

DIOCESE OF ROCKHAMPTON
THE SYNOD CANON 1893-2011

Composition of Synod

1. The Synod shall consist of the Bishop the Chancellor, the Deputy Chancellor, the Treasurer of Synod, the Chairman of Committees, the Registrar, all Licensed Clergy of the Diocese, certain Parishioners as elected as hereinafter provided to represent the several Parishes in the said Diocese, and five other adult persons being regular communicants who for a period of six 6) calendar months shall have been frequent attendees at Divine Services in the Diocese elected not later than the first day of March in each year by a Council to be appointed by the Bishop specifically to advise him in relation to ministry with Aboriginal and Torres Strait Islander people within the Diocese, (“The Aboriginal and Islander Anglican Council”). The Bishop is hereby empowered to summon by writing under his hand such six other Parishioners as to him may seem good with the consent of the Synod and when the Synod is not in Session with that of the Diocesan Council to be Members of Synod.

Provided that one of the said six other Parishioners shall be the Director of Anglicare Central Queensland Limited unless that person is otherwise entitled to be a member of Synod or unless the Bishop shall in his absolute discretion decide otherwise.

Provided that any member of the Clergy not so licensed, may be permitted to be present and to address the Synod but not to vote therein.

Provided also that the failure of any parish or the failure of the Aboriginal and Islander Anglican Council to elect members of Synod shall not prevent the Synod from proceeding to the despatch of business or invalidate any of its proceedings.

Qualification of Synod Members

2. Every person qualified to be an elector in any parish in the Diocese shall be entitled to act as a Synod Member to represent a Parish in Synod if duly elected in accordance with the provisions of this Canon.

Every Parish Entitled to Elect Synod Members

3. Every Parish shall, by its electors, elect duly qualified lay persons to represent such parish in Synod.

Number of Lay Synod Members

4. The number of Lay Synod Members who may be elected to represent each Parish is three (3).

Triennial Election

5.
 - (a) One Lay Member of Synod shall be elected in each Parish at each Annual Meeting. The person so elected shall continue in office until the third consecutive Annual Meeting of the Parish thereafter and then shall be eligible for re-election.
 - (b) At the Annual Meeting of each Parish in 1990, three separate and consecutive elections shall be held.

- (i) to elect a Lay Member of Synod who shall continue in office until the third consecutive Annual Meeting of the Parish thereafter;
 - (ii) to elect a Lay Member of Synod who shall continue in office until the second consecutive Annual Meeting of the Parish thereafter;
 - (iii) to elect a Lay Member of Synod who shall continue in office until the next Annual Meeting of the Parish.
- (c) Notwithstanding the provisions of paragraphs (a) and (b) of this Section, when a new Parish is created, at the first Annual Meeting of the Parish there shall be separate and consecutive elections held:
- (i) to elect a Lay Member of Synod who shall continue in office until the third consecutive Annual Meeting of the Parish thereafter;
 - (ii) to elect a Lay Member of Synod who shall continue in office until the second consecutive Annual Meeting of the Parish thereafter;
 - (iii) to elect a Lay Member of Synod who shall continue in office until the next Annual Meeting of the Parish.

Double Returns

6. If any Synod Member is elected for more than one Parish that Synod Member shall, within one week after being notified thereof, signify in writing to the Bishop and to the Rectors of the Parishes for which the Member has been elected, which parish the Member chooses to represent in Synod. Failing such signification the Bishop-in-Council shall determine and declare which parish such Synod Member shall represent in Synod. In either of these events the seat for the other parish or parishes shall thereupon be deemed to be vacant and shall be filled in accordance with the provisions of this canon for the filling of the vacant office of a Synod Member.

Disputed Returns

7. Any complaints of the undue return of any Synod Member shall be addressed to the Synod in the form of petition stating the general objections but no such petition shall be received unless it be signed by some person who was a candidate at the election whereof it is alleged that an undue return was made or by three persons who voted or were qualified to vote at such election neither shall any such petition be received which shall not be presented to the Synod if then sitting nor unless a copy thereof shall have been served upon the Synod Member whose return shall be objected to within fourteen days after such election and all such petitions shall be referred to a Committee of Qualifications appointed by the Synod who shall consider and report upon the same to the Synod.

Provided that nothing herein contained shall prevent the Bishop if he shall be aware of any proceedings at such election which shall in his opinion invalidate the return of any Synod Member from referring such matter for the decision of the Committee of Qualifications appointed as aforesaid and the Synod Member whose return is so referred to the Committee of Qualifications shall not be at liberty to take a seat or act in such Synod until the decision of the aforesaid Committee is laid before the Synod.

Provided also that if the Synod shall not be in session at the expiration of one month after such election such petition shall be presented to the Synod on the day following its next meeting.

Resignation of Synod Members

8. Any Synod Member may resign his or her seat in the Synod by a signed notice in writing to the Bishop and upon the receipt of such resignation by the Bishop the seat of such Synod Member shall become vacant.

Synod Members Absent

9. Any Synod Member who is absent during one whole session without the leave of the Synod shall be deemed to have forfeited the seat.

Mode of Filling Vacancies

10. (a) If the Office of a Synod Member elected to represent a Parish in Synod becomes vacant some other duly qualified person shall be elected to fill such office. Such election shall be held –
 - (i) at the next Annual Meeting of such Parish if no Session of Synod is convened after such vacancy occurs but before such Annual Meeting; or
 - (ii) if a Session of Synod is convened to be held after such vacancy occurs and before the next Annual Meeting is held in such Parish then at a Special Meeting of Parishioners (convened in accordance with the provisions of the Parish Canon) PROVIDED THAT in such case the Parish Council may elect such person.

A person elected to fill a vacant office shall continue in office until the Annual Meeting of the Parish at which the term of the Synod Member who has vacated the office would normally have expired under Section 7 of this Canon.

- (aa) If the office of a Synod member elected as provided by Section 1 by the Aboriginal and Islander Anglican Council becomes vacant some other duly qualified person shall be elected by the Aboriginal and Islander Anglican Council to fill such office.
- (b) If a Synod Member is unable to attend a session of Synod convened by the Bishop and seeks and obtains leave of absence from the Bishop, the Bishop may, upon the written request of the Rector and Churchwardens of the Parish such Synod Member represents in Synod appoint another duly qualified person nominated in writing by such Rector and churchwardens, to attend such session of Synod as proxy, but such appointment shall lapse forthwith at the conclusion or adjournment of such session of Synod. Such proxy shall have the same right and obligations at such session of Synod as the person whose seat is filled PROVIDED HOWEVER for the purpose of eligibility for nomination for election and appointment to the Councils, Boards, Committees, commissions and Synods appointed by Synod, that person shall be deemed not to be a member of Synod.
- (bb) If a member of Synod elected by the Aboriginal and Island Anglican Council is unable to attend a session of Synod convened by the Bishop and seeks and obtains leave of absence from the Bishop, the Bishop may upon the written request of the Aboriginal and Islander Anglican Council, appoint another duly qualified person nominated in writing by it to attend such session of Synod as proxy for such person, but such appointment shall lapse forthwith at the conclusion or adjournment of such session of Synod. Such proxy shall have the same right and obligations at such session of Synod as the person whose seat he or she fills provided however for the purpose of eligibility for nomination for election and appointment to the Councils,

Board, Committees and Synods appointed by Synod such proxy shall be deemed not to be a member of Synod.

Bishop to Convene Synod

11. The Bishop shall convene the Synod for the despatch of business so often as to him may seem desirable but such Synod shall be so convened at least once every financial year at such time and place as shall to him appear convenient and the Bishop shall issue his citation not less than one month previous to the meeting of the said Synod to the Clergy and Lay Synod Members to appear at the time and place appointed.

Special Meeting of Synod

12. The Bishop may at his own discretion and shall at the request of two-thirds of the members of the Diocesan Council in like manner convene a special session of the Synod to consider urgent business and in citing the Clergy and Lay Synod Members to attend such special session of the Synod the Bishop shall state the business to be then brought forward but it shall not be competent at such special session to enter upon the consideration of any business except such as is stated in the citation without the consent of the Bishop and two-thirds of each Order present.

Quorum

13. The presence of the President three licensed Clergy and six Lay Synod Members shall be necessary to constitute a quorum of the Synod for the due exercise of the powers vested in it.

Canons and Resolutions to Be Made with Assent of the Bishop Clergy and Laity

14. Every Canon and resolution of the Synod shall be made with the assent of the President and a majority of the Clergy and Laity in Synod assembled and such assent shall be deemed to have been given thereto in accordance with the 6th clause of the Constitution when the Canon or resolution shall have been passed by the Synod in manner following that is to say:- the votes of the Clergy and Laity shall unless required to be taken separately as hereinafter provided be taken collectively and any Canon or resolution passed by a majority of the votes of the Clergy and Laity so taken shall when assented to in writing by the President be deemed to have been duly passed by the Synod.

Provided that on the request of the President or any three Clergy or three Lay Synod Members the votes of the Clergy and Laity shall be taken separately and in that case the assent of the President and a majority of the Clergy and a majority of the Laity shall be requisite to the passing of such Canon or resolution.

Bishop Clergy and Synod Members Not to Act Until They Have Signed Declaration of Submission to Synod

15. No Bishop, member of the Clergy or Lay Synod Member shall take any part in the proceedings of the Synod until each shall have signed the declaration to which he or she is required to subscribe by the 24th and 25th clauses of the Constitution respectively but it shall not be necessary for any such Bishop, member of the Clergy or Lay Member who shall have already subscribed to such declaration to sign again or declare thereto unless he shall be called upon to do so as next hereinafter mentioned.

Provided that in the event of the document containing any such declaration being lost mislaid or destroyed the Bishop and any such member of the Clergy or Lay Synod Member shall when required so to do by the Registrar of the Diocese again subscribe to such declaration.

Election of Treasurer, Chair of Committees and Other Officers

16. At every annual session of Synod there shall be elected a Treasurer, a Chair of Committees and such other officers as may be deemed necessary for the due conduct of the business of Synod.

Provided that in the event of the temporary absence of the Treasurer or Chair of Committees or his inability temporarily to perform the duties of his office the Bishop-in-Council may appoint an acting Treasurer or Chair of Committees who shall hold office at the pleasure of the Bishop-in-Council until the next session of Synod.

If the Chairman of Committees or the Treasurer is not re-elected at the next following annual session of Synod that member shall nevertheless remain a member of Synod until the next annual meeting of the Parish from which the Synod member has been elected.

Such officers shall include a Chair of the House of Clergy elected by the Clerical Members of Synod and a Chair of the House of Laity elected by the Lay Members of Synod. In the event of a vote for any Canon resolution decision or election in which the votes of the Clergy and Laity are taken separately being tied, then in such case the Chair of the House of Clergy or the Chair of the House of Laity as the case may be shall have a casting vote in addition to a deliberative vote.

Treasurer to Act Under Authority of Bishop-in-Council

17. The said Treasurer shall be called the Treasurer of Synod and shall act under the authority of the Synod and when the Synod is not in session of the Bishop-in-Council.

Chair of Committees Etc. to Perform Duties Directed by Standing Orders

18. The Chair of Committees and such other officers elected as aforesaid shall perform such duties as are required or directed by the Standing Orders or any Canon or resolution of the Synod.

Upon Vacancy When Synod Not in Session Bishop-in-Council to Appoint Temporary Successors

19. In the event of the office of either the Treasurer or the Chair of Committees becoming vacant when the Synod shall not be in session the Bishop-in-Council shall elect a suitable Synod Member to fill that office who shall hold the same until the next meeting of Synod when a new Treasurer or Chair of Committees shall be elected.

Standing Orders to Continue in Force

20. The Standing Orders which shall from time to time be made by the Synod for the ordering of its own proceedings shall continue in force until other regulations are made in lieu thereof.

Representatives in General Synod and Provincial Synod

21. (a) Clerical and lay representatives of the Diocese in General Synod shall be elected at the last ordinary session of Synod occurring in the year prior to an ordinary session of General Synod and subject to section 31 (e) shall hold office until their successors are elected in accordance with these provisions.

- (b) Clerical and lay representatives of the Diocese to Provincial Synod shall be elected at each ordinary session of Synod the results of such elections being declared in order of election.
- (bb) Clerical and lay representatives of the Diocese to Provincial Council shall be those persons who received the greater number of votes in the elections referred to in section 31 (b) of this Canon.
- (c) Any vacancy in the place of a representative of the Diocese to General Synod or to Provincial Synod or to Provincial Council shall be filled by a person appointed by the Bishop-in-Council.
- (d) No person shall be elected or appointed as a representative in General Synod or in Provincial Synod unless such person is duly qualified to be such representative and, in the case of an election at Synod, unless such person first assents in writing to nomination for such election.
- (e) The representatives of the Diocese to General Synod, Provincial Synod and Provincial Council must be members of this Church resident in the Diocese and shall hold office until their successors are elected or appointed. However the office of a representative shall become vacant if the member —
 - (a) dies; or
 - (b) ceases to be a member of this Church; or
 - (c) ceases to reside in the Diocese; or
 - (d) ceases to be qualified to be a member of the House of Synod for which the member was elected; or
 - (e) is removed by resolution of the Bishop-in-Council.