
ANGLICAN CHURCH OF AUSTRALIA

DIOCESE OF GIPPSLAND



39th SYNOD

THIRD SESSION

14-16 MAY 2021

SALE, VICTORIA

SECTION TWO

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SECTION TWO

**ANGLICAN DIOCESE OF GIPPSLAND
THIRD SESSION OF THE THIRTY-NINTH SYNOD
2021**

SALE, VIC

BISHOP-IN-COUNCIL REOPORT TO SYNOD AND BUDGETS

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BISHOP IN COUNCIL

REPORT TO SYNOD

This report covers the major matters dealt with by Bishop in Council since the last Synod in November 2020.

1. MEMBERSHIP OF THE COUNCIL AS AT 1 APRIL 2021

Ex Officio Members

The Vicar-General	The Ven Graham Knott
The Dean of Sale	The Very Rev'd Susanna Pain
The Archdeacons	The Ven Sue Jacka
	The Ven Brenda Burney
The Chancellor	Mr Roger Blythman
The Registrar	Mr Richard Connelly
The Members of the Trusts Corporation elected by Synod	The Hon John Delzoppo, OAM (Retires 2020*)
	The Hon Robert Fordham, AM (Retires 2021)
	Mr Tim Gibson (Retires 2021)
	Mr Philip Davis (Retires 2022)

Members appointed by the Bishop - Three Clerical and Three Lay persons

		Appointed	Retires
Clerical	The Rev'd Philip Muston	2019	2022
	The Rev'd Jude Benton	2019	2022
	The Rev'd Jo White	2019	2022
Lay persons	Mr David Gittins	2017	2020*
	Mrs Jaan Enden	2019	2022
	Vacant		

Members elected by Synod - Three Clerical and Six Lay Members

		Elected	Retires
Clerical	The Rev'd Lyndon Phillips	2017	2020*
	The Rev'd Tim Fletcher	2019	2022
	The Rev'd David Head	2019	2022
Lay persons	Mrs Marion Dewar	2017	2020*
	Ms Cynthia Grove	2017	2020*
	Mrs Elizabeth Hall	2019	2022
	Mr David Chambers	2019	2022
	Mrs Beth Delzoppo, OAM	2019	2022
Youth/Young Adults	Ms Val Jones	2019	2022
	Ms Alisha Moyle	2019	

2. SYNOD MOTIONS – 2019

Progress on Synod motions passed in 2019 was not able to be addressed at the 2020 online Synod. The report is to be found on page 12 of this Paper.

3. STRATEGIC MATTERS

The Council again spent a considerable amount of time on strategic issues during the year. The issues dealt with are as follows:

3.1 Vision Renewal

Bishop in Council supported and contributed to the Vision Renewal process to be further presented to Synod by Bishop Richard.

3.2 Governance of the Diocese

Executive Committee of Bishop in Council

The Executive Committee of Bishop in Council has been in place now for just over 12 months. As its initial term of appointment has expired, review of its continued role in Diocesan governance is occurring. A working group, consisting of Robert Fordham, Revd Phil Muston, Jaan Enden, Meg Knight and the Registrar worked with Provincial Officer +Andrew Curnow to prepare a review report.

The report has recommended that the Executive Committee be retained, and further work regarding the flow-on effects upon other governance bodies on the Diocese, should it be retained, is underway.

Risk Leadership Plan

Council adopted a Risk Leadership Program as developed by the Registrar, considering the benefit of such a program to mitigate risks, address policy gaps and promote strategic initiatives. The Risk Leadership Program is an intentional tool for the Council, and each of its committees is asked to help identify and manage the risks inherent in achieving the missional strategies of the Diocese.

It is thus anticipated that each body (such as Finance Committee, Trusts Corporation, etc) will monitor and address risks within its scope of responsibility and, upon identifying risks of high degree, will refer those issues to Council for assessment, review and development of policy directions to mitigate such risks.

3.2 Diocesan Budget Position

Strategic Financial Plan

As reported to 2020 Synod, the Council has adopted a strategic financial plan to achieve neutral budgets in 2023.

The Strategic Financial Plan continues to be implemented with the following initiatives being undertaken:

Diocesan Development Officer

Two recruitment rounds have occurred to date, and while strong applications were received during each round, a suitable candidate is yet to be identified. Other options are currently being considered, such as obtaining these services through local partnerships.

Return on Investment review

A review of the Diocesan investment portfolio is being undertaken to ensure that we are receiving the best rate of return available given the objectives and risk appetite of the Diocese. This project by a small working group is continuing.

Developing new streams of revenue

At its meeting of April 2021, Council resolved to conduct a feasibility study of the best use of the vacant shop front at 210 Raymond Street Sale, and its potential use as a Diocesan run opportunity shop. The Finance Committee and Executive Committee are continuing to pursue other activities that may provide revenue to fund Diocesan initiatives.

Reduction of expenditure

In its current budget, the Registry is undertaking several cost cutting measures to contribute as much as it can to the objective of providing cost-neutral budgets in 2023.

Budget Development

Bishop in Council presents two budget for the attention of Synod. The first being a 6 month budget for the period of April 2021 – September 2021, and the second being for the 2021/22 financial year.

April 2021 – September 2021

As reported to Synod in 2020, an interim budget was prepared for the period of October 2020 – March 2021 given the uncertainties presented by Covid19 pandemic upon diocesan financial operations. This saw some costs savings through a reduction in staffing, and cost savings arising from working-from-home arrangements, reduced travel, and some staff electing to receive JobKeeper Allowance in lieu of stipend/salary for a period. As the Diocese resumes more 'typical' operations, a 0.5 staffing increase providing executive support primarily to the Registrar has been approved. A redress payment of \$530,000 ultimately had a big influence on the 6 month financial performance. The final results of this period will be included in the 20/21 audit.

October 2021 – September 2022

The budget presented to Synod contains several initiatives to address the long-term deficit budget position of the Diocese. This includes an increase in the parish assessment rate to 11.5%, with anticipated incremental increases in the subsequent two budgets. The national average for assessments is over 12% and several other Victorian Diocese are considerably above that figure. Other costs cutting measures are incorporated into the budget, including a reduction in cleaning, security and computing costs (as the Registry transfers to a cloud server).

Gippsland Anglican Retirement Villages

In February 2020, Bishop in Council passed the following resolution:

Resolution B2002/02 resolved that:

- a. Bishop in Council proceed with the dissolution of the lease between the Anglican Diocese of Gippsland Trust Corporation (ADG) and GARLL;*
- b. All residual powers, duties and functions be transferred to the ADG;*
- c. The governance and restructure of the management of the Villages be determined by the ADG; and*
- d. Any surpluses resulting from new management arrangements, be used to repay past drawings on residents' ingoing deposits to secure the long-term viability of the Villages' assets and improve the prudential ratio.*

Following this resolution, considerable work has been done regarding restructuring the workforce at the Villages, bringing financial and operational management back to the Registry and Diocese, conducting final audits and establishing new management structures to provide on-going effective oversight of the Retirement Village operations.

As a result of these changes, the Villages have benefited from greatly increased occupancy rates (from 53% to over 90%), a revitalised village atmosphere amongst residents (despite the disruption caused by the pandemic) and very positive outlook for the future operations.

Members of Synod are referred to the Retirement Villages report (in Section 3 of Synod Papers) prepared by our new Village Manager, Sue Paterson.

4. FINANCIAL and ADMINISTRATIVE MATTERS

Anderson, Munro and Wyllie conducted the audit for the 2018/19 financial year. The same firm is currently conducting the audit for the 2019/20 financial year.

The accounts are tabled at this session of Synod together with the audit reports for adoption.

4.1 Consolidated Financial Statements for 2019/20

The financial statements represents a consolidation of the accounts of Bishop in Council, the Trusts Corporation, The Abbey, ADF, *The Gippsland Anglican*, Anglican Retirement Villages (since 1 April 2020) and the Church Book Room.

Separate financial statements are tabled at Synod for each of these entities to give greater detail for synod members. These are contained in Section 4 of the Synod Papers.

The following comments are made on specific areas:

4.2 The Abbey

The Abbey experienced significant disruption to its accommodation services and program activities due to the Covid19 pandemic. It has been assisted throughout the year by receiving several grants, the JobKeeper Allowance and a gradual resumption of services in the last few months.

Members of Synod are referred to The Abbey report (in Section 3 of Synod Papers) prepared by the Abbey Priest, The Revd Edie Ashley.

\$779.00 Surplus

4.3 Church Book Room

The Church Book Room is a comparatively small service provided by the Registry providing communion wafers and candles to parishes. A majority of parishes rely on on-line purchases for these supplies. The profit and loss outcome for the last financial years is as follows:

\$1458.00 Surplus

4.4 The Gippsland Anglican

The Gippsland Anglican remains one of the key communication strategies reaching members of our parishes and into the broader community. During the past year it has received increased advertising, as well as a further award by the Australasian Religious Press Association. Its financial result for the year is:

\$19,133 deficit

4.5 Anglican Development Fund – Gippsland

The ADF remains an important facility to enable parishes to provide capital improvements to parish assets through providing market competitive rates. It also provides interest income for parish reserves invested in the Fund. The Parish Administration Act requires parishes to invest reserve funds in either the ADF or Trust Funds rather than making term deposits in banks / building societies.

The ADF accepts deposit for investment from parishes, diocesan organisations, clergy and salaried employees. There is some limited capacity for the ADF to receive deposits from other people associated with the Diocese, with further information available from the Registrar.

As at 30 September 2020 the ADF reports:

Deposits:

2016-17 - \$4,324,930

2017-18 - \$3,024,206

2018-19 - \$2,131,726
2019-20 - \$2,394,551

Loans to Parishes

2016-17 - \$1,183,849
2017-18 - \$1,269,261
2018-19 - \$1,076,172
2019-20 - \$ 1,253,027

Operating Surplus

2016-17 - \$193,040
2017-18 - \$157,927
2018-19 - \$46,799
2019-20 - \$79,952

Current ADF interest rates:

31 day	1.5%
Term deposits (up to \$100,00)	1.55%
Term deposits (over (\$100,000)	1.60%

Parish loans

Up to \$50,000	6.00%
Over \$50,000	5.75%

4.6 Gippsland Ministry Foundation

The objects of the Foundation as set out in the GMF deed are:

- The provision of adequate training for ministry of clergy and laity.
- The support of Ministry within Parishes and areas of special Ministry principally within the Diocese of Gippsland.
- The development and growth of Parish and Diocesan structures to facilitate ministry within the Diocese.

The current balance of the GMF at end-of-year 19/20 was \$798,039

No further allocations are being made from the GMF to fund Bishop in Council operational expenses in order to preserve the capital in the fund. Surplus funds from the future sale of Diocesan Trust property can be applied to rebuild the corpus of the fund.

4.7 Anglican Retirement Villages

The Gippsland Anglican Retirement Villages operated is continuing its transition from independent financial operation from the Diocese (under GARLL) to the Diocese, and is once again now recorded in the consolidated financial statements for the Diocese. This has seen the ending of the lease arrangements between the Trusts Corporation and GARLL as at 30 March 2020, and consequently the inclusion of financial performance within the Diocese. At year end, 30 September 2020, the Retirement Village Committee of Management reported an interim surplus of \$24,386.00.

4.8 Anglican Diocese of Gippsland Administration Ltd (ADG Admin Ltd)

The ADG Admin Ltd budget relates primarily to the cost of professional standards and employee Workcover insurance. It creates no income independent of an allocation from the Bishop in Council budget. It has an annual budget of approximately \$200,000 and this year posts a savings of \$16,578 against its budget.

4.9 Anglican Trusts Corporation of the Diocese of Gippsland

The Trusts Corporation budget relates primarily to the investment and trust management operations of the Diocese. These activities are separate from the on-going diocesan management activities. The following is noted in relation to the Trusts Corporation deficit of \$872,336.

- Dividends were significantly down on the previous year due to stock market volatility (down by \$230,000).
- A redress payment of \$530,000 was made throughout the year.
- The Trusts Corporation continues to fund the Diocesan deficit budget by \$470,000 each year, for which it relies on investment returns to fund. At least \$340,000 of this grant is an unfunded draw-down of the capital in the Trust Fund invested.

The Trusts Corporation membership comprises -

The Bishop	Ex-officio & Chair
The Chancellor	Ex-officio
The Registrar	Ex-officio
Members:	Mr Philip Davis, the Hon. J Delzoppo, OAM, Mrs M Shields, the Hon. R Fordham, AM, Mr Tim Gibson and Mr David Gittins.

The Trusts Corporation has met on two occasions since the last Synod session in 2020.

The role of the Trust is to:

- Ensure that the Trust Seal has been affixed in accordance with the decisions of BIC;
- Receive advice of any new bequests or trusts in which the Diocese has an interest and to ask questions about the management of trusts;
- To meet when a new trustee is appointed to authenticate the seal and signatures.

Bishop-in-Council has also delegated certain property and investment management functions to the Trusts Corporation.

The trustees signed several legal documents during the year as authorised by Bishop-in-Council. This has included multiple leases with in-coming residents in the Diocesan Retirement Villages.

It has approved the project works in several parishes, including subdivision and sale of surplus land in Glengarry, Moe, Briagolong and Erica.

4.10 Finance Committee

This Bishop in Council Committee oversees the financial management of the Diocese and provides advice to the Council on financial and administrative matters. It typically monitors expenditure of the Bishop in Council budget.

The membership of the Committee currently comprises:

Mr David Gittins (Chair), the Bishop, the Registrar (as Secretary), the Hon. John Delzoppo OAM, The Ven Clem Watts, Mrs Meg Knight, Mr Stephen Paterson, Mr Ross Williams and is supported by the Diocesan Finance Officer Mrs Annette Hollonds.

The Committee has met 4 times since November's Synod and the main issues considered include:

Strategic Financial Plan

The Committee actively generates proposals for increasing revenue streams and reducing expenditure costs. It currently is undertaking a feasibility study into establishing a diocesan operated op-shop in Sale.

Parish Financial Overview

The Committee received with great appreciation, a monthly financial snapshot from parishes assisting a whole-of-Diocese perspective of how parishes had been impacted through significant challenges of 2019 and 2020, including the East Gippsland bushfires and the Covid19 pandemic. Reporting to Bishop in Council, it noted the great financial resilience of parishes and the faithful and sacrificial contributions of parishioners and clergy that have held parishes in good financial stead. The shift to electronic giving and the JobKeeper Allowance assisted many parishes, and now that churches have re-opened for worship and op-shops have recommenced trading, many parishes are reporting a positive outlook.

Insurance

Following a significant increase in insurance costs in 2018/19 (24.89%) the total insurance premiums for the Diocese rose by only a modest 4% for 2021.

The Finance Committee receives reports from the Retirement Village Committee of Management. Synod members are referred to the separate report from the Retirement Villages in Section 3 of these papers.

The Committee noted with thanks the commitment and contribution of Mr Chris Beckman who retired from the Committee since last Synod. The Committee welcomes Mr Stephen Paterson and Mr Ross Williams who each bring a wealth of experience valued by the Committee.

5 PARISH MATTERS

The Trusts Corporation and Finance Committee provide the following reports to Synod:

Craajingolong Drainage repairs to St Peters, Mallacoota are being conducted.

Korrumburra /Poowong Drainage repairs to the rectory are being undertaken.

Leongatha St Andrew's Dumbalk is to be closed as a centre of worship on 23 May.

Moe /Newborough The parish is undertaking a significant program of consolidating its properties in the Moe / Newborough area. This includes the subdivision and sale of surplus land in Moe, the consolidation of several op-shops and the sale of the dis-used Erica church.

The year of the Gutter Our insurer, AIRS has developed a risk mitigation program whereby our insurance excess will be reduced by \$6,000 for storm damage claims if we can demonstrate that we have undertaken a gutter maintenance program in the 12 months prior to any claim. Two key issues emerge in responding to this initiative:

- The cost of obtaining commercial gutter cleaning services. At \$90-\$200 per building the cost to parishes adds up when there may be 3-8 buildings that need cleaning; and
- The safety risk of church volunteers working at height from ladders.

In response to these issues, the Registry has purchased a commercial gutter cleaning vacuum available for parishes to undertake their own cleaning – for free and in safety.

If volunteers in your parish can start a lawnmower and use a vacuum, then they would be capable of using this equipment.

It is planned to make the machine available across the Diocese with the Retirement Villages and the three Regions each having access to the unit for a 3 month period. The unit is currently at Clifton Waters Village attending to the 100+ buildings at that site. The roster for its availability is yet to be worked out. Further information about this program is available from the Registrar.

The Council commends this report to Synod



Richard Connelly
Registrar

Report into Formal Motions of 2019 Synod

NM/1 Equal representation

This Synod requests Bishop in Council to draft the legislative amendments required to guarantee equal representation of men and women in that body and bring them for consideration to the next synod.

The Council considered this motion and consulted with the previous Chancellor regarding any suitable amendments to legislation to 'guarantee equal representation of men and women'.

Council noted several pertinent issues regarding this matter:

- Defining 'equal representation' is difficult given the demographic contexts of the church in Gippsland. Does equal gender representation mean 50:50 when our churches typically find its membership consist of 65% female and 35% male?
- The current membership of Council consists of 48% female and 52% male, indicating that without intentional regard to gender, equal representation is practically observed.
- 44% of the Council is made up ex-officio members, who hold their membership by virtue of roles or functions they perform in the life of the church (e.g., Bishop, Archdeacons, Chancellor, etc). This limits the capacity of the remaining members to be intentionally recruited to provide for equal gender representation.
- Under current statute, the membership of elected members of Council is obtained through a process of nomination and election at Synod.
- Council has committed to being inclusive and representative of all members of the Diocese. This includes awareness of biases that influence membership of governance bodies such as Bishop in Council. Council was hesitant to consider amendments that would limit the scope of membership, potentially at the risk of excluding all who can contribute, irrespective of gender, sexual identity or other societal diversity identifiers.

Given these considerations, Council has declined to consider developing specific legislative amendments to provide for equal gender representation but has committed to promote equal and diverse representation on all governance bodies, and is particularly mindful of gender representation.

NM/2 Bishop-in-Council Membership

This synod requests Bishop in Council to review whether its council is the most practicable size for good governance and to draft the legislative amendments required to make any changes and bring them for consideration to the next synod.

Following the 2019 Synod, Bishop in Council delegated this issue to the Governance Working Group. The work of this Group was significantly disrupted by the Covid19 pandemic, which saw it quickly respond by recommending the establishment of the Executive Committee of Bishop in Council. This body has significantly contributed to the good governance of the Diocese during 2020. Its continued operation is currently under review with initial recommendations being for the continuation of the Executive Committee. This review is also considering the flow-on effects of the Executive Committee on the governance

arrangements for all governance bodies in the Diocese. This may ultimately make recommendations of the most practicable size of the Council.

NM/3 Gender Balance

This Synod requests the Bishop in Council to report annually to each parish and to each synod the gender balance of the Bishop in Council, Diocesan Committee's, Parish Councils and licenced positions in the Diocese. The report is to note the balance as it is also reflected in full time, part time and honorary appointments. The report is also to note the balance in all positions, including ex-officio, elected and nominated positions.

The following information is provided in relation to gender balance across various Diocesan bodies.

Name of Diocesan Body	Female	Male	% Female
Bishop in Council	11	14	44%
Finance Committee	1	7	13%
Trusts Corporation	2	7	22%
Diocesan Staff	6	3	67%
Safe Ministry Authority	6	4	60%
Synod	53	26	67%
BIC Exec Committee	4	4	50%

The following information relates to the proportion of parish lay positions held by females.

Position	Ballarat 2021 (a)	Bendigo 2019 (b)	Gippsland 2020 (c)	Melbourne 2014 (d)	Wangaratta 2018 (e)
Wardens		50%	64%	46%	57%
Parish Secretary	92%	80%	96%	71%	88%
Parish Treasurer	31%	65%	55%	33%	65%
Mission Secretary			86%		
Licensed Lay Readers			61%		
Pastoral Assistants			88%		
Liturgical Assistants			72%		
Eucharistic Assistants			78%		
Synod Representatives			65%	47%	
Clergy Appointments Advisory Board / Committee / Nominators	Incumbency		63%	50%	48%
Parish Council Representatives			63%		
Total	62%	59%	69%	48%	59%

This data comes from the discussion paper, "Gender information on the Anglican Province of Victoria, Colin Reilly, April 2021, available on our website: www.gippsanglican.org.au

**Anglican Diocese of Gippsland
Bishop in Council
Budget**

19/20 comparison	Description	Apr '21- Sept '21	2021-2022
INCOME			
365,271.24	Assessment Receivable	\$ 182,635.62	\$ 381,874.78
0	Rent 453 Raymond Street Sale	\$ 14,430.00	\$ 28,860.00
	Koori Ministry Income	\$ -	
52,000.00	Koori Ministry - Sti & All Inc		\$ 58,800.00
190	Lay Readers	\$ 95.00	\$ 190.00
25,000.00	Prov Council FR Grant		
23,449.98	BCA Benton Croajingolong	\$ 23,449.98	\$ 46,899.96
0	ARL admin assistance	\$ 22,000.00	\$ 44,000.00
0	ADG ARL admin assistance	\$ 10,000.00	\$ 20,000.00
	GERF Bushfire relief	\$ 30,000.00	\$ 10,000.00
2,000.00	Management Fees Received	\$ 1,000.00	\$ -
129,999.96	Management Fees from Trust	\$ 64,999.98	\$ 130,000.00
339,999.96	Grant to Dioc. from Trust	\$ 169,999.98	\$ 340,000.00
3,908.33	Income - ADF Distribution	\$ 1,954.17	\$ 3,000.00
	Op-shop initiative	\$ -	\$ 40,000.00
87,500.00	ATO COVID 19 Cashboost		\$ -
	Parish accounting		\$ 700.00
1,029,319.47	TOTAL INCOME	\$ 520,564.73	\$ 1,104,324.74
EXPENDITURE			
Administration costs			
7,631.00	Accounting - Consultancy	\$ 3,815.50	\$ 8,000.00
26,470.00	Accounting Fees	\$ 13,235.00	\$ 26,500.00
199,640.08	Allocations to ADG Admin Ltd	\$ 75,000.00	\$ 200,000.00
11,522.00	Audit Fees	\$ 5,761.00	\$ 12,000.00
10,012.01	B.court - Cleaning/Gardening	\$ 5,006.01	\$ 5,000.00
3,252.03	B.court - Energy costs	\$ 1,626.02	\$ 3,252.03
5,290.64	B.court - Expenses	\$ 2,645.32	\$ 4,000.00
2,600.56	B.court - Rates	\$ 1,300.28	\$ 415.00
696.28	B.court - Security	\$ 348.14	\$ 696.28
10,067.07	Bad Debts		
31,831.18	Bank Interest and Charges		
9,963.81	Bishop Ministry Expenses	\$ 4,981.91	\$ 15,000.00
1,058.75	Bishop Telephone Services	\$ 529.38	\$ 1,058.75
4,250.00	Bishops Discretionary Fund	\$ 2,125.00	
7,751.36	Books & Stationery	\$ 3,875.68	\$ 5,000.00
9,247.19	Cleaning & Grounds	\$ 4,623.60	\$ 5,000.00

20,225.06	Clearance Officer	\$	5,000.00		
0	Computer Upgrades			\$	4,000.00
16,005.00	Dep Plant, Equip & Furnishings			\$	-
21,674.00	Depreciation Motor Vehicles				
660	Diocesan Website	\$	330.00	\$	660.00
1,241.00	Electricity Costs-Registry 453				
3,215.23	Energy Costs - Chapter House	\$	1,607.62	\$	3,215.00
39,603.72	Insurance	\$	19,801.86	\$	40,000.00
39,672.06	Insurance - WorkCover				
150	Lambeth Conference Expense			\$	1,500.00
4,520.00	Legal Expenses	\$	2,260.00	\$	4,520.00
-1,180.42	Loss of Sale of NCA	-\$	590.21		
16,682.93	Maintenance Contracts-Computer	\$	8,341.47	\$	10,000.00
2,458.86	Miscellaneous Expenses	\$	5,000.00	\$	1,000.00
655.44	Parish Accounting Services	\$	327.72	\$	660.00
1,620.11	Payments re *McD	\$	810.06	\$	1,000.00
0	PFR / Fundraising / op shop	\$	-	\$	50,000.00
4,535.00	Postage Expenses	\$	1,500.00	\$	2,500.00
989.58	Rates - 453 Raymond St Sale	\$	494.79	\$	933.14
405.92	Rates Bishops Court	\$	202.96	\$	410.00
933.14	Registrar Telephone	\$	466.57	\$	933.14
9,875.69	Registry - Telephone	\$	2,000.00	\$	5,000.00
8,234.14	Registry Computing Facilities	\$	4,117.07	\$	7,500.00
13,243.07	Registry Expenses	\$	6,621.54	\$	10,000.00
112.98	Registry Repairs	\$	56.49	\$	3,000.00
18,000.00	Rent - Chapter House	\$	9,000.00	\$	18,000.00
713.32	Rental Prop Exp- 49 Desailly	\$	356.66		
1,266.75	Rental Prop Exp-453 Raymond St			\$	1,200.00
572	Security	\$	286.00		
20	Synod Expenses-Diocesan	\$	2,000.00	\$	3,000.00
567,388.54	Total Administration	\$	194,863.41	\$	454,953.34

Allocation costs

29,592.47	Assessment General Synod GEN.	\$	14,796.24	\$	30,290.04
7,359.99	Assessment General Synod Spec.	\$	3,680.00	\$	8,480.88
447.02	Assessment-Provincial Council	\$	223.51		
1,320.24	Assistance to Parishes	\$	660.12		
13,701.48	Chaplaincy Federation Uni				
37.7	Chaplaincy Fulham Prison				
5,508.50	Clergy Removal Expenses	\$	2,754.25	\$	10,000.00
3,021.51	Committee Expenses-Synod	\$	1,510.76	\$	3,021.50
5,297.46	Conference & Subscription Exp	\$	2,648.73	\$	4,000.00
172	Consultancy Expenses	\$	86.00	\$	5,000.00
32,290.64	East Pakenham Ministry				
1,457.97	Expenses - Lay Readers	\$	728.99	\$	1,500.00
6,058.44	Koori Min. Superannuation	\$	3,029.22	\$	6,058.44

52,830.21	Koori Min.Stipend & Allowance	\$	26,415.11	\$	52,830.21
2,000.00	NATSIAC	\$	1,000.00	\$	2,000.00
2,749.92	St. Paul's Cathedral Maint. Pr	\$	1,374.96	\$	2,750.00
0	Travelling Expenses-General	\$	-	\$	400.00
0	Victorian Council of Churches	\$	4,000.00	\$	4,000.00
163,845.55	Total Allocations	\$	62,907.88	\$	130,331.07

Staffing costs

26,053.75	ADG ARL Admin Assistance	\$	10,000.00	\$	20,000.00
12,747.36	Dean's Allowance	\$	6,373.68	\$	12,747.36
38,609.80	Archdeacons - Allowance	\$	19,304.90	\$	38,609.80
11,036.88	Regional Deans - Allowance	\$	5,518.44	\$	11,036.88
67,643.14	Bishop Stipend	\$	33,821.57	\$	67,643.14
15,043.77	Bishop Superannuation	\$	7,521.89	\$	15,043.77
1,584.00	Bishop Long Service Leave	\$	792.00	\$	1,584.00
4,844.58	Bishop Travelling	\$	2,422.29	\$	4,844.58
1,902.46	Bishop Conference	\$	951.23	\$	1,902.46
34,239.41	Bishop's Chaplain exps	\$	17,119.71	\$	34,239.41
25,000.00	Bush Fire Relief Worker 2020	\$	12,500.00	\$	10,000.00
27,358.31	BCA Support Ministry Croajing	\$	13,679.16	\$	27,358.31
1,584.00	Long Service Leave - Staff	\$	792.00	\$	1,750.00
82,416.76	Office Salaries	\$	41,208.38	\$	100,000.00
13,812.59	Office Staff Superannuation	\$	6,906.30	\$	18,000.00
0	Staffing - Casual	\$	4,000.00	\$	-
79,112.12	Registrar Salary	\$	39,556.06	\$	79,112.12
16,712.72	Registrar Superannuation	\$	8,356.36	\$	16,712.72
8,143.82	Registrar Travelling	\$	4,071.91	\$	8,143.82
1,584.00	Registrar Long Service Leave	\$	792.00	\$	1,584.00
4,879.00	Registrar Conference Exps	\$	2,439.50	\$	3,000.00
474,308.47	Total staffing	\$	238,127.36	\$	473,312.37

1,205,542.56	TOTAL EXPENDITURE	\$	495,898.64	\$	1,058,596.78
-219,398.12	Net BIC - Income and Expenditure	\$	24,666.08	\$	45,727.96

Faithfulness in Service – Background

1. Section 7 of the Professional Standards Act 2017 (“PSA”) requires Bishop in Council or Synod to approve by resolution a Code of Conduct for observance by Clergy and Church workers in the Diocese.
2. By resolution many years ago Synod adopted *Faithfulness in Service* as the Code of Conduct for the Diocese. Bishop in Council has since the commencement of the PSA confirmed and approved by resolution *Faithfulness in Service* as the Code of Conduct.
3. The Code of Conduct is the standard against which the conduct of clergy and church workers is measured, and a breach of the Code of Conduct may be grounds for a complaint of misconduct to the Professional Standards Committee or a charge in the Diocesan Tribunal.
4. *Faithfulness in Service* contains provisions relating to sexual conduct and relationships which have the effect of requiring clergy and church workers to be chaste outside of marriage (usually understood to mean Christian marriage).
5. It has for some time been the position in this Diocese that persons in committed and monogamous relationships which do not have the status of marriage will not be regarded as being in breach of *Faithfulness in Service* only because their relationship is not a marriage. This includes persons in civil marriages and persons in committed de facto relationships. To that extent, the Diocese has over the past number of years departed in its practice from the formal provisions *Faithfulness in Service*.
6. It is timely and appropriate to update the Diocese’s formal documentation to reflect the actual position in the Diocese so that there is clarity about the standard of personal conduct that is required of clergy and church workers.
7. *Faithfulness in Service* cannot be amended by the Diocese as the document is approved and issued by General Synod. However, the Diocese is not obliged to adopt *Faithfulness in Service* verbatim.
8. The matter has been considered by Bishop in Council and by resolution B2002/04 Bishop in Council recommends that Synod resolves to affirm and adopt *Faithfulness in Service* (November 2016 version) as the Code of Conduct

subject to the proviso that persons in committed and monogamous relationships will not be regarded as in breach of the relevant provisions of *Faithfulness in Service* only because the relationship is not a marriage.

Recommended Resolutions

1 In accordance with Section 7 of the Professional Standards Act 2017 and subject to the qualification that: -

Clauses 7.2 and 7.4 of *Faithfulness in Service* are to be understood and applied in the context that a member of the clergy or church worker who is in a committed and monogamous relationship with another person is not to be regarded as being in breach of Clauses 7.2 and 7.4 only because that relationship does not have the status of a marriage solemnised according to an Anglican marriage rite;

Faithfulness in Service (November 2016 version) is otherwise affirmed and adopted as the Code of Conduct for observance by Clergy and Church workers in the Diocese.

2 The registrar shall amend the version of *Faithfulness in Service* published on the Diocesan website by inserting the qualification below the heading "Preamble" to section 7 of *Faithfulness in Service* and include the following note: -

(Faithfulness in Service was qualified by this paragraph when adopted by the Diocese of Gippsland as the Code of Conduct for observance by Clergy and Church workers in the Diocese.)

Holy Orders (Removal from Exercise of Ministry) Bill 2021

A BILL
to adopt the *Holy Orders (Removal from Exercise of
Ministry) Canon 2017* of General Synod and for other purposes

EXPLANATORY MEMORANDUM

General Background

1. The Doctrine Commission in a report to the Standing Committee of General Synod considered the nature and scope of what is referred to as deposition from Holy Orders.
2. As a result of that report it became clear that the Holy Orders Relinquishment and Deposition Canon 2004 needed to be reconsidered and rewritten. Three areas in particular needed to be addressed clearly and consistently:
 - (a) The limit of what any process can achieve is to remove a cleric from the exercise of Holy Orders;
 - (b) Deposition in English canon law (and therefore as used in our Constitution) can be only from the exercise of *all* orders; however, the Constitution also refers to prohibition from functioning, and that sentence can include prohibition from functioning in some only orders of ministry.
 - (c) Allowing both voluntary relinquishment and disciplinary removal to be from only some of the offices of Bishop, Priest and Deacon (although only in descending order, as it were).
3. The new bill is based on the 2004 Canon, and substantially preserves many of its provisions. The Standing Committee decided that consideration of this proposal by the General Synod would be facilitated by having it presented in the form of a new Canon, rather than as an amending Bill.
4. The option of voluntary deposition in the present (2004) Canon has been removed, as there appears to be no circumstances in which it differs from voluntary relinquishment.
5. This Canon concerns the discipline of the church and it is therefore a special bill for the purposes of section 28 of the Constitution. Unless the General Synod otherwise determines, it will therefore become a provisional canon. By section 30 of the Constitution, the canon once made will not come into force in any diocese unless and until the diocese by ordinance adopts it.

A BILL

to adopt the *Holy Orders (Removal from Exercise of Ministry) Canon 2017* of General Synod and for other purposes

BE IT ENACTED by the Bishop, the Clergy and the Laity of the Anglican Church of Australia within the Diocese of Gippsland in Victoria duly met in Synod according to law as follows:

Short title

1. This Act may be cited as the **Holy Orders (Removal from Exercise of Ministry) Act 2021**.

Commencement

2. This Act comes into operation on the date on which it receives the assent of the Bishop.

3. The Synod of the Diocese adopts the **Holy Orders (Removal from Exercise of Ministry) Canon 2017** of the General Synod, a copy of which is set out in the Schedule.

THE SCHEDULE

CANON NO. 18, 2017

HOLY ORDERS (REMOVAL FROM EXERCISE OF MINISTRY) CANON 2017

A canon to repeal the Holy Orders, Relinquishment and Deposition Canon 2004 and to provide for the removal of ordained persons from exercise of ministry.

The General Synod prescribes as follows:

HOLY ORDERS (REMOVAL FROM EXERCISE OF MINISTRY) CANON 2017

Canon 18, 2017

A canon to repeal the Holy Orders, Relinquishment and Deposition Canon 2004 and to provide for the removal of ordained persons from exercise of ministry.

The General Synod prescribes as follows:

Title

1 This Canon is the Holy Orders (Removal from Exercise of Ministry) Canon 2017.

Interpretation

2 (1) In this Canon –

deposition means (without derogating from or altering the effect of section 11 of this Canon) removal of the right to the exercise of ministry in all of the Holy Orders to which a person is ordained, and “**depose**” has a similar meaning;

national register means a National Register established pursuant to a Canon of General Synod for a purpose which includes the recording of determinations of a tribunal or the recommendations or determinations of a professional standards body;

person in Holy Orders means a person who, in accordance with the Canons of the General Synod or the law of this Church applying at the relevant time has been –

- (a) ordained to the order of bishop, priest or deacon by bishops, or a bishop, of this Church, or by bishops, or a bishop, of a Church in communion with this Church; or
- (b) received into an order of ministry of this Church by a bishop of this Church in accordance with the Holy Orders (Reception and Ministry) Canon 2004;

professional standards body means a body established by a Canon of General Synod or the ordinance of a diocese relating to professional standards or episcopal standards that has under that Canon or that ordinance the power to recommend or determine that a person in Holy Orders be deposed;

relevant bishop means –

- (a) in relation to a priest or deacon who is licensed, the Diocesan bishop of the diocese in which he or she is licensed or the Primate, or the Metropolitan of the Province in which that diocese is situated, authorized by that bishop to act in that behalf;
- (b) in relation to a priest or deacon who is not licensed, the Diocesan bishop of the diocese in which he or she resides or the Primate, or the Metropolitan of the Province in which that diocese is situated, authorized by that bishop to act in that behalf;
- (c) in relation to a person who is a bishop, the bishop other than that person who is –
 - (i) the Metropolitan of the Province in which that person is a Diocesan bishop, is licensed by a Diocesan bishop or (if neither a Diocesan bishop nor licensed) resides; or
 - (ii) where that person –
 - A. is the Diocesan bishop of; or
 - B. is licensed by the Diocesan bishop of; or

- C. resides in—
an extra-provincial diocese, the Primate; or
- (iii) where the person is a Metropolitan, the Primate; or
- (iv) where the person is the Primate, the most senior Metropolitan by date of consecration;

relinquishment means (without derogating from or altering the effect of section 11 of this Canon) voluntary cessation of the right to the exercise of ministry in one or more of the orders of ministry to which a person is ordained, and “**relinquish**” has a similar meaning;

tribunal means a tribunal established in accordance with the provisions of Chapter IX of the Constitution and includes a body established by canon or by an ordinance of a diocese.

- (2) For the purposes of this Canon, a person who, during any vacancy in the office of, or during the incapacity of, a Diocesan bishop or during that bishop’s absence from the diocese for a period exceeding thirty days has been appointed by or under the constitution of that diocese to administer the affairs of the diocese, is to be taken to be the Diocesan bishop of that diocese.
- (3) In this Canon a reference to an “**order of ministry**” is a reference to the Holy Order of bishop, the Holy Order of priest or the Holy Order of deacon.

Relinquishment of Holy Orders

- 3 (1) A person in Holy Orders—
 - (a) if a bishop, may relinquish the order of bishop, or the orders of bishop and priest, or the orders of bishop, priest and deacon; or
 - (b) if a priest but not a bishop, may relinquish the order of priest, or the orders of priest and deacon; or
 - (c) if a deacon but not a bishop or priest, may relinquish the order of deacon—
 by—
 - (d) resigning all clerical licences and appointments held by that person as a person in the order or orders to be relinquished; and
 - (e) executing an instrument of relinquishment in or to the effect of the form in Schedule 1 endorsed with the consent, if given, of

both –

- (i) the bishop of the diocese in which the person last held a clerical licence or appointment, if that is a diocese other than the diocese in which the person resides; and
 - (ii) the relevant bishop.
- (2) Before giving consent under sub-section (1)(e)(ii), the relevant bishop must be satisfied that the person is not currently the subject of any information, complaint or charge in this Church (including in any diocese) concerning his or her conduct or fitness to hold office.

Liturgical context

- 4 The relinquishment under section 3 may, with the consent of the person, be set in a liturgical context by the bishop.

Prohibition from functioning after sentence of a tribunal

- 5 (1) A sentence of prohibition from functioning –
- (a) in relation to a bishop may concern only functioning –
 - (i) as a bishop, or
 - (ii) as a bishop and priest; or
 - (iii) as a bishop, priest and deacon;
 - (b) in relation to a priest, may concern only functioning as a priest or as a priest and deacon;
 - (c) may be limited or not limited by reference to place, office, role or function, time or circumstance;
 - (d) subject to sub-section (2), may be permanent, indefinite or for a period of time, and may be permanent, indefinite or for a period of time in different respects in relation to different functions or different limitations.
- (2) A sentence of prohibition from functioning may not be permanent in respect of all the orders of ministry to which a person has been ordained.

Note: The proper sentence for a person who is to be prohibited permanently from all orders of ministry is deposition.

- (3) A relevant bishop gives effect to a sentence of prohibition by a tribunal or a recommendation or determination of prohibition by a professional standards body by executing an instrument of

prohibition in or to the effect of Schedule 2.

Deposition

- 6 The deposition of a person by a bishop pursuant to the sentence of a tribunal or following the recommendation or determination of a professional standards body shall be effected by the execution by the relevant bishop of an instrument of deposition in or to the effect of the form in Schedule 3.

Registration

- 7 (1) In this section-
- "instrument" means-
- (a) an instrument of relinquishment in accordance with section 3; or
 - (b) an instrument of deposition or prohibition from functioning executed pursuant to sections 5 or 6.
- (2) Upon executing an instrument, the relevant bishop must forthwith-
- (a) cause the instrument to be registered in the register of that bishop;
 - (b) deliver a copy of the instrument to the bishop of the diocese in or for which the person who is the subject of the instrument was ordained; and
 - (d) cause a copy of the instrument to be registered in the national register.

Giving notice of an instrument

- 8 (1) A bishop who executes an instrument under section 7 must give notice of that instrument and of the effect of that instrument in the form of Schedule 4 to the Primate, the General Secretary and such other persons as the bishop considers necessary.
- (2) The bishop may include in or with the notice under subsection (1) a statement of any circumstances relevant to the relinquishment, prohibition or deposition.
- (3) The General Secretary must as soon as reasonably practicable make available to the public the information contained in a notice executed under sub-section (1).

Effect of prohibition from functioning

- 9
- (1) A prohibition from functioning has effect according to its terms.
 - (2) Where a person is prohibited from functioning in an order of ministry, that person –
 - (a) must not act in contravention of or inconsistently with that prohibition by –
 - (i) officiating or acting in any manner that is reserved to that order of ministry; or
 - (ii) accepting or holding any office in this Church capable of being held only by a person in that order of ministry;
 - (b) ceases to have any right, privilege or advantage attached to that order of ministry; and
 - (c) must not hold himself or herself out as being in that order of ministry.

Effect of relinquishment of fewer than all Holy Orders

- (a) A person who has relinquished one or more but not all orders of ministry in respect of any order of ministry relinquished – may not officiate or act in any manner that is reserved for that order or those orders;
- (b) may not accept or hold any office in this Church capable of being held only by a person in that order or those orders;
- (c) ceases to have any right, privilege or advantage attached to that order or those orders; and
- (d) must not hold himself or herself out as being in that order or those orders.

Effect of relinquishment of all Holy Orders and of deposition

- 10 A person who has relinquished all Holy Orders or who has been deposed in accordance with this or another Canon or following the sentence of a tribunal or the recommendation or determination of a professional standards body –
- (a) may not:

- (i) officiate or act in any manner as a bishop, priest or deacon of this Church; or
- (ii) accept or hold any 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 order of bishop, priest or deacon;
- (c) must not hold himself or herself out to be a member of the clergy;
- (d) may not hold an office in a diocese which may be held by a lay person without the consent of the bishop of the diocese; and
- (e) shall be considered to be a lay person for the purposes of all laws, canons, rules, ordinances and regulations of the Church except for any provision enacted under Chapter IX of the Constitution.

Revocation

- 11 (1) A person who has relinquished one or more orders of ministry in accordance with this Canon may petition the Metropolitan of the Province in which he or she resides or, if the person resides in an extraprovincial diocese, the Primate, to issue a certificate of revocation of the instrument of relinquishment.
- (2) The petition must include a statement of –
- (a) the circumstances and reasons in and for which the petitioner executed the instrument of relinquishment;
 - (b) the nature of the work or employment upon or in which the petitioner has been engaged, and the place or places in which the petitioner has resided since executing the instrument of relinquishment; and
 - (c) the circumstances in which and the reasons for which the revocation is sought.
- (3) The Metropolitan or the Primate, as the case requires, must confer with the bishop of the diocese in which the petitioner last held a clerical licence or appointment and the bishop of the diocese in which the person resides and may make such other enquiries as seem appropriate.
- (4) The Metropolitan or the Primate, as the case requires, may by writing under

seal certify that, for all purposes, the instrument of relinquishment ceases to have any force or effect.

- (5) A certificate under sub-section (4) must be registered in –
- (a) the register of the bishop of the diocese in which the instrument of relinquishment or the instrument of deposition was registered;
 - (b) the register of the Primate; and
 - (c) the national register –

and a copy of the certificate must be delivered to the bishop of the diocese in or for which the petitioner was ordained.

Effect of revocation

- 12 The provisions of sections 10 and 11 do not apply to a person whose relinquishment has been revoked in accordance with this Canon.

Offences under this Canon

- 13 (1) It is an offence for a person who has relinquished an order of ministry to hold out that the person continues to exercise that order, except for the purposes of any provision enacted under Chapter IX of the Constitution.
- (2) It is an offence for a person who has been deposed to act contrary to section 11(c), except for the purposes of any provision enacted under Chapter IX of the Constitution.

Canon 76 of the Canons of 1603 to have no effect

- 14 The Canon numbered 76 of the Canons of 1603, insofar as it may have any force, shall have no operation or effect in a diocese of this Church which adopts this canon.

Repeal and consequential amendment

- 16 (1) The Holy Orders Relinquishment and Deposition Canon 2004 is repealed.
- (2) In –
- (a) section 17(3) of the Episcopal Standards Canon 2007; and
 - (b) section 23(3) of the Special Tribunal Canon 2007 –
- for "Holy Orders, Relinquishment and Deposition Canon 2004" substitute "Holy Orders (Removal from Exercise of Ministry) Canon 2017".

Coming into force by adoption

- 17 The provisions of this Canon affect the order and good government of this Church within a diocese and do not come into force in a diocese unless and until the diocese adopts this Canon by ordinance of the synod of the diocese.

SCHEDULES

SCHEDULE 1

**VOLUNTARY RELINQUISHMENT OF ONE OR MORE ORDERS OF
MINISTRY**

KNOW ALL PERSONS BY THESE PRESENTS THAT I, _____,
a person in Holy Orders in the Anglican Church of Australia (particulars of which are
set out in the Schedule)

DECLARE that I have resigned the clerical licences and appointments and positions
held by me as (*bishop, priest or deacon*) and **RELINQUISH** all rights and privileges as
attached to the order/s of (*bishop, priest or deacon*) set out in the Schedule to this
instrument in accordance with the Constitution and Canons of the Anglican Church
of Australia and **FURTHER DECLARE** that I shall at all times from the date of this
instrument conduct myself accordingly.

SCHEDULE

PARTICULARS OF HOLY ORDERS SUBJECT TO THIS DECLARATION

FULL NAME AND ADDRESS

	ORDAINING BISHOP(S)	PLACE	DATE
ORDINATION AS DEACON
ORDINATION AS PRIEST
CONSECRATION AS BISHOP

DATED:

EXECUTED BY

in the presence of:

(Bishop or Archdeacon or legal practitioner)

**CONSENT OF BISHOP OF DIOCESE IN WHICH DECLARANT LAST HELD
ACLERICAL LICENCE OR APPOINTMENT**

I, _____ by Divine Providence Bishop
(Archbishop) of consent to the above relinquishment.

DATED:
EXECUTED BY:
in the presence of:

CONSENT OF BISHOP OF DIOCESE IN WHICH DECLARANT RESIDES:

I, _____ by Divine Providence Bishop (Archbishop) of
..... declare that I am the relevant bishop for the purposes of the
Holy Orders (Removal from Exercise of Ministry) Canon 2017 and
consent to the above relinquishment.

DATED:
EXECUTED
BY:
in the presence of:

SCHEDULE 2

PROHIBITION FROM FUNCTIONING FOLLOWING THE SENTENCE OF A TRIBUNAL

I, _____ by Divine Providence Bishop (or

Archbishop) of To _____

GREETINGS

I declare that I am the relevant bishop for the purposes of the Holy Orders (Removal from Exercise of Ministry) Canon 2017 and I by these presents **prohibit you from functioning in the exercise of Holy Orders** in the Anglican Church of Australia (as set out in the Schedule) in accordance with the Constitution and Canons of the Anglican Church of Australia following the sentence of a duly constituted tribunal.

SCHEDULE

PARTICULARS OF HOLY ORDERS SUBJECT TO PROHIBITION

FULL NAME AND ADDRESS

	ORDAINING BISHOP(S)	PLACE	DATE
ORDINATION AS DEACON
ORDINATION AS PRIEST
CONSECRATION AS BISHOP

PARTICULARS OF PROHIBITION FROM FUNCTIONING

.....DATED SEALED

SCHEDULE 3 DEPOSITION

I, _____ by Divine Providence Bishop (or
Archbishop) of To _____

GREETINGS

I declare that I am the relevant bishop for the purposes of the Holy Orders (Removal from Exercise of Ministry) Canon 2017 and by these presents **depose you** in accordance with the Constitution and Canons of the Anglican Church of Australia following the sentence of a duly constituted tribunal *or* following the recommendation or determination of a professional standards body [delete as applicable] from the Holy Orders set out in the Schedule.

SCHEDULE

PARTICULARS OF HOLY

ORDERS

FULL NAME AND ADDRESS

	ORDAINING BISHOP(S)	PLACE	DATE
ORDINATION AS DEACON
ORDINATION AS PRIEST
CONSECRATION AS BISHOP

DATED

SEALED

SCHEDULE 4

**NOTICE OF AN INSTRUMENT UNDER THE HOLY ORDERS (REMOVAL
FROM THE EXERCISE OF MINISTRY) CANON 2017**

I, _____ by Divine Providence Bishop (or Archbishop) of

GIVE NOTICE of the instrument dated that concerns..... [name] and
that is now attached being

* an instrument of relinquishment

* a prohibition from functioning pursuant to the sentence of a tribunal

* an instrument of deposition.

**delete as applicable*

STATEMENT AS TO CIRCUMSTANCES

ATTACHMENT

DATED

I certify that the wording of the Bill is the wording agreed to by the Committee

Brian J Norris
Chairman of Committee

We certify that this Act was passed by the Synod of the Diocese of Gippsland this
Fifteenth day of May 2021.

Marion Dewar
Assistant Secretaries of Synod

Heather Toms

I assent to this Bill

+Richard, Gippsland Bishop 15 May 2021

Professional Standards (Amendment) Bill 2021

EXPLANATORY MEMORANDUM

The purpose of this Bill is to enable the convening of a Professional Standards Board panel to determine a matter before it more practicable in the Diocese.

- Clause 1 cites the title of the Bill.
- Clause 2 provides that the new amendments to the *Appointments Act 1994* come into operation on the date on which the Bishop assents to the amending Act.
- Clause 3 Amends section 34 (4) (c) in the *Professional Standards Act 2017* to reduce the number of lay members required to constitute a panel of the Professional Standards Board.
- Clause 4 Amends section 35 (2) in the *Professional Standards Act 2017* that provides for the constitution of a Board to consist of a President, or Deputy President, who is to preside, and at least one clergy member and at least one lay member from the panel as contained in the amendments set out in the new sections section 35 (2).
- Clause 5 Deletes section 36 (2) in the *Professional Standards Act 2017* that provides for a Board to be constituted by one member sitting alone.

ABILL

relating to the composition of the Professional Standards Board and for other purposes.

BE IT ENACTED by the Bishop, the Clergy and the Laity of the Anglican Church of Australia within the Diocese of Gippsland in Victoria duly met in Synod according to law as follows:

Short title

1. This Act may be cited as the **Professional Standards (Amendment) Act 2021**.

Commencement

2. This Act comes into operation on the date on which it receives the assent of the Bishop.

PART 5 – PROFESSIONAL STANDARDS BOARD

34. Professional Standards Board

- (1) There shall be a Professional Standards Board constituted and appointed in accordance with this Part.
- (2) Subject to this Act, the function of the Board is to inquire into and determine a question referred to it under section 44 and a question within its jurisdiction referred to it by an equivalent body to the PSC and to make a determination referred to in section 56 and, where appropriate, to make a recommendation in accordance with this Act.
- (3) The Board may exercise its functions in respect of a Church worker –
 - (a) resident or licensed in the Diocese, or engaged by a Church authority;
 - (b) not resident or licensed in the Diocese, nor engaged by a Church authority, but whose conduct is alleged to have occurred when the Church worker was resident or licensed in the Diocese or engaged by a Church authority.
- (4) The members of the Board are to be appointed from a panel comprising –
 - (a) a President and a Deputy President, each with at least 5 years as practising barrister or solicitor;
 - (b) 2 members of the clergy of at least 7 years standing;
 - (c) ~~7~~ 2 lay members (who may or may not be members of the National Church) who have skills and qualifications appropriate for members of the Board.
- (5) The members of the panel referred to in section 35 may constitute an equivalent body, either generally or for a particular case or matter.

- (6) The members of the panel are to be appointed by the directors of the Gippsland corporation on such conditions as are set out in the terms of the appointment.
- (7) A vacancy in the membership of the panel is to be filled by, or in accordance with, a resolution of the Gippsland corporation.

35. *Convening a panel*

- (1) The members of the panel to be convened for a reference to the Board are to 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 a reference to the Board, the Board is to consist of the President or Deputy President, who is to preside, **and an equal number (1 or 2) of clerical and lay members of whom, where possible, include at least one man and one woman, and at least one clergy member and at least one lay member from the panel.**
- (3) If, in the opinion of the presiding member a member of the panel has a conflict of interest in a matter before the Board, the member must be disqualified from participating in the reference.
- (4) For the purpose of this section, a vacancy in the office of President includes a situation in which the President is unable to act because of a conflict of interest in a matter or illness or absence from the Diocese.

36. *Rules of the Board*

- (1) The President may make Rules of the Board reasonably required by or under this Act in relation to the practice and procedure of the Board.
- ~~(2) The Rules may include a provision that, at the direction of the President, the Board be constituted by one member sitting alone.~~

I certify that the wording of the Bill is the wording agreed to by the Committee

Brian J Norris
Chairman of Committee

We certify that this Act was passed by the Synod of the Diocese of Gippsland this Fifteenth day of May 2021.

Marion Dewar
Assistant Secretaries of Synod

Heather Toms

I assent to this Bill

+Richard, Gippsland
Bishop 15 May 2021