner members of the council.

COUNCIL APPOINTMENTS

13. If less than the required number of appointments are made pursuant to Sections 11 and 12 hereof the council may make the remaining appointments except the rector's churchwarden provided that such appointments must be made not later than the 30th April following the annual meeting

TERM OF APPOINTMENTS

14. Appointments pursuant to the preceding three sections hereof shall expire at the annual meeting following the appointment provided that an annual meeting may resolve in relation to any parish council appointment except one made by the rector:

- (1) it shall expire at the annual meeting either two or three years thence (with a view to having approximately one-third of such appointments expiring annually);
- (2) an appointee who has served terms for at least six consecutive years shall not be eligible for re-election until the annual meeting in the year following the expiry of his last appointment.

REPORTING TO REGISTRAR

15. Within ten days after the annual meeting or in the event of appointments after that date within ten days thereafter the rector shall send to the Registrar notice in writing of the name address and position held by each appointee, plus evidence of the appointee's compliance with the Safe Ministry Due Diligence Appointment Protocol of the Diocese, and two copies of the statement and budget referred to in Section 11(1)(d) hereof.

SPECIAL MEETINGS

16. (1) At the request of either the rector the council or as many parishioners as there are parishioner members of the council at the time of the request the council shall convene a special meeting of the parish as soon as possible.

MEETING
CHAIRMAN AND
PROCEDURE

(2) Notice in writing of the meeting and the business to be considered shall be displayed in a conspicuous place at the parish church (or such other place as the council may decide) for at least seven days prior to the date thereof.

(3) Ten parishioners shall be a quorum.

17. (1) (a) The rector shall be chairman of all meetings of the council or parish.

(b) Alternatively the rector (or if there is no rector the Bishop) may appoint by written notice a person to be chairman of any such meetings provided that firstly the person is entitled to attend the meeting and secondly the notice is given prior to the meeting.

(c) Such an appointment shall be terminated by written notice by the rector (or if there is no rector by the Bishop).

(d) In the absence of there being a chairman pursuant to the foregoing terms of this Section the meeting shall appoint a chairman.

(2) The chairman shall have a deliberative and a casting vote.

(3) Meetings of the council or parish may determine their own procedures.

17A (1) A parishioner entitled to vote at any annual meeting or special meeting of a parish may appoint another parishioner so entitled a proxy to exercise his or her vote at the meeting or at any adjournment thereof.

(2) The appointment shall be in writing, signed by the appointer, and delivered to the rector or to a churchwarden prior to the due starting time of the meeting. All proxies shall be announced to the meeting at its commencement.

INSPECTION OF
DOCUMENTS

18. All records books of accounts minutes and other documents shall be available for inspection by the Diocesan Council or a representative thereof whenever required.

REQUIREMENT TO
AUDIT

19. (1) Where a parish reports gross income of equal to or greater than \$500,000.00 in any year, the

parish accounts presented at the annual meeting pursuant to section 11(1)(d) must be:

- a) prepared according to the financial reporting framework applicable to The Synod of the Diocese of the Northern Territory Incorporated, in accordance with the accounting standards set by Australian Accounting Standards Board; and
- b) audited. For the avoidance of doubt, this means that the parish accounts are not to be subject to a “review”.

DIocese OF THE NORTHERN TERRITORY

THE PROFESSIONAL STANDARDS ORDINANCE

No. 5 of 2017

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows.

PART 1 – PRELIMINARY

1. (1) This Ordinance shall be called “The Professional Standards Ordinance 2017”.
- (2) “The Professional Standards Ordinance 2005” is hereby repealed.
- (3) The repeal shall not affect anything lawfully done or suffered to be done or any right, liability or obligation properly occurring pursuant to “The Professional Standards Ordinance 2005” prior its repeal.

2. (1) In this Ordinance, unless the context otherwise requires:

“**Board**” means the Professional Standards Board established under Part 7;

“**Certificate of Conviction**” means a certificate of conviction given under Regulation 81A.40 of the Northern Territory Consolidated Regulations, or an equivalent document from any Court of competent jurisdiction, certifying as to the conviction of a Church worker of a criminal offence in the Crimes Act 1914, or any equivalent provision in legislation which repeals or replaces that Act, or any equivalent provision in any Commonwealth, State or Territory legislation.

Child exploitation material means material that describes or depicts a person who is or who appears to be a child –

- engaged in sexual activity; or
- in a sexual context; or
- as the subject of torture, cruelty or abuse (whether or not in a sexual context)

in a way that a reasonable person would regard as being, in all the circumstances, offensive. Child exploitation material can include any film, printed matter, electronic data, computer image and any other depiction.

“**Church**” means the Anglican Church of Australia;

“**Church authority**” means the Bishop or a person or body having administrative authority of or in a Church body to license, appoint, authorise, dismiss or suspend a Church worker;

“**Church body**” includes a parish, school, any body corporate, organization or association that exercises ministry within, or on behalf of, the Church;

“**Church worker**” means a person who is or who at any relevant time was:

- (a) a member of the clergy; or
- (b) a person employed by a Church body; or
- (c) a person holding a position or performing a function with the actual or apparent authority of a Church authority or Church body;

but excludes a bishop subject to the jurisdiction of the Special Tribunal of the Church;

“**Code of Conduct**” means a code of conduct approved from time to time under Part 2;

“**Director**” means the Director of Professional Standards appointed under Part 5; The word “Director” also means an Associate Director or delegate of the director appointed under Part 5, where the relevant powers and functions are conferred on the Associate Director or delegate of the director and the context allows it;

“**equivalent body**” means a body of another diocese exercising powers, duties or functions equivalent to those of the PSC or the Board as the case may be, or where there is no such body, the bishop of the diocese;

“**examinable conduct**” means conduct wherever or whenever occurring the subject of information which, if established, might call into question:

- (a) the fitness of a Church worker, whether temporarily or permanently, now or in the future to hold a particular or any office, licence or position of responsibility in the Church or to be or remain in Holy Orders or in the employment of a Church body; or
- (b) whether, in the exercise of a Church worker’s ministry or employment, or in the performance of any function, the Church worker should be subject to certain conditions or restrictions;

"grooming" means actions deliberately undertaken with the aim of engaging and influencing an adult or a child for the purpose of sexual activity. In the case of sexual assault, the offender may groom not only the adult or child, but those close to them including their parents or guardian or children, other family members, clergy and church workers.

"information" means information of whatever nature and from whatever source relating to:

- (a) alleged conduct of a Church worker wherever or whenever occurring involving sexual harassment, sexual assault or sexually inappropriate behaviour, grooming or the possession, making or distribution of child exploitation material;
- (b) alleged inappropriate or unreasonable conduct or omission of a Church worker who had knowledge of conduct of another Church worker involving sexual harassment, sexual assault or sexually inappropriate behaviour, grooming or the possession, making or distribution of child exploitation material; or
- (c) an alleged process failure;

"member of the Clergy" means a person in Holy Orders;

"national register" means any national register established pursuant to a Canon of General Synod or a resolution of the Standing Committee of General Synod for the purpose of recording determinations of the Board and other equivalent bodies;

"process failure" means the failure by a Church body or Church authority to deal appropriately with or to investigate matters referred to in paragraphs (a) or (b) of the definition of information;

"Professional Standards Committee" or **"PSC"** means the Professional Standards Committee established under Part 4;

"prohibition order" means an order prohibiting a Church worker from holding a specified position or office in or being employed by a Church body or Church authority or from carrying out any specified functions in relation to any office or position in the Diocese or in relation to employment by a Church body;

"protocol" means a protocol or protocols approved from time to time by the Diocesan Council under Part 3;

"referring body" means the PSC or an equivalent body which refers a question or questions under section 54 to the Board;

“respondent” means a Church worker whose alleged conduct or omission is the subject of information;

“sexual assault” means

any intentional or reckless act, use of force or threat to use force involving some form of sexual activity against a person without their consent. It includes :

- (a) a sexual offence as defined under section 3 of the Sexual Offences (Evidence and Procedure) Act (NT); or
- (b) an attempt to commit an offence referred to in paragraph (a); or
- (c) an assault with intent to commit an offence referred to in paragraph (a); or
- (d) any abusive behaviour with a child by another person his or her own stimulation or gratification or that of others; or
- (e) any abusive behaviour with an adult for the sexual gratification of the respondent where the respondent is in a position of authority over the adult, and

and in relation to a particular jurisdiction, has the meaning given it by the applicable legislation of that jurisdiction.

Sexual harassment means unwelcome conduct of a sexual nature, whether intended or not, where the person reasonably feels in all circumstances offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time.

(2) For the purposes of this Ordinance -

- (a) a person employed by a Church body; or
- (b) a person holding a position or performing a function with the actual or apparent authority of a Church authority or Church body;

will be taken to be engaged by a Church authority.

3. The Diocesan Council may enter into such agreements or arrangements as it sees fit with the relevant authority of another diocese as to the terms on which the powers and functions of the equivalent bodies or persons of that diocese are to be exercised by the persons holding office in or as delegates of the PSC, or by the members or the secretary of the Board.

PART 2 – CODE OF CONDUCT

4. The Synod or the Diocesan Council shall from time to time by resolution approve a Code of Conduct for observance by Church workers in the Diocese.
5. The Diocesan Council shall take such steps as may be necessary or desirable to promote the knowledge, understanding and observance in this Church of any code of conduct applicable in the Diocese and provide protocols to respond to allegations of breaches of the code.

PART 3 – POLICY & PROTOCOLS

6. (1) The Diocesan Council shall from time to time consider and approve safe ministry policy and protocols for implementation in relation to information.
 - (a) The Diocesan Council shall consider and approve protocols to respond to information and allegations concerning harm which are beyond the scope of this ordinance.
- (2) The protocols must include:
 - (a) procedures for receiving information;
 - (b) the appointment, role and function of contact persons;
 - (c) provision for informing all parties involved in a process of rights, remedies and relevant procedures available to them;
 - (d) provision for assisting or supporting, as appropriate, all persons affected by alleged conduct the subject of information;
 - (e) an explanation of the processes for investigating and dealing with information;
 - (f) provisions for dealing fairly with respondents;
 - (g) processes for referral to mediation and conciliation in appropriate circumstances;
 - (h) processes for dealing with alleged process failure;
 - (i) provisions for regular information, reports, advice and recommendations to the relevant Church authority at each stage of the process of dealing with information;
 - (j) procedures for working, where necessary, with law enforcement, prosecution or child protection authorities of the States and Territories and of the Commonwealth of Australia.

7. The Diocesan Council shall take such steps as may be necessary or desirable to promote throughout the community knowledge and understanding of the policy and protocols in relation to this ordinance.

PART 4 – PROFESSIONAL STANDARDS COMMITTEE

8. There shall be a Professional Standards Committee for the Diocese.
9. The members of the PSC shall be appointed and shall hold office on such terms and conditions as may be determined by the Diocesan Council from time to time or in accordance with any Regulations of the Diocesan Council.
10. (1) The PSC shall have at least three members one of whom shall be its convenor.

(2) The membership of the PSC shall be constituted so as collectively to provide:
 - (a) experience in law;
 - (b) experience in the ordained Ministry; and
 - (c) experience and appropriate professional qualifications in child protection, social work or counselling.
(3) The PSC shall include at least one person who is not a member of this Church and so far as it is reasonably practicable shall have an equal number of men and women.
11. (1) The convenor of the PSC shall be appointed by the Diocesan Council

(2) The PSC may meet from time to time as determined by the convenor or a majority of its members and may conduct its business by telephone or electronic communication.

(3) The procedures of the PSC shall be as determined by the PSC.

(4) A majority of the members shall constitute a quorum.

(5) A decision taken other than at a meeting of the PSC, if supported by a majority of members of the PSC, constitutes a decision of the PSC.

(6) The PSC shall act in all things as expeditiously as possible.
12. An act or proceeding of the PSC is not invalid by reason only of a vacancy in its membership and, notwithstanding the subsequent discovery of a defect in the

nomination or appointment of a member, any such act or proceeding is as valid and effectual as if the member had been duly nominated or appointed.

13. The Synod indemnifies any member or delegate of the PSC and the Director for any act or omission by the member or delegate, the PSC or the Director in good faith and in the exercise or purported exercise of powers or functions, or in the discharge or purported discharge of duties under this Ordinance.
14. The members of the PSC may constitute an equivalent body, either generally or for a particular case or matter.
15. Subject to the provisions of this Ordinance, the Director, a member of the PSC, a Church authority, or a person employed or engaged on work related to the affairs of the PSC must not divulge information that comes to his or her knowledge by virtue of that office or position except:
 - (a) in the course of carrying out the duties of that office or position;
 - (b) as may be authorised by or under this Ordinance;
 - (c) in any proceedings before a diocesan tribunal, a provincial tribunal or the special tribunal;
 - (d) pursuant to any lawful requirement of the police, any other proper authority, or a court of law; or
 - (e) to any insurer or insurance broker of a Church body or Church authority where the information may give rise to or be relevant to a claim for indemnity by the Church body or Church authority against the insurer or is relevant to obtaining or continuing insurance cover.
16. The PSC must disclose to an equivalent body relevant details of information in its possession concerning the alleged conduct of a Church worker:
 - (a) which is information that is relevant to, or arising during the course of, an investigation being undertaken by the PSC where the PSC knows that the Church worker is residing in the diocese of the equivalent body; or
 - (b) which is information concerning conduct alleged to have occurred in the diocese of the equivalent body;and shall co-operate with any equivalent body.
17. (1) Subject to subsection (2), the PSC may release to the public such material as it may determine with respect to any information.
 - (2) In relation to a matter that is the subject of a reference to the Board the PSC shall make public such information concerning the matter as the Board may direct or approve.

18. (1) Without disclosing the identity of any person involved in a process, the PSC shall report annually to the Diocesan Council on its activities for that calendar year.
 - (2) Notwithstanding subsection (1), the report of the PSC pursuant to that subsection may identify a respondent who has been exonerated from an allegation the subject of information or who has been the subject of a determination or recommendation by the Board.
 - (3) The PSC shall, in respect of every matter with which it is dealing, report either orally or in writing to the Bishop with such frequency and as fully as the Bishop shall reasonably require.
19. (1) Subject to sub-section (2), the PSC may delegate, upon such terms and conditions as the PSC may approve, any of its powers or functions under this Ordinance to any person.
 - (2) The PSC cannot delegate:
 - (a) its powers under subsection (1);
 - (b) its powers under section 30; or
 - (c) the power to refer a matter to the Board.
 - (3) A delegation under this Section must be made by instrument in writing signed by a member of the PSC.
20. (1) Subject to the provisions of this Ordinance the PSC has the following powers and duties:
 - (a) to implement the protocols to the extent that they are not inconsistent with this Ordinance;
 - (b) to receive information;
 - (c) to act on information in accordance with the provisions of this Ordinance, and the protocols to the extent that they are not inconsistent with this Ordinance;
 - (d) to appoint suitable persons to fulfil the several roles required to implement the protocols in each particular case;
 - (e) where appropriate, to arrange for the conciliation or mediation of any complaint the subject of information;
 - (f) to investigate information in a timely and appropriate manner;

- (g) where appropriate, to recommend to the Diocesan Council any changes to the protocols;
 - (h) subject to any limit imposed by the Diocesan Council to authorise such expenditure on behalf of the Synod or the Church body as may be necessary to implement, in a particular case, the protocol and the provisions of this Ordinance;
 - (i) to advise any relevant Church authority or Church body as to the financial or other needs of a person affected by conduct the subject of information and as to any possible or actual legal proceedings against such Church body or Church authority arising out of the alleged conduct of a Church worker;
 - (j) to refer any information in its possession to a member of a law enforcement, prosecution or child protection authority of a State or Territory or of the Commonwealth of Australia to which the information is or may be relevant;
 - (k) to maintain proper records of all information received and of action taken in relation to such information;
 - (l) to exercise such other powers and functions as are conferred on it by the protocols or this or any other Ordinance.
- (2) The power and duty of the PSC to exercise its functions under this Ordinance arises in respect of:
- (a) conduct wherever it is alleged to have been engaged in by a Church worker resident or licensed in the Diocese, or engaged by a Church authority;
 - (b) an omission, whenever it is alleged to have occurred, by a Church worker resident or licensed in the Diocese, or engaged by a Church authority;
 - (c) conduct which is alleged to have occurred within the Diocese wherever the Church worker involved in the alleged conduct may reside;
 - (d) conduct, wherever it is alleged to have been engaged in, or an omission, wherever it is alleged to have occurred, by a Church worker, wherever the Church worker may reside -
 - (i) in respect of or affecting a person resident in the Diocese; or
 - (ii) that may affect a Church body or Church authority in the Diocese, or Church property or property held in trust for the

benefit of or in connection with the Church or a Church body in the Diocese.

PART 5 – DIRECTOR OF PROFESSIONAL STANDARDS

21. (1) There shall be a Director of Professional Standards.
- (2) The Director shall be appointed by and shall hold office in accordance with a resolution or any Regulation of the Diocesan Council.
22. The Director shall have the following functions:
 - (a) to receive information on behalf of the PSC;
 - (b) to manage the implementation of protocols in respect of any information;
 - (c) to be the executive officer of the PSC;
 - (d) to attend meetings of the PSC unless the PSC in respect of a particular meeting or part of a meeting otherwise determines;
 - (e) such other functions and duties as may be prescribed by this or any other Ordinance or as may be determined by the Diocesan Council or the PSC.
23. The Director may act in a corresponding capacity for another diocese either generally or for a particular case or matter.

PART 6 – INVESTIGATION OF INFORMATION

24. (1) A member of the Clergy and a Church authority in the Diocese shall as soon as possible refer any information in his her or its possession or knowledge to a member of the PSC unless there are reasonable grounds to believe that the information is already known to the PSC.
- (2) This section does not affect the operation of the Canon Concerning Confessions 1989 of General Synod or any other canon or legislative instrument relating to confessions in force in the Diocese.
25. Subject to this Ordinance, where the PSC considers that the subject matter of information constitutes examinable conduct it shall investigate the information.
 - (a) Where the PSC considers the subject matter of information does not constitute examinable conduct under this ordinance, the PSC may refer the matter appropriately, in line with other applicable legislation or protocols or to the Bishop.

26. (1) The PSC may, if it thinks it appropriate to do so, refer the subject matter of information, or the investigation of information, to an equivalent body or bodies.
- (2) When the PSC and an equivalent body or equivalent bodies have the power and duty to investigate information concerning the alleged conduct or omission of the same Church worker and the respective bodies cannot agree on:
- (a) which body shall carry out the investigation or any parts of such investigation; or
 - (b) whether a question or questions specified in section 54 should be referred to the Board or to an equivalent body which has jurisdiction;
- then the PSC shall refer the disagreement for decision by the Director and the persons acting in a corresponding capacity for every other diocese acting together.
- (3) The PSC shall act in accordance with the unanimous decision of the persons referred to in subsection (2) or, if such persons cannot agree within a reasonable time of the disagreement being referred, in accordance with the decision of the Primate or a member of the House of Bishops appointed by the Primate.
- (4) In all matters affecting the operation of this Ordinance the PSC and the Director shall cooperate with and assist an equivalent body and a person acting in the corresponding capacity of the Director in another diocese.
- (5) In making a decision under subsection (2) the Director shall not be bound by the views or instruction of the PSC but shall take into account the most convenient course for all concerned and the proper and expeditious conduct of the investigation or referral as the case may be.
27. The PSC may refrain from further investigation of the information if:
- (a) in its opinion, the allegations the subject of the information are false, vexatious or misconceived, or their subject matter is trivial;
 - (b) the subject matter is under investigation by some other competent person or body or is the subject of legal proceedings;
 - (c) the person making allegations of examinable conduct or a person affected by the conduct the subject of the information has failed to provide further particulars or to verify the allegations by statutory declaration; or
 - (d) in its opinion there is insufficient reliable evidence to warrant an investigation or further investigation.

28. For the purpose of an investigation the PSC or an investigator shall obtain such statutory declarations, written statements, recorded conversations, reports, documents and other material as the PSC or its delegate considers necessary or advisable for presentation to the Board.
29.
 - (1) The PSC may by notice in writing to a respondent require the respondent to provide a detailed report to the PSC within the time specified in the notice in relation to any matter relevant to the investigation.
 - (2) It is the obligation of a respondent:
 - (a) truthfully to answer any question put by or on behalf of the PSC in the exercise of powers conferred by this Ordinance;
 - (b) not to mislead the PSC or a member or delegate of the PSC;
 - (c) not unreasonably to delay or obstruct the PSC or a member or delegate of the PSC in the exercise of powers conferred by this Ordinance.
 - (3) If a respondent declines to answer a question on the ground that the answer might tend to incriminate the person a written record shall be made of the question and of the ground of refusal.
30. At any time after the PSC has commenced or caused to be commenced an investigation of information under this Part, it may, after giving the respondent an opportunity to be heard, recommend to the relevant Church authority one or more of the following:
 - (a) that the respondent should be suspended from the duties or office or employment by a Church body;
 - (b) that a prohibition order be made against the respondent.
31. The relevant Church authority is authorised to give effect to a recommendation made under section 30.
32. Before making a recommendation under section 30 the PSC shall take into account:
 - (a) the seriousness of the conduct alleged in the information;
 - (b) the nature of the material to support or negate the allegations;
 - (c) whether any person is at risk of harm;
 - (d) after consultation with the relevant Church body or its representative, the effect on the respondent, a relevant Church body and on the Church in the Diocese of acting and of not acting under section 30; and

- (e) any other allegation of similar examinable conduct previously made to the PSC or to an equivalent body within the previous 10 years;

and may take into account any other relevant matter.

- 33. A suspension or prohibition order made by a Church authority pursuant to a recommendation under section 30 shall be terminated by the Church authority:
 - (a) if the PSC terminates the investigation without referring the matter to the Board;
 - (b) upon any direction to that effect given by the Board; or
 - (c) upon the Church authority giving effect to a recommendation of the Board under section 69.
- 34. During a suspension or prohibition pursuant to the provisions of this Part or during a period when a person voluntarily stands down from a position while conduct the subject of information is dealt with under this Ordinance:
 - (a) the respondent shall comply with the terms of any prohibition order;
 - (b) the respondent is ineligible for appointment to any position or function covered by any suspension or prohibition order;
 - (c) the relevant Church authority may fill the vacancy caused by any suspension or prohibition order, or while the respondent is standing down; and
 - (d) the respondent is entitled to whatever stipend, salary, allowances and other benefits that he or she would otherwise have received and which are to be met or reimbursed from funds under the control of the Synod.

PART 7 – PROFESSIONAL STANDARDS BOARD

- 35. There shall be a Professional Standards Board constituted and appointed in accordance with the provisions of this Part.
- 36. The members of the panel referred to in section 39 may constitute an equivalent body either generally or for a particular case or matter.
- 37. Subject to the provisions of this Ordinance the function of the Board is to inquire into and determine a question or questions referred to it pursuant to section 54 and questions within its jurisdiction referred to it by an equivalent body to the PSC and to make a determination referred to in section 69 and where appropriate to make a recommendation in accordance with the provisions of this Ordinance.

38. The Board has jurisdiction to exercise its functions in respect of a Church worker:
 - (a) resident or licensed in the Diocese, or engaged by a Church authority; and
 - (b) not resident or licensed in the Diocese nor engaged by a Church authority but whose conduct giving rise to the reference is alleged to have occurred in the Diocese or whose omission giving rise to the reference is alleged to have occurred when the Church worker was resident or licensed in the Diocese or was engaged by a Church authority.
39. The members of the Board in a particular case shall be appointed from a panel comprising:
 - (a) a President and a Deputy President, both of whom shall be persons who are eligible for appointment as lay members of the Appellate Tribunal;
 - (b) five members of the clergy of at least seven years' standing; and
 - (c) five lay persons who are members of the Church.
40. The members of the panel shall be appointed by the Diocesan Council and shall hold office in accordance with a resolution or Regulation of the Diocesan Council.
41. Any vacancy in the membership of the panel shall be filled by or in accordance with a resolution or Regulation of the Diocesan Council.
42.
 - (1) The members of the panel to be convened for any reference to the Board shall be determined by the President or, if there is a vacancy in the office of President, by the Deputy President.
 - (2) For the purpose of any reference to the Board, the Board shall consist of the President or Deputy President, who shall be the presiding member, and an equal number not exceeding two of clerical and lay members of the panel.
 - (3) Where possible, the Board shall include at least one man and at least one woman.
 - (4) Where, in the opinion of the President, or if there is a vacancy in the office of the President, in the opinion of the Deputy President a member of the panel has a personal interest in a matter before the Board the member shall be disqualified from participating in the reference.
 - (5) For the purposes of this section a vacancy in the office of President includes a situation in which the President is not able to act because of a personal interest in a matter, illness or absence.

43. The Rules of the Board made under this Part may provide that, in relation to the exercise of specified functions, or in relation to matters of a specified class, the Board may, at the direction of the presiding member, be constituted by a single member sitting alone.
44. If a member of the Board, other than the presiding member, dies or is for any other reason unable to continue with any matter referred to the Board, the Board constituted of the presiding member and the other member or members may, if the presiding member so determines, continue and complete the reference.
45. The Board, separately constituted in accordance with this Part, may sit simultaneously for the purpose of matters referred to it or for conducting separate business of the Board.
46. An act or proceeding of the Board is not invalid by reason only of a vacancy in its membership or of the membership of the panel and, notwithstanding the subsequent discovery of a defect in the nomination or appointment of members of the panel or the Board, any such act or proceeding is as valid and effectual as if the member had been duly nominated or appointed.
47. The Synod indemnifies each of the members of the Board for any act or omission by the member in good faith and in the exercise of or purported exercise of powers or functions, or in the discharge or purported discharge of duties under this Ordinance.
48.
 - (1) There shall be a secretary to the Board who shall be appointed by or in accordance with a resolution or Regulation of the Diocesan Council, and whose duties shall be defined by the President.
 - (2) The secretary to the Board may act in a corresponding capacity for another diocese either generally or for a particular case or matter.
49.
 - (1) In any proceedings of the Board where the Board is constituted by two or more members:
 - (a) any question of law or procedure will be determined by the presiding member; and
 - (b) any other question will be determined by majority decision of the members, and in the case of an equality of votes the opinion of the presiding member shall prevail.
 - (2) Where the Board is constituted by a member sitting alone who is not the President or the Deputy President, any question of law that arises must be referred to the President or Deputy President for decision and any decision made on such a reference is a decision of the Board.
 - (3) The Board must act with fairness and according to equity, good conscience and the substantial merits of the case without regard to technicalities or

legal forms and is not bound by the rules of evidence but may inform itself on any matter in such manner as it thinks fit.

- (4) Without limiting the meaning and effect of subsection (3), the Board may receive evidence of a witness in the form of an affidavit, statutory declaration or a signed statement without the need for the personal attendance of the witness, and may also use electronic means such as video link or conference telephone to receive evidence and submissions.
 - (5) The Board may inform itself from the record of any court or tribunal and may adopt any findings, and accept as its own, the record of any court or tribunal.
50. The Board may, for the purpose of any particular reference, appoint such person or persons, including the Director or a member of the PSC, to assist it in inquiring into (but not determining) that reference as the Board thinks fit.
51. The Board must give reasons for any determination, other than by way of directions in the course of an inquiry, unless the determination is made by consent of the respondent.
52. (1) The Board has no power to award costs of any proceedings before it.
- (2) A Church worker in relation to whom a question is the subject of a reference to the Board may apply to the Diocesan Council for the provision of legal assistance.
- (3) The Diocesan Council may grant legal assistance to a Church worker on such terms and subject to such conditions as it shall determine.
53. (1) The President may make Rules of the Board reasonably required by or pursuant to this Ordinance and in relation to the practice and procedure of the Board.
- (2) Subject to this Ordinance and the relevant Rules, the practice and procedure of the Board will be as directed by the presiding member of the Board.

PART 8 – REFERENCE OF MATTERS TO THE PROFESSIONAL STANDARDS BOARD

54. (1) After investigation in accordance with section 25 or under a corresponding provision of the legislation of another diocese the PSC or an equivalent body may refer to the Board, or to an equivalent body which has jurisdiction, one or more of the following questions:
- (a) the fitness of a Church worker, whether temporarily or permanently to hold a particular or any office, licence or position of responsibility in

the Church or to be or remain in Holy Orders or in the employment of a Church body;

- (b) whether in the exercise of a Church worker's ministry or employment, or in the performance of any function the Church worker should be subject to certain conditions or restrictions.
- (2) The question or questions shall be referred to the Board by delivering to the secretary of the Board a written report of its investigation signed by a member of the referring body.
55. (1) Upon delivery of the report to the secretary of the Board, the President or Deputy President as the case may be shall as soon as possible determine the membership of the Board for the purpose of the reference.
- (2) The President or Deputy President as the case may require shall thereupon cause to be convened a sitting for the purpose of giving directions.
 - (3) A person or body appearing or represented before the Board shall comply with the Rules of the Board and with any directions given by the Board.
56. Within 30 days of the date of the reference of a matter to the Board or within 30 days of the date of the document or material coming to existence, whichever is the later, the referring body shall cause to be delivered to the secretary of the Board any documents and material relevant to the reference.
57. The referring body, as soon as practicable after delivering the report referred to in section 54 to the secretary of the Board, shall cause a signed copy of the report to be delivered to the respondent.
58. The Board may at any time and from time to time give directions:
- (a) as to the inspection by and supply of copies to the respondent or any other person of the documents or material relevant to the reference;
 - (b) as to the conduct of its inquiry into the reference.
59. The Board may at any time and from time to time give directions to the referring body as to any further inquiries or investigation it requires to be carried out for the purposes of the reference and the referring body shall to the best of its ability cause such directions to be carried out.
60. (1) The Board shall deal with any reference as expeditiously as possible.
- (2) The Board may, if it sees fit, proceed with the determination of a reference notwithstanding that there may be mediation or conciliation proceedings relating to the subject matter of the reference being conducted by or at the direction of the referring body and notwithstanding that there may be

criminal or other proceedings being taken against the respondent or some other person.

61. (1) The place and time of sitting of the Board comprising two or more members shall be as determined by the presiding member.
- (2) The place and time of sitting of the Board comprising one member shall be as determined by that member.
62. (1) Subject to sub-section (2), the Board must give the following persons reasonable notice of the time and place of a sitting of the Board:
 - (a) the Director; and
 - (b) the respondent; and
 - (c) such other persons as the Board believes have a proper interest in the matter.
- (2) The Board is not obliged to give notice of a sitting to a person whose whereabouts cannot, after reasonable enquiries, be ascertained.
63. In any proceedings before the Board:
 - (a) the referring body and any person may be represented by a legal practitioner or, with leave of the Board, by any other person;
 - (b) the referring body or its appointed representative shall do all in its power to assist the Board and shall carry out any directions of the Board;
 - (c) the Board:
 - (i) must give the referring body and the respondent a reasonable opportunity to call or give evidence, to examine or cross-examine witnesses and to make submissions to the Board; and
 - (ii) must give any other person to whom notice of the proceedings was given or who satisfies the Board that he or she has a proper interest in the matter a reasonable opportunity to make submissions to the Board.
64. (1) Subject to sub-section (2), a sitting of the Board on a reference before the Board is an open sitting.
- (2) On any such sitting before the Board, the Board has an absolute discretion:
 - (a) to direct that no person other than:

- (i) the respondent and any person representing him or her in the proceedings; and
- (ii) witnesses or persons making submissions (while giving evidence or making those submissions); and
- (iii) officers of the Board or persons assisting the Board; and
- (iv) members of or persons appointed by the referring body,

be present in the room while the Board is sitting; or

- (b) to direct that a particular person (other than a person referred to in paragraph (a)) not be present in the room while the Board is sitting.

65. The Board may make a determination in any proceedings in the absence of a person affected by the determination if satisfied that reasonable efforts were made to give that person an opportunity to appear.

66. (1) The Board may require a respondent to submit within a specified time to a medical, psychiatric or psychological examination by a person approved by the Board the cost of which shall be met from funds under the control of the Synod of the Diocese of the referring body.

- (2) A copy of the report of an examination under subsection (1) shall be provided to the respondent and to the Board.

67. The Board shall not, in the course of inquiring into any question:

- (a) inquire into any matter which is or has been the subject of any formal investigation or enquiry conducted:

- (i) under or pursuant to any provision of the Constitution;
- (ii) under or pursuant to a Canon of the General Synod, or the legislation of another diocese, relating to the discipline of clergy or Church workers by a board of enquiry, tribunal or other body; or
- (iii) with the authority of the bishop of a diocese resulting in a formal report to the bishop with findings and which concluded or was commenced prior to the date on which this Ordinance takes effect in the diocese;

but may take into account the finding of any such formal investigation or enquiry.

- (b) inquire into, make any findings in relation to or take into account any alleged breach of:

- (i) faith of the Church, including the obligation to hold the faith;
- (ii) ritual of the Church, including the rites according to the use of the Church and the obligation to abide by such use; or
- (iii) ceremonial of the Church, including ceremonial according to the use of the Church and the obligation to abide by such use.

68. In making any determination the Board shall take into account:

- (a) the conduct of the Church worker as it finds it to have been;
- (b) in the material before the Board, any other fact or circumstance relevant to the determination of the question or questions before it; and
- (c) any failure of the Church worker to comply with a provision of this Ordinance or with a direction of the Board.

69. If, after investigating the question or questions referred to it about a Church worker, the Board is satisfied that:

- (a) the Church worker is unfit, whether temporarily or permanently, at that time or in the future to hold a particular or any office licence or position of responsibility in the Church or to be or remain in Holy Orders or in the employment of a Church body; or
- (b) in the exercise of a Church worker's ministry or employment or in the performance of any function, the Church worker should be subject to certain conditions or restrictions;

the Board may determine accordingly and may:

- (c) recommend that the Church worker be counselled;
- (d) recommend that the Church worker be suspended from office or employment or from performing the function as the case may be for such period determined by the Board;
- (e) recommend to the Church authority that the licence or authority of the Church worker be revoked;
- (f) recommend to the relevant Church authority that the Church worker's contract of employment (if any) be terminated;
- (g) recommend to the relevant Church authority that the Church worker cease to hold any office then held;
- (h) recommend to the relevant Church authority that a prohibition order be made in terms specified by the Board;

- (i) recommend to the relevant Church authority that the Church worker's holding of office or employment or performance of the function as the case may be, shall be subject to such conditions or restrictions as the Board may specify;
 - (j) recommend that the operation of a determination shall be suspended for such period and upon such conditions as the Board shall specify;
 - (k) recommend that the Church worker should be deposed from Holy Orders;
 - (l) make such other recommendation as the Board sees fit.
70. The Board shall cause a copy of each determination and recommendation to be provided:
- (a) to the relevant Church authority; and
 - (b) to the respondent; and
- shall cause relevant details to be forwarded for entry into the national register.
71. A relevant Church authority to which or whom a recommendation under this Ordinance or a recommendation made by an equivalent Board applies is empowered to give effect to a recommendation of the Board and of an equivalent body having jurisdiction to make a recommendation to the Church authority.
72. A person who has been deposed from Holy Orders in accordance with this Ordinance or in accordance with the provisions of any ordinance, act, canon, constitution, statute, legislative measure or provision of the General Synod or of the diocesan synod of another diocese of this Church;
- (a) is incapable of:
 - (i) officiating or acting in any manner as a bishop, priest or deacon of this Church;
 - (ii) accepting or holding an office in this Church capable of being held only by a person in Holy Orders;
 - (b) ceases to have any right privilege or advantage attached to the office of bishop, priest or deacon;
 - (c) shall not hold himself or herself out to be a member of the Clergy; and
 - (d) is not capable of holding an office in the Church which may be held by a lay person without the prior consent of the Bishop.

73. (1) The deposition of a person from Holy Orders by the Bishop pursuant to the recommendation of the Board or an equivalent body shall be effected by the execution by the Bishop of an Instrument of Deposition in or to the effect of the form in Schedule 1.
- (2) The Bishop must forthwith:
- (a) register the Instrument in the Registry of the Diocese;
 - (b) deliver a copy of the Instrument to the bishop of the diocese in which the person who is the subject of the Instrument was ordained;
 - (c) deliver a copy of the Instrument to the Registrar of the Primate;
 - (d) cause relevant details to be forwarded for entry into the national register.
74. A relevant Church authority to whom or which this Ordinance applies shall cause relevant details to be forwarded for entry into the national register of any action taken in relation to a Church worker in accordance with a recommendation of the Board.

PART 8A – REFERENCE OF CONVICTION OF CHURCH WORKER TO THE PROFESSIONAL STANDARDS BOARD

74A If, during the course of carrying out their duties under this Ordinance, the Director of Professional Standards, the PSC, the Board or any other person receives a Certificate of Conviction of a Church worker, then:

- (1) If the person who receives the Certificate of Conviction is not the Director of Professional Standards, the person must immediately hand the Certificate of Conviction to the Director of Professional Standards;
- (2) The Director of Professional Standards must immediately provide a copy of the Certificate of Conviction to the Secretary of the Board, stating that it is provided pursuant to this section;
- (3) Upon receipt of the Certificate of Conviction, the Secretary of the Board, the President or Deputy President as the case may be shall as soon as possible determine the membership of the Board for the purpose of making a recommendation under this part;
- (4) Subject to giving the Church worker opportunity to show cause, by such means as the Board may in its absolute discretion allow, the Board may make any of the recommendations referred to in section 69, and shall cause a copy of its recommendation to be provided:
 - (a) to the relevant Church authority; and
 - (b) to the respondent,

and shall cause relevant details to be forwarded for entry into the National Register.

(5) A relevant Church authority to whom a recommendation under this part is given is empowered to give effect to the recommendation.

74B A decision made under this part is not a “reviewable decision” for the purposes of section 74AA.

74C No action taken under this part shall, of itself, stay or preclude any act, proceeding, investigation or inquiry otherwise in progress or proposed under this Ordinance in respect of the Church worker to whom the Certificate of Conviction relates.

PART 8AA – REVIEW.

74AA. In this part, unless the context otherwise requires:

“reviewable decision” means a determination or recommendation of the Board which, if acted upon by the relevant Church authority, may have the effect of:

- (1) deposing the respondent from Holy Orders; or
- (2) terminating the respondent’s contract of employment, or removing or suspending the capacity of the respondent to gain income as a Church worker; and

“Reviewer” means a barrister of not less than 5 years standing appointed at the Director’s request by the President of a legal professional body deemed appropriate by the Director, or if such President is unwilling to appoint, or unreasonably delays in so doing, appointed by the Chancellor.

74AB. A respondent who is aggrieved by a reviewable decision may apply to the Director for a review of the decision.

74AC. The application may be made on any one or more of the following grounds:

- (1) that a breach of the rules of natural justice happened in relation to the making of the reviewable decision which materially affected the decision;
- (2) that procedures that were required by this Ordinance to be observed in relation to the making of the reviewable decision were not observed, and the non-observance materially affected the decision;

- (3) that the Board did not have jurisdiction to make the reviewable decision; or
- (4) that the reviewable decision was so devoid of any plausible justification that no reasonable Board could have made it.

74AD. For a reviewable decision, a Church authority shall not act under the provisions of section 71 until the time for lodging an application for review has passed, and no application has been lodged.

74AE. The making of an application for review acts as a stay of the reviewable decision pending determination by the Reviewer.

74AF. Nothing in this part, however, affects the power of a Church authority to take any action against a respondent which would be open to the Church authority other than under the powers pursuant to this Ordinance.

74AG. For a reviewable decision, the Board shall not cause the relevant details to be forwarded for entry into the national register under section 70 until:

- (1) the time for lodging an application for review has passed, and no application has been lodged; or
- (2) where an application for review has been heard and determined, the determination has been made.

74AH. If a determination on review confirms or varies a reviewable decision, then the Board must cause the details of the confirmed or varied decision to be forwarded for entry into the national register as soon as it receives the Reviewer's determination.

74AI. If a Reviewer's determination refers a matter back to the Board, then the Board must:

- (1) determine to take no further action in respect of the matter; or
- (2) deal with the matter in accordance with Part 8 of this Ordinance, in accordance with such directions or recommendations as the Reviewer may make in the Reviewer's determination; or
- (3) deal with the matter in accordance with Part 8 of this Ordinance applying such of the provisions of Part 8 as, in the discretion of the Board and in accordance with the Reviewer's determination, the Board sees fit.

74AJ. An application to the Director for review of the reviewable decision must be made within 14 days of the respondent's being provided with a copy of the Board's determination and recommendation under section 70. The application for review must:

- (1) be in writing addressed to the Director; and

(2) set out the grounds for review in the application.

74AK. On receipt of an application for review, the Director must immediately seek the appointment of a Reviewer.

74AL. Upon appointment of a Reviewer, the Director must ask the Reviewer for the Reviewer's estimate of the fee to be charged by the Reviewer in making a determination under this part. Upon receipt of advice as to the estimated fee, the Director must immediately notify the Respondent. Within 7 days of receipt of the Director's advice, the Respondent must pay one-half of the estimated fee to the Reviewer, or to a person nominated by the Reviewer. If the Respondent fails to make the payment, then the application for review will lapse.

74AM. Unless otherwise specified in this Ordinance, the manner in which the review is to be conducted will be determined by the Reviewer.

74AN. On an application for review of a reviewable decision, the Reviewer may make all or any of the following determinations:

- (1) a determination quashing or setting aside the reviewable decision;
- (2) a determination referring the matter to which the reviewable decision relates to the Board for further consideration, subject to such directions (including the setting of time limits for the further consideration, and for the steps to be taken in the further consideration) as the Reviewer determines;
- (3) a determination declaring the rights of the Respondent in relation to any matter to which the Reviewable decision relates;
- (4) a determination directing either the respondent or the Board, to do, or to refrain from doing, anything that the Reviewer considers necessary to do justice between the parties.

74AO. The Reviewer may make such order as to the costs of the review as the Reviewer thinks fit.

74AP. The review shall be by way of the review of the recommendation or determination that is the subject of the review and not by way of a re-hearing of the merits, or a hearing de novo.

PART 9 – REGULATIONS

75. The Diocesan Council may from time to time make amend or repeal Regulations, not inconsistent with the provisions of this Ordinance, providing for records arising out of or incidental to the operation of this Ordinance, and for all or any of the purposes whether general or to meet particular cases, which may be

convenient for the administration of this Ordinance or which may be necessary or expedient to carry out the objects and purposes of this Ordinance.

PART 10 – AMENDMENTS

76. In so far as the provisions of this Ordinance are inconsistent with the provisions of any other Ordinance of the Diocese hereinbefore enacted the provisions of this Ordinance shall prevail and have force and effect accordingly.

SCHEDULE 1

[Section 73]

TO

I, _____ BISHOP OF THE NORTHERN TERRITORY do by these presents hereby depose you from Holy Orders (particulars of which are set out below) in accordance with the recommendation of the Professional Standards Board of the Diocese of the Northern Territory.

PARTICULARS OF HOLY ORDERS

FULL NAME AND ADDRESS:

	ORDAINING BISHOP	PLACE	DATE
ORDINATION AS DEACON:	_____	_____	_____
ORDINATION AS PRIEST:	_____	_____	_____
CONSECRATION AS BISHOP:	_____	_____	_____

DATED

SEALED

SECTION IV

REGULATIONS OF THE DIOCESE

Constitution

Anglicare NT Limited

ACN 605 552 494

A Company Limited by Guarantee

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1 Definitions and Interpretation

1.1 Definitions

In this Constitution unless a contrary intention appears:

Alternate Director means a person appointed as an alternate director under clause 18.1.

Area of Interest means the Northern Territory unless another geographic area within Australia is specifically approved by the NT Synod and where relevant through the application of the 2007 Bishops Protocol 'Anglican Agencies Working Across Diocesan Boundaries.'

Auditor means the auditor for the time being of the Company.

Bishop means the Bishop of the NT Diocese, and shall include a person appointed as the Administrator in accordance with the Administrator of the Diocese Ordinance of 1976.

Board means all or some of the Directors acting as a board.

Board Nominated Director means a director appointed from persons nominated by the Board as provided for in clause 9.2(a)(iv).

Chairman means the chairman appointed or elected under clause 17.1.

Committee means a committee of the Board constituted under clause 20.

Community Housing Assets shall have the same meaning as in the National Law

Company means Anglicare NT Limited being an Australian public company limited by guarantee established under the Corporations Act which bears the ACN [605542994].

Constitution means this constitution as amended from time to time.

Constitution of the Anglican Church of Australia means the Constitution set out in the Schedule to the *Anglican Church of Australia Constitution Act 1961 (NSW)*.

Corporations Act means the *Corporations Act 2001 (Cth)*.

Deputy Chairman means the deputy chairman elected under clause 17.1.

Diocesan Council means the body established by the General Synod pursuant to General Synod Canon 7 of 1966 (as amended by General Synod Canons 2 of 1969 and 4 of 1977) for

the purpose of governance of the NT Synod and constituted in the manner set out in The Diocesan Council Ordinance 1970-1995.

Director means a person holding office as director of the Company.

General Synod means the General Synod as defined in the Constitution of the Anglican Church of Australia.

Housing Agency shall have the same meaning as in the National Law

Income Tax Assessment Act means the *Income Tax Assessment Act 1997* (Cth).

Insolvency Event occurs when:

- (a) an application or order is made; proceedings are commenced; a resolution is passed or proposed in a notice of meeting or application; an application to a court is made or other steps are taken for:
 - (i) the winding up, dissolution or external administration of the Member;
 - (ii) the Member entering into any arrangement, compromise or composition with or an assignment for the benefit of its creditors or any class of them; or
- (b) the appointment of a controller, receiver, receiver and manager, official manager or other external administrator is made to the Member.

Member means a person specified or nominated as the member of the Company under clause 6.

Member Appointed Director means a director appointed by the Member as provided for in clause 9.2(a)(iii).

National Law means the Community Housing Providers National Law

NT Diocese means the Anglican Diocese of the Northern Territory established in 1968 by the General Synod pursuant to clause 1 of General Synod Canon 6 of 1966.

NT Diocese Constitution means the Constitution of the NT Diocese promulgated by General Synod Canon 2 of 1969 which invested the NT Synod with legislative power to pass ordinances for the order and good government of the Anglican Church of Australia in the NT Diocese.

NT Synod means the Anglican Synod of the NT Diocese established by General Synod Canon 2 of 1969 and governed in accordance with the NT Diocese Constitution, subsequently

incorporated as The Synod of the Diocese of the Northern Territory Incorporated, being an incorporated association established under the *Associations Act (NT)* which bears the ABN 83 035 175 830.

Register means the register of members under the Corporations Act and if appropriate includes a branch register.

Registered Office means the registered office for the time being of the Company.

Registered Community Housing Provider shall have the same meaning as in the National Law

Registrar means the Registrar of the NT Diocese.

Related Body Corporate has the same meaning it has in the Corporations Act.

Seal means the common seal (if any) of the Company.

Secretary means a person appointed as a secretary of the Company and includes an honorary Secretary and where appropriate includes an acting secretary and a person appointed by the Board to perform all or any of the duties of a secretary of the Company.

1.2 Interpretation

In this Constitution unless the contrary intention appears:

- (a) words importing any gender include all other genders;
- (b) the singular includes the plural and vice versa;
- (c) a reference to a law includes regulations and instruments made under the law;
- (d) a reference to a clause is a reference to a clause in this Constitution unless otherwise stated;
- (e) a reference to a law or a provision of a law includes amendments, re-enactments or replacements of that law or the provision, whether by the State or the Commonwealth of Australia or otherwise;
- (f) a reference to a meeting includes a meeting by technology where all attendees have reasonable opportunity to participate;

- (g) a reference to a person being present in person includes a person participating at a meeting as described in clause 1.2(f);
- (h) a power, an authority or a discretion reposed in a Director, the Board or a Member may be exercised at any time and from time to time;
- (i) “writing” and “written” includes printing, typing and other modes of reproducing words in a visible form including, without limitation, any representation of words in a physical document or in an electronic communication or form or otherwise;
- (j) Australian dollars, dollars, A\$ or \$ is a reference to the lawful currency of Australia; and
- (k) a reference to a body, other than the Company, includes any successors to that body.

1.3 Signing

Where, by a provision of this Constitution, a document including a notice is required to be signed, that requirement may be satisfied in relation to an electronic communication of the document in any manner permitted by law or by any State or Commonwealth law relating to electronic transmissions, or in any other manner approved by the Board.

1.4 Corporations Act

In this Constitution unless the contrary intention appears:

- (a) an expression has, in a provision of this Constitution that deals with a matter dealt with by a particular provision of the Corporations Act, the same meaning as in that provision of the Corporations Act; and
- (b) “section” means a section of the Corporations Act.

1.5 Headings

Headings are inserted for convenience and are not to affect the interpretation of this Constitution.

1.6 Replaceable rules do not apply

The provisions of the Corporations Act that apply as replaceable rules are displaced by this Constitution and accordingly do not apply to the Company.

2 Objects of the Company

2.1 Service provision charter

- (a) The Company's service provision charter as provided for in clause 5 of the Anglicare NT Ordinance 1996-2014 is:

"In the context of expressing the Christian philosophy of care Anglicare N.T. shall facilitate the provision of welfare and associated community services and the promotion and support of family life and matters incidental thereto including maintenance care protection counselling and support of families and individuals."

- (b) The statement in clause 2.1(a) is understood as operating in the context of the 'Five Marks of Mission' of the world wide Anglican communion, namely:
- (i) to proclaim the good news of the Kingdom;
 - (ii) to teach, baptise and nurture new believers;
 - (iii) to respond to human need by loving service;
 - (iv) to seek to transform unjust structures of society, to challenge violence of every kind and to pursue peace and reconciliation; and
 - (v) to strive to safeguard the integrity of creation and sustain and renew the life of the earth.

2.2 Objects of the Company

The objects of the Company are to carry on the work of and be the successor in law of the unincorporated agency of the NT Diocese known as Anglicare NT in the Area of Interest in furtherance of the mission of the NT Diocese and the offering of spiritual hope by the proclamation of the gospel and in accordance with Christian principles and teachings through assisting people in need of relief of poverty, sickness, suffering, distress, misfortune, disability, destitution, or helplessness by:

- (a) delivering culturally relevant and inclusive human services and community development activities with communities;
- (b) continually evaluating its programs and actively identifying current community needs;
- (c) developing a range of community-based services as needs are identified
- (d) developing and managing social enterprises that achieve the mission of the organisation and generate financial income
- (e) encouraging innovation, initiative and new ideas in the workplace and in-service provision;
- (f) providing a credible and influential voice in advocating for the rights of individuals, families and communities of interest to governments, at industry forums, in the Church and within the general community;
- (g) promoting, by its operation, the welfare and development aspirations of individuals, families, communities and organisations;
- (h) acting as a social justice resource to the NT Diocese by being a source of information and counsel;
- (i) acting as trustee and performing and discharging the duties and functions incidental thereto where this is incidental or conducive to the attainment of these objects; and
- (j) doing such other things as are incidental or conducive to the attainment of these objects.

3 Powers

The Company has the legal capacity and powers of an individual and also has all the powers of a body corporate under the Corporations Act.

4 Application of income for Objects only

4.1 Application of income and property

The income and the property of the Company, however derived:

- (a) must be applied solely towards the promotion of the objects of the Company as set out in clause 2.2; and
- (b) may not be paid or transferred to the Member, in whole or in part, either directly or indirectly by way of dividend, bonus or otherwise, other than in accordance with clause 4.2.

4.2 Payment in good faith

The above clause does not prevent payment in good faith to the Member:

- (a) of reasonable remuneration for services to the Company;
- (b) for goods supplied in the ordinary course of business;
- (c) of fair and reasonable interest on money borrowed from the Member at a rate not exceeding that fixed for the purposes of this clause by the resolution of the Member; or
- (d) of reasonable rent for premises let by the Member.

5 Winding Up

5.1 Contributions by the Member

- (a) The Member undertakes to contribute to the Company's property if the Company is wound up while they are a Member, or within one year after they cease to be a Member.
- (b) This contribution is for:
 - (i) payment of the Company's debts and liabilities contracted before they ceased to be a Member;
 - (ii) the costs of winding up; and
 - (iii) adjustment of the rights of the contributories among themselves.
- (c) The amount is not to exceed \$10.

5.2 Application of Property

If on the winding up or dissolution of the Company there remains (after satisfaction of all of its debts and liabilities) any surplus assets (apart from any assets already dealt with under clause 26), those surplus assets may not be paid to or distributed to the Member, but must be dealt with as follows:

- (a) if the Company is a Registered Community Housing Provider at the time of winding up or dissolution and any of the surplus assets constitute Community Housing Assets, then each of those Community Housing Assets is to be transferred to one or more charitable funds, authorities or institutions:
 - (i) which are Registered Community Housing Providers or Housing Agencies in the jurisdiction in which the relevant Community Housing Asset is located;
- (b) all other surplus assets are to be transferred to one or more charitable funds, authorities or institutions:
 - (i) which are not carried on for the profit or gain of their members; and
 - (ii) gifts to which can be deducted under Division 30 of the Income Tax Assessment Act,

in each case as selected by the Member at or before the time of winding up or dissolution (or in default, by the Standing Committee of General Synod of the Anglican Church of Australia).'

6 Sole member

The sole member of the Company is the NT Synod.

7 Ceasing to be a Member

7.1 Cessation of membership

A Member ceases to be a Member on:

- (a) resignation by written notice to the Company having immediate effect or with effect from a specified date occurring not more than seven days after the service of the notice provided that NT Synod first nominates such other body corporate as the sole member in substitution of the Member; or
- (b) the Member becoming subject to an Insolvency Event.

7.2 Limited liability

The Member has no liability as a Member except as set out in clause 5.1.

8 Resolutions of one member companies

The Company may pass a resolution by the Member recording it and signing the record.

9 Directors

9.1 Number of Directors

The number of Directors must be at least three (3).

9.2 Composition of the Board

- (a) The Board of the Company shall consist of:
 - (i) The Bishop;
 - (ii) The Registrar;
 - (iii) Three (3) Directors appointed by the Member; and
 - (iv) Four (4) Directors appointed by the Diocesan Council from persons nominated by the Board.

- (b) At least one (1) of the directors in clause 9.2(a) other than the Bishop, must be a stipendiary member of the clergy of the NT Diocese.
- (c) At least one (1) of the directors in clause 9.2(a) must be from the region of Alice Springs and Tennant Creek.

9.3 Qualification of Directors

- (a) To be eligible for the office of Director a person must:
 - (i) support the values and purpose of the NT Diocese and the Company;
 - (ii) not be a staff member or employee of the Company; and
 - (iii) consent in writing to act as a Director.
- (b) In the event that it is required under a law, regulation or guideline applicable to the Company,¹ the Company must ensure that a majority of the Directors must be persons who, because of their tenure of some public office or other position or activity in the community, have a degree of responsibility to the general public.

9.4 Appointment and removal of Directors by Member

Subject to the Corporations Act, the Member may:

- (a) appoint new Directors;
- (b) remove a Member Appointed Director or a Board Nominated Director before the end of the Director's period of office; and
- (c) appoint another person in the Director's place.

9.5 Retirement of Directors

- (a) Directors are appointed for terms of three (3) years.

¹ Such as where the Company is endorsed as a deductible gift recipient and this is a condition for such endorsement.

- (b) Any Director who has held office for three (3) years or more since last being appointed, must retire from office at the conclusion of the meeting of Directors that immediately follows the three-year anniversary, but subject to clause 9.6 is eligible for reappointment.
- (c) The Member may remove any Director before the expiration of that Director's period of office and may appoint another person in the place of that Director.

9.6 Reappointment of Directors

Directors are entitled to seek reappointment as Directors on three (3) consecutive occasions provided that a Director's period of service to the Company shall not exceed a period of twelve (12) consecutive years.

9.7 Casual vacancy

The Directors may at any time appoint any eligible person to be a Board Nominated Director to fill a casual vacancy, subject to ratification by the Diocesan Council.

10 Remuneration of Directors

The Directors must not be paid any remuneration for their services as Directors.

11 Expenses of Directors

- (a) A Director is entitled to be reimbursed out of the funds of the Company for such reasonable travelling, accommodation and other expenses as the Director may incur when travelling to or from meetings of the Board or a Committee or when otherwise engaged on the business of the Company.
- (b) Any payment to a Director must be approved by the Board.

12 Vacation of office of Director

In addition to the circumstances in which the office of a Director becomes vacant under the Corporations Act, the office of a Director becomes vacant if the Director:

- (a) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;

- (b) resigns from the office by notice in writing to the Company;
- (c) becomes insolvent or bankrupt, compounds with his creditors, or assigns his estate for the benefit of his creditor;
- (d) is absent personally or by Alternate Director at three successive meetings of the Board without leave of absence from the Board;
- (e) becomes prohibited for being a Director by reason of any order of any court of competent jurisdiction; or
- (f) is removed by the Member.

13 Powers and duties of the Board

13.1 The Board to manage the Company

The Board is to manage the business of the Company and may exercise all the powers of the Company that are not, by the Corporations Act or by this Constitution, required to be exercised by resolution of the Company.

13.2 Specific powers of the Board

Without limiting the generality of clause 13.1, and subject to any trusts relating to the assets of the Company, the Board may exercise all the powers of the Company to:

- (a) borrow or raise money;
- (b) charge any property or business of the Company; and
- (c) give any security for a debt, liability or obligation of the Company or of any other person.

13.3 Appointment of chief executive officer

Without limiting the generality of clause 13.1, the Board has the power to appoint and remove the chief executive officer of the Company or any person acting in that role and determine the terms of such appointment.

13.4 Bishop to approve the appointment of the chief executive officer

The Bishop must approve the appointment of the chief executive officer and may veto any appointment made pursuant to clause 13.3.

14 Rules

Subject to this Constitution, the Board may from time to time by resolution make and rescind or alter rules for the management and conduct of the business of the Company, but such rules may be altered or revoked by the Member.

15 Appointment of attorney

- (a) The Board may, by power of attorney, appoint any person to be the attorney of the Company for the purposes and with the powers, authorities and discretions held by the Board for the period and subject to the conditions that it thinks fit.
- (b) A power of attorney granted under this clause 15 may contain any provisions for the protection and convenience of persons dealing with the attorney that the Board thinks fit and may also authorise the attorney to delegate (including by way of appointment of a substitute attorney) all or any of the powers, authorities and discretions of the attorney.

16 Proceedings of the Board

16.1 Board meetings

- (a) The Board may meet to conduct business, adjourn and otherwise regulate their meetings as it thinks fit.
- (b) A Director may at any time, and the Secretary must on the written request of a Director, convene a meeting of the Board.

16.2 Questions decided by majority

A question arising at a meeting of the Board is to be decided by a majority of votes of Directors present and entitled to vote, and that decision is for all purposes a decision of the Board.

16.3 Alternate Director and voting

A person who is present at a meeting of the Board as an Alternate Director for another Director has one vote for each absent Director who would be entitled to vote if present at the meeting and for whom that person is an Alternate Director. If that person is also a Director, then that person also has one vote as a Director in that capacity.

17 Chairman and Deputy Chairman of the Board

17.1 Election of Chairman and Deputy Chairman

- (a) Where he consents to act, the Bishop shall be appointed as Chairman.
- (b) Where the Bishop does not consent to act as Chairman, the Board may elect such Directors, with the approval of the Bishop, to act as Chairman of their meetings and may also determine the period for which the persons elected as Chairman are to hold office.
- (c) The Board may elect from its number a Deputy Chairman of its meetings and may also determine the period for which the persons elected as Deputy Chairman is to hold office.

17.2 Absence of Chairman at a Board meeting

If a Board meeting is held and:

- (a) a Chairman has not been appointed or elected under clause 17.1; or
- (b) the Chairman is not present within ten minutes after the time appointed for the holding of the meeting or is unable or unwilling to act;

then the Deputy Chairman, if elected under clause 17.1, must be the chairman of the meeting or, if the Deputy Chairman is not present, the Directors present must elect one of their number to be chairman of the meeting.

17.3 No casting vote for Chairman at Board meetings

In the event of an equality of votes cast for and against a question, the Chairman of the Board meeting does not have a second or casting vote, and consequently the question is decided in the negative.

18 Alternate Director

18.1 Appointment

- (a) Subject to the Corporations Act, a Director may appoint a person, with the approval of the Board and the Diocesan Council, to be an Alternate Director in the Director's place during such period as the Director thinks fit.

- (b) Subject to the Corporations Act, an appointment of an Alternate Director must be affected by a notice in writing signed by the Director who makes or made the appointment and delivered to the Company.

18.2 Notice

An Alternate Director is entitled to notice of all meetings of the Board and, if the appointor does not participate in a meeting, the Alternate Director is entitled to participate and vote in the appointor's place.

18.3 Alternate Director's powers

An Alternate Director may exercise all the powers of the appointor except the power to appoint an Alternate Director and, subject to the Corporations Act, may perform all the duties of the appointor except to the extent that the appointor has exercised or performed them.

18.4 Alternate Director responsible for own acts and defaults

Whilst acting as a Director, an Alternate Director:

- (a) is an officer of the Company and not the agent of the appointor; and
- (b) is responsible to the exclusion of the appointor for the Alternate Director's own acts and defaults.

18.5 Alternate Director and remuneration

An Alternate Director is not entitled to receive from the Company any remuneration or benefit.

18.6 Termination of appointment of Alternate Director

The appointment of an Alternate Director may be terminated at any time by the appointor even if the period, if any, of the appointment of the Alternate Director has not expired and terminates in any event if the appointor ceases to be a Director.

18.7 Termination in writing

The termination of an appointment of an Alternate Director must be affected by a notice in writing signed by the Director who made the appointment and delivered to the Company.

18.8 Alternate Director and number of Directors

An Alternate Director is not to be taken into account separately from the appointor in determining the number of Directors.

19 Quorum for a Board meeting

- (a) At a meeting of the Board, the number of Directors whose presence in person is necessary to constitute a quorum is as determined by the Directors, and, unless so determined, is a majority of Directors holding office.
- (b) The Board may act despite a vacancy in its number. If its number is reduced below the quorum required by clause 19(a), the continuing Directors may, except in an emergency, act only for the purpose of filling vacancies to the extent necessary to bring their number up to that minimum.

20 Committees

20.1 Delegation to Committees

- (a) The Board may delegate any of its powers, other than powers required by law to be dealt with by Directors as a board, to a Committee or Committees consisting of such one or more of their number as it thinks fit.
- (b) A Committee to which any powers have been delegated under this clause 20 must exercise those powers in accordance with any directions of the Board. A power so exercised is taken to have been exercised by the Board.

20.2 Meetings of Committee

A Committee may meet and adjourn as it thinks proper.

20.3 Chairman of Committee

The Board may appoint a chairman to chair the meetings of a Committee. If a meeting of a Committee is held and:

- (a) a chairman has not been appointed; or

- (b) the chairman is not present within ten minutes after the time appointed for the holding of the meeting or is unable or unwilling to act;

then the Committee members involved may elect one of their number to be chairman of the meeting.

20.4 Determination of questions

- (a) Questions arising at a meeting of a Committee are to be determined by a majority of votes of the members present and voting.
- (b) In the event of an equality of votes, the chairman of the meeting does not have a casting vote.

21 Circulating resolutions

- (a) The Board may pass a resolution without a Board meeting being held if all of the Directors entitled to vote on the resolution sign a document containing a statement that they are in favour of the resolution set out in the document.
- (b) Separate copies of a document may be used for signing by Directors if the wording of the resolution and statement is identical in each copy.
- (c) The resolution is passed when the last Director signs.

22 Validity of acts of Directors

All acts done at a meeting of the Board or of a Committee, or by a person acting as a Director are taken as valid as if the relevant person had been duly appointed or had duly continued in office and was qualified and entitled to vote, even if it is afterwards discovered that:

- (a) there was a defect in the appointment or continuance in office of a person as a Director or of the person so acting; or
- (b) a person acting as a Director was disqualified or was not entitled to vote.

23 Secretary

23.1 Appointment of Secretary

There must be at least one Secretary who is to be appointed by the Board.

23.2 Suspension and removal of Secretary

The Board may suspend or remove a Secretary from that office.

23.3 Powers, duties and authorities of Secretary

A Secretary holds office on the terms and conditions (including as to remuneration) and with the powers, duties and authorities, as determined by the Board. The exercise of those powers and authorities and the performance of those duties by a Secretary are subject at all times to the control of the Board.

24 Dispute resolution

24.1 Handling a dispute

Where there is a dispute, grievance or other disagreement between the Member and the Company, whether arising out of the application of these rules or otherwise (**Dispute**), then either must, prior to the commencement of any proceedings in a Court or Tribunal or before any authority or board, notify the other in writing of the nature of the Dispute, and the following must occur:

- (a) The Member and the Company must in the period fourteen days from the service of the notice of the Dispute (**Initial Period**) use their best endeavours to resolve the Dispute.
- (b) If the Company and the Member are unable to resolve the Dispute within the Initial Period, then the Dispute must be referred for mediation to a mediator nominated by the Member.
- (c) If the disputants are unable to agree on a mediator within seven days of the Initial Period, the Member or the Company may request the Bishop to nominate an independent mediator to whom the dispute will be referred.
- (d) The costs of the mediation must be shared equally between the Member and the Company.

- (e) Where:
- (i) the party receiving the notice of the Dispute fails to attend the mediation required by clause 24.1(b); or
 - (ii) the mediation has not occurred within six weeks of the date of the notice of the Dispute; or
 - (iii) the mediation fails to resolve the Dispute;
- then the party serving the notice of Dispute will be entitled to commence any proceedings in a Court or Tribunal or before any authority or board in respect of the Dispute.
- (f) The procedure in this clause will not apply in respect of proceedings for urgent or interlocutory relief.

25 Accounts

- (a) The Board must cause proper financial records to be kept and if required by a law, regulation or guideline applicable to the Company or otherwise considered by the Board to be appropriate, cause the accounts of the Company to be audited accordingly.
- (b) The Board must distribute to the Member a copy of the annual financial reports of the Company accompanied by a copy of the Auditor's report and Directors' report in accordance with the requirements of a relevant law, regulation or guideline.

26 Gifts, Contributions etc

26.1 Taxation Administration Act

The Company must comply with section 382-15 of Schedule 1 of the Taxation Administration Act 1953 (Cth).

26.2 Surplus

At the first occurrence of one of the following events:

- (a) the winding up of the Company; and

- (b) the revocation of the Company's endorsement under Subdivision 30-BA of the Income Tax Assessment Act,

the Company must deal with any surplus referred to in section 30- 125(6)(b) of the Income Tax Assessment Act as follows:

- (c) if the Company is a Registered Community Housing Provider at the relevant time and any part of that surplus constitutes a Community Housing Asset, then each Community Housing Asset is to be transferred to one or more charitable funds, authorities or institutions:
 - (i) which are Registered Community Housing Providers or Housing Agencies in the jurisdiction in which the relevant Community Housing Asset is located;
 - (ii) which are not carried on for the profit or gain of their members; and
 - (iii) gifts to which can be deducted under Division 30 of the Income Tax Assessment Act; and
- (d) the balance of the surplus is to be transferred to one or more charitable funds, authorities or institutions gifts to which can be deducted under Division 30 of the Income Tax Assessment Act,

in each case as selected by the Member at or before the time of the relevant event (or in default, by the Standing Committee of General Synod of the Anglican Church of Australia).'

27 Execution of documents

Documents executed for and on behalf of the Company must be executed by:

- (a) two Directors;
- (b) a Director and the Secretary; or
- (c) such other persons as the Board by resolution appoints from time to time.

28 Seals

28.1 Safe custody of common seals

The Board must provide for the safe custody of any seal of the Company.

28.2 Use of common seal

If the Company has a common seal or duplicate common seal:

- (a) it may be used only by the authority of the Board, or of a Committee authorised by the Board to authorise its use; and
- (b) every document to which it is affixed must be signed by a Director and be countersigned by another Director, a Secretary or another person appointed by the Board to countersign that document or a class of documents in which that document is included.

29 Inspection of records

29.1 Inspection by the Member

Subject to the Corporations Act, the Board may determine at what times and places and under what conditions, the accounting records and other documents of the Company or any of them will be open to inspection by the Member.

29.2 Right of the Member to inspect

The Member does not have the right to inspect any document of the Company except as provided by law or authorised by the Board or by resolution of the Member.

30 Service of documents

30.1 Document includes notice

In this clause 30, a reference to a document includes a notice.

30.2 Methods of service

- (a) The Company may give a document to the Member:
 - (i) by sending it by post to the address for the Member in the Register or an alternative address nominated by the Member; or
 - (ii) by sending it to a fax number or electronic address nominated by the Member.
- (b) A document sent by post:
 - (i) if sent to an address in Australia, may be sent by ordinary post and is taken to have been received on the fourth day after the date of its posting; and
 - (ii) if sent to an address outside Australia, must be sent by airmail and is taken to have been received on the fifth day after the date of its posting.
- (c) If a document is sent by fax or electronic transmission, delivery of the document is taken:
 - (i) to be affected by properly addressing and transmitting the fax or electronic transmission; and
 - (ii) to have been delivered on the day following its transmission.

30.3 Evidence of service

A certificate in writing signed by a Director or a Secretary stating that a document was sent to the Member by post or by fax or electronic transmission on a particular date is prima facie evidence that the document was so sent on that date.

31 Indemnity

The Company may indemnify any current or former Director, Secretary or executive officer of the Company or of a Related Body Corporate of the Company out of the property of the Company against:

- (a) every liability incurred by the person in that capacity; and
- (b) all legal costs incurred in defending or resisting (or otherwise in connection with) proceedings, whether civil or criminal or of an administrative or investigatory nature, in which the person becomes involved because of that capacity;

except to the extent that:

- (c) the Company is forbidden by statute to indemnify the person against the liability or legal costs; or
- (d) an indemnity by the Company of the person against the liability or legal costs would, if given, be made void by statute.

32 Insurance

The Company may pay or agree to pay, whether directly or through an interposed entity, a premium for a contract insuring a person who is or has been a Director or Secretary or executive officer of the Company or of a Related Body Corporate of the Company against liability incurred by the person in that capacity, including a liability for legal costs, unless:

- (a) the Company is forbidden by statute to pay or agree to pay the premium; or
- (b) the contract would, if the Company paid the premium, be made void by statute.

33 Contract

The Company may enter into an agreement with a person referred to in clauses 31 and 32 with respect to the matters covered by these clauses. An agreement entered into pursuant to this clause may include provisions relating to rights of access to the books of the Company conferred by the Corporations Act or otherwise by law.

34 Amendments to the Constitution

The Terms of this Constitution may be amended either by a resolution of the Member or by a resolution of the Diocesan Council that is approved by at least 70% of all members of the Diocesan Council.

THE DIOCESE OF THE NORTHERN TERRITORY

THE AUSTRALIAN PRAYER BOOK ORDINANCE

No 3 of 1977

BE IT ORDAINED by the Synod of the Diocese of the Northern Territory as follows:

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| TITLE | 1. | This Ordinance shall be called "The Australian Prayer Book Ordinance 1977". |
| COMMENCEMENT | 2. | This Ordinance shall come into effect on 1st December 1977. |
| ADOPTION
OF CANON | 3. | The Australian Prayer Book Canon 1977 of General Synod is hereby adopted by the Diocese of the Northern Territory. |
| USE
REGULATION | 4. | The Diocesan Council shall make regulations governing the use of the Australian Prayer Book in the Diocese. |