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**SYNOD ACT 1972**

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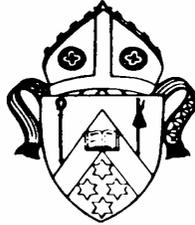
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Reprinted as at 1 November 2008 incorporating amendments up to No. 1/2008<sup>2</sup>



## AN ACT

to amend and re-enact the Synod Act 1878-1959.

### *Short Title*

1. This Act may be cited as the *Synod Act 1972*.

### *Operation*

2. This Act shall come into operation on the dissolution of this present Synod.

### *Repeal*

3. The Synod Act 1878-1959 shall be repealed except as to every operation already effected by or act done under any enactment therein comprised or as to any right title obligation or liability already acquired or accrued under any such enactment.

### *Incumbent*

4. For the purposes of this Act except where the context otherwise requires “clerk in charge” and “clerk” mean where there is no other clerk in charge of the parish “Archdeacon of the archdeaconry in which the Parish lies” as the case requires.

### *Lay representatives of parishes*

5. Every parish may as hereinafter provided elect two lay representatives to be members of Synod and one alternate lay representative to be a member of Synod in the circumstances prescribed by this Act.

## *Synod Act 1972*

### *Parish with additional stipendiary clerk may elect 3 lay representatives*

s.5AA amended by No. 9/1993

- 5AA. (1) If a parish pays a full time stipend for a clerk assisting the incumbent and pays its parochial assessment in full, the parish may apply in writing to the Archbishop for authority to elect an additional lay representative.
- (2) If the Archbishop in Council approves an application under sub-section (1), a reference in this Act to two lay representatives or to two candidates has effect as a reference to three lay representatives or three candidates, as the case requires.
- (3) An approval under this section has effect for the purposes of the next following general election of lay representatives but has no effect if, on the date the mandate is issued for that election, the parish is not qualified to make the application under sub-section (1).

### *Other lay representatives*

s. 5A inserted by No. 5/1986 and amended by Nos. 9/1993, 1/2004 and 1/2008

- 5A. (1) A lay person who is the Chancellor, a Deputy Chancellor, the Advocate or the Registrar of the Diocese is ex officio a lay member of Synod.
- (1A) A lay person who is –
- (a) a lay representative of the Diocese of Melbourne in General Synod; or
  - (b) a lay representative of the Diocese of Melbourne in the Provincial Council of the Province of Victoria; or
  - (c) a lay member of the Council of the Diocese of Melbourne;
- or
- (d) a lay member of a Regional Council of a region of episcopal care of the Diocese of Melbourne – and is not otherwise a lay member of Synod, shall, on making an application in writing to the Archbishop, become an ex officio lay member of Synod.
- (2) St Paul’s Cathedral, Melbourne may, in accordance with the Statutes of the Cathedral and this Act, elect or appoint two lay representatives to be members of Synod and one alternate lay representative to be a member of Synod in the circumstances prescribed by this Act.

- (3) The Canterbury Fellowship may, in a manner approved by the Archbishop in Council and in accordance with this Act, elect or appoint one lay representative to be a member of Synod and one alternate lay representative to be a member of Synod in the circumstances prescribed by this Act.
- (4) Each religious community approved for the purposes of this Act by the Archbishop in Council may, in a manner approved by the Archbishop in Council and in accordance with this Act, elect or appoint one of its lay members to be a member of Synod and one of its lay members to be an alternate member of Synod in the circumstances prescribed by this Act.
- (5) Sub-section (4) does not apply if a member of the religious community is a clerical member of Synod.
- (6) Each congregation designated for the purposes of this Act by the Archbishop in Council as a non-parochial congregation may, in a manner approved by the Archbishop in Council and in accordance with this Act, elect or appoint one lay representative to be a member of Synod and one alternate lay representative to be a member of Synod in the circumstances prescribed by this Act.
- (7) Each Authorised Anglican Congregation within the meaning of the **Authorised Anglican Congregations Act 2004** may, as if it were a parish, elect one lay representative to be a member of Synod and one alternate lay representative to be a member of Synod in the circumstances prescribed by this Act.

*Lay representatives elected by Regional Assemblies*

s. 5B inserted by No. 9/1993 and amended by No. 7/1999 and 4/2000

- 5B.
- (1) The lay members of the Regional Assembly of each region of episcopal care of the Diocese may, in accordance with this Act and the regulations, elect the allotted number of lay representatives to be members of Synod.
  - (2) The allotted number of lay representatives is the number of clerical members of Synod who are not licensed to a parish in a stipendiary position as at the date of the Archbishop's mandate for a general election, divided by the number of regions of episcopal care as at that date, rounded (if necessary) up to the next whole number.

- (3) The lay members of a Regional Assembly may, when electing lay representatives, also elect a number of alternate lay representatives not exceeding one half of the allotted number of lay representatives.
- (4) A lay person who is a lay representative of Synod is not eligible to be elected as a lay representative under this section.
- (5) An election under this section must take place after the issue of the Archbishop's mandate and before the first day of meeting of the Synod.
- (6) Nominations must be made, and the election must be held, in accordance with the regulations.
- (6A) If, following an election by a Regional Assembly under this section, there is a vacancy in the number of lay representatives and alternate lay representatives that could have been elected in that election, the vacancy may be filled by a lay person nominated by the Regional Council who is eligible to be elected.
- (7) In this section, "lay member", in relation to a Regional Assembly means a person who is a member of the Regional Assembly and a lay representative of Synod.

*Eligibility*

s. 6 amended by Nos. 5/1986, 7/1991, 4/2000 and 1/2004

- 6.
- (1) Subject to sub-section (2), every person resident within the Diocese of Melbourne if he or she have attained the age of eighteen years and if he or she be a communicant member of the Anglican Church of Australia and in the case of parish representatives if he or she be nominated in the manner hereinafter directed shall be capable of being elected or appointed as a lay representative or alternate lay representative.
  - (2) A person is not eligible for election or appointment as a lay representative or alternate lay representative under section 5, 5AA, 5A(2), (3), (4), (6) or (7) or 5B if, at the time of the issue of the Archbishop's mandate for the election or appointment, the person has attained the age of 72 years.<sup>3</sup>

*Persons on an electoral roll may vote*

7. Every person whose name is on any church electoral roll of any church in a parish may vote at any election in that parish for the purposes of this Act.

*List of parishes*

8. Previous to a general election of lay representatives an alternate lay representatives the Archbishop shall cause to be prepared a list of parishes in the diocese and such list shall be settled by him in Council and upon the settlement thereof the same shall be signed by him and such list shall be laid upon the table of the Synod and may be varied from time to time by the Archbishop in Council on being moved to do so by the Synod or for the purpose of adding new parishes thereto or removing parishes therefrom and such list shall be the standing list of parishes.

*Mandate*

s. 9 substituted by No. 5/1986 and amended by No. 1/2004

9. For obtaining a general election or appointment of lay representatives and alternate lay representatives, the Archbishop –
- (a) by the mandate under his hand addressed to each clerk in charge of a parish shall require such clerk to invite electors to proceed to the election of lay representatives and an alternate lay representative in manner hereinafter mentioned and within a period to be specified in such mandate which period the Archbishop may if he think fit by instrument under his hand extend; and
  - (b) by mandate under his hand addressed to the Dean of Melbourne, the chaplain of the Canterbury Fellowship, the Superior of each approved religious community and the chaplain or other person having the care of each designated non-parochial congregation or Authorised Anglican Congregation, shall require the election or appointment in accordance with section 5A of lay representatives and alternate lay representatives within the period mentioned in the mandate or any longer period approved by the Archbishop.

*New parishes*

10. When a new parish is constituted or the boundaries of a parish are altered after a general election of lay representatives and alternate lay representatives has taken place the Archbishop shall issue his mandate for the election of lay representatives and an alternate lay representative for that parish and such election shall be held as nearly as may be mutatis mutandis provided herein for by-elections.

*Notice for nominations*

11. (1) Every such clerk upon receipt of such a mandate shall give or cause to be given in every building within such parish which has been duly consecrated or licensed for Divine service notice during the time of holding service therein specifying a period within which nomination papers may be sent to him.
- (2) Such period shall not be less than fifteen days from the day of the notice and shall expire immediately before the hour of the first service at the principal church of the parish on the Sunday immediately preceding the first day which may be appointed in accordance with this Act for the holding of the election.
- (3) Every such clerk as soon as conveniently may be after the receipt of a nomination paper shall cause the name of every person duly nominated with the office to which he is nominated and the names of his nominators to be affixed to or be displayed in a position adjacent to the principal door of every such building PROVIDED that any person who has been nominated may at any time by writing under his hand addressed to such clerk withdraw his name as a candidate for election as a lay representative or alternate lay representative as the case may be.

*Nomination papers*

12. Every nomination paper shall be in one or other of the forms contained in the Schedule hereto marked A or to the like effect and shall be signed by not less than five electors.

*Nominations*

13. (1) If no more than two candidates be nominated for election as lay representatives the person or persons nominated shall be deemed to have been duly elected.

- (2) If only one candidate (excluding any person deemed to be elected as lay representative) be nominated for election as alternate lay representative that person shall be deemed to have been duly elected.
- (3) Where any person or persons is or are deemed to be duly elected pursuant to this section such clerk shall forthwith certify the same to the Archbishop.

*Election*

14. If –
- (a) more than two candidates be nominated for election as lay representatives; or
  - (b) more than one candidate (excluding any person deemed to be elected as a lay representative) be nominated for election as alternative representative –
- such clerk shall forthwith give or cause to be given in every such building notice appointing a place or places and for each place the day and the hour for proceeding to an election and of the time or times during which the poll shall on each day and at each such place be kept open and shall cause a copy of such notice to be posted on or be displayed in a position adjacent to the principal door of every such building.

*Elections at annual meetings and other times*

s. 15 amended by No. 2/1987

15. (1) Where the Archbishop's mandate for a general election or by-election is given on or after 15 July and before 15 September the election shall be held on the day or days and at the place of, and during hours which shall be or include a reasonable part of the time of the annual meeting of each church in the parish PROVIDED that the Archbishop may where he deems the election to be urgent direct in his mandate that the election be held on or before some date specified therein which shall not be less than thirty nor more than sixty days after the date on which the mandate is given and the election shall be held accordingly.

- (2) Where the Archbishop's mandate is given at any time not during the period referred to in sub-section (1) the Archbishop shall specify some date not less than thirty nor more than sixty days after the date of the giving of the mandate on or before which the election shall be held.

*Voting papers*

16. Such clerk or his deputy shall attend at each polling place during the hours appointed for the poll to be kept open at that place and having first initialled the same shall issue voting papers to qualified electors and shall keep a record of the name of every person to whom a voting paper is issued.

*Declaration by elector*

17. Every elector before exercising his right to vote shall in the presence of such clerk or his deputy make the declaration in Schedule B hereto.

*Voting*

18. (1) Every voter having received a voting paper as aforesaid shall forthwith and without leaving the polling place fill in the same and shall deposit the voting paper in a ballot box provided by the clerk or his deputy.
- (2) No ballot box shall be opened nor any voting paper scrutinised until after the close of the voting at every polling place in the parish but as soon as convenient after the close of the poll the clerk or his deputy shall proceed to record the votes and sign the record thereof and in the case of deputies forward the voting papers and the record to the clerk who shall determine upon whom the election has fallen and in the event of an equality of votes the clerk due notice having been given to the candidates shall determine by lot upon whom the election has fallen and shall certify the result to the Archbishop PROVIDED always that where there has been a ballot both for lay representatives and for alternate lay representative the clerk shall determine the result of the election of lay representatives first and a person elected as a lay representative shall be deemed to be not eligible for election as an alternate lay representative.

*Certification of election*

19. Such clerk shall cause to be delivered to each person elected a certificate of his election and shall countersign and forward to the Archbishop all nominations subscriptions and records of votes.

*Report of election of other representatives*

s. 19A inserted by No. 5/1986 and amended by No. 1/2004

- 19A. The Dean of Melbourne, the chaplain of the Canterbury Fellowship, the superior of each approved religious community and the chaplain or person having the care of a designated non-parochial congregation or Authorised Anglican Congregation shall forward to the Archbishop the names of the lay representative or lay representatives elected or appointed in response to the mandate.

*Report of election of Regional Assembly representatives*

s. 19B inserted by No. 9/1993

- 19B. The Assistant Bishop responsible for a region of episcopal care shall forward to the Archbishop the names of lay representatives elected under section 5B for a Synod.

*Declaration by lay representatives*

s. 20 amended by Nos. 5/1986, 7/1991 and 9/1993

20. Each lay representative and alternate lay representative elected or appointed or holding office as a lay member of Synod ex officio as aforesaid shall before taking part or voting at Synod sign and deliver to the President thereof a declaration in the form following:-

“I whose name is hereto subscribed do declare that I am Communicant of the Anglican Church of Australia and belong to no other religious denomination”.

*Duration of Synod*

s. 21 amended by No. 2/1987

21. Every future Synod that may be constituted shall continue as a Synod until a date fixed by the Archbishop in Council being a date not less than 30 months and not more than 42 months after the date on which the Archbishop last issued a mandate for a general election; but liable in each case to dissolution in the meantime by the Archbishop who shall have the right to dissolve every Synod subject to the provisions hereinafter contained.

*Dissolution*

s. 22 amended by No. 5/1986

22. Within six months after every dissolution of the Synod by effluxion of time or otherwise a general election or appointment of lay representatives and alternate lay representatives shall take place.

*Mandate for general election*

s. 23 amended by No. 5/1986

23. The Archbishop may issue his mandate for a general election or appointment at any time within the two months next preceding the due date for dissolution of Synod by effluxion of time and where his mandate has not been so issued he shall issue it within four months next following the dissolution of Synod.

*Convening of Synod*

s. 24 amended by Nos. 5/1986 and 9/1993

24. Once at least in every year the Archbishop shall convene the Synod by summoning thereto all clerks duly licensed and the lay representatives of all parishes and the lay representatives of all congregations and bodies referred to in section 5A and the lay representatives of the regions referred to in section 5B at such time and place as the Archbishop may fix or direct so that a period of eighteen calendar months shall not intervene between the last sitting of the Synod in one session and the first sitting of the Synod in the next session or between the last session of one Synod and the first session of the next Synod and every Synod shall have power to adjourn from time to time as may be agreed upon by a majority of the members thereof present and voting and shall not be subject to prorogued or dissolved without its own consent until it shall have sat on seven several days.

*Notification in Government Gazette*

s. 25 amended by No. 5/1986

25. The notification in the Government Gazette of the time and place appointed for the first meeting of any new Synod or of the first meeting after any prorogation thereof and the holding of a meeting in pursuance of such notification shall be sufficient legal evidence of the convening thereof and of compliance with the provisions or requirements of this Act as to the convening of any Synod and as to the election or appointment and summoning of representatives.

*Special session*

26. When it shall have been deemed expedient by the Archbishop to convene the Synod for a special purpose and in the mandate convening the Synod or by notice given to the members of the Synod in any other manner shall have stated the special purpose for which the Synod has been convened, the session held in pursuance of that mandate shall be deemed a special session.

*Business at special session*

27. Unless the Synod by a majority of two-thirds of the clergy and of the laity then present and with the consent of the Archbishop shall otherwise determine no business shall be transacted at a special session other than that which the Synod shall have been specially convened to consider.

*No other business*

28. No business required by an Act or resolution of the Synod to be done at an ordinary session shall be done at a special session unless with the consent of a majority of two-thirds of the clergy and of the laity then present and with the consent of the Archbishop.

*Term of office not affected*

29. The term of the office powers and duties of members of the Council of the Diocese and of Boards and Committees appointed at an ordinary session of Synod shall not be limited or otherwise affected by a special session of the Synod anything contained in any Act of the Synod to the contrary notwithstanding.

*Alternate lay representatives*

s. 30 amended by Nos. 5/1986, 9/1993, 7/1999 and 1/2004

30. Where –  
(1) a lay representative gives notice in writing to the clerk in charge of his parish or to the Dean of Melbourne, chaplain of the Canterbury Fellowship, superior of the religious community or chaplain or other person having the care of the non-parochial congregation or Authorised Anglican Congregation or to the Assistant Bishop responsible for a region of episcopal care, as the case may be, that he will be absent from Synod for an entire session; or

(2) the clerk, Dean, chaplain, superior or person or Bishop as the case may be, has definite knowledge of facts by reason of which he believes –  
(a) that a lay representative will be absent from Synod for an entire session; or  
(b) that the seat of a lay representative will be vacant for an entire session –  
the clerk, Dean, chaplain, superior or person or Bishop, as the case may be, shall certify in writing to –  
(i) the alternate lay representative or, in the case of a Regional Assembly representative, the next available alternate lay representative; and  
(ii) the Archbishop –  
that he has received such notice or has such knowledge and belief and provided such certificate is so given to the Archbishop not less than one nor more than thirty days  
before the commencement of that session the alternate lay representative shall be a member of Synod for the duration of that session in the place and to the exclusion of that lay representative.

*Resignation*

31. Any lay representative may resign his seat in the Synod by writing under his hand addressed to the President and from the time when such resignation shall have been received by him the seat of such member shall be vacant.

*Seat declared vacant for absence*

32. The seat of any lay representative who shall have been absent from the Synod for an entire ordinary session of the Synod without leave of the Synod and without having given notice under Section 30 of this Act shall be thereby vacated.

*Seat vacant where member no longer on electoral roll*

s. 32A inserted by No. 3/1980

32A. Where lay representative or alternate lay representative of a parish who at the time of election was on the church electoral roll of the parish, ceases to be on that roll, the incumbent and the churchwardens of the parish may petition the Archbishop to declare the seat of the lay representative or alternate lay

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representative, as the case may be, vacant and upon the Archbishop making such a declaration, the seat shall be vacant.

*Attendance at Synod*

33. Every lay representative and every alternate lay representative being a member of Synod shall on some day in each session enter his name in a book kept for that purpose and if the name of any lay representative or alternate lay representative being a member of Synod be not so entered it shall be prima-facie evidence of his absence during the whole of such session.

*Forfeiture*

s. 34 amended by No. 7/1991

34. If any lay representative cease to be a member of the Anglican Church of Australia he shall be deemed to have forfeited his seat and such seat may be declared vacant by a resolution of the Synod.

*Election to fill vacancy*

s. 35 amended by No. 5/1986 and 1/2004

35. (1) (a) If a lay representative die or resign his seat or if his seat be vacated or declared vacant; or  
(b) If there be no lay representative or only one lay representative for a parish or St Paul's Cathedral; or  
(ba) If there be no lay representative for the Canterbury Fellowship, an approved religious community or a designated non-parochial congregation or Authorised Anglican Congregation; or  
(c) If an alternate lay representative die or resign his office or if being a member of Synod for the duration of a session of Synod pursuant to Section 30 of this Act he do not attend Synod during that session; or  
(d) If there be no alternate lay representative for a parish –  
the President may issue his mandate for an election or appointment to be made of a lay representative or of an alternate lay representative as the case requires.

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(2) Every election held to fill a vacancy however occasioned shall be conducted in the manner herein provided for general elections and every appointment made shall be made in accordance with section 5A.

*Election Committee*

s. 36 amended by No. 5/1986

36. Within two days of the opening of the first session of each Synod the President shall lay upon the table of the Synod for the consideration thereof a list of names not exceeding five members chosen by him as a Committee to which all questions shall be referred as to the validity of any disputed election or appointment and if such list be not objected to within two days after it has been laid on the table the members mentioned therein shall form and be an Election Committee for the purpose of deciding all cases of disputed elections or appointments but if the same be objected to by the Synod the Committee shall be chosen by ballot and the President shall have power to fill up any vacancies in the Committee as the same may occur.

*Quorum*

37. The president or his Commissary shall appoint the time and place of the first meeting of the Election Committee and the said Committee shall not be competent to transact any business unless at the least three members thereof shall be present.

*Determination final*

38. Every Election Committee shall determine finally on all questions referred to it.

*Report to Synod*

s. 39 amended by No. 5/1986

39. If any such Committee determine and report to the Synod that a person was not duly elected or appointed who was returned as elected or appointed any person so declared not to be duly elected or appointed shall cease to be a member of the said Synod.

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*Person declared elected or appointed*

s. 40 amended by No. 5/1986

40. If such Committee determine and report any person to have been duly elected or appointed who was not returned the person so declared
- (a) shall be admitted a member of the said Synod upon making the declaration required as to his qualification and may take his seat accordingly; or
  - (b) shall be admitted an alternate lay representative with the rights and duties pertaining to that office – as the case requires.

*Election declared void*

s. 41 amended by No. 5/1986, 9/1993 and 7/1999

41. If any such Committee declare any election or appointment to be wholly void or declare any lay representative or alternate lay representative to be unqualified the Archbishop shall issue a new mandate for the holding of another election or the making of another appointment and the person or persons thereafter elected or appointed and duly returned shall be the lay representative, lay representatives or alternate lay representative as the case requires
- for the parish or congregation or body for which such mandate shall have been issued or, in the case of a Regional Assembly representative, the Archbishop shall direct the Assistant Bishop responsible for the region to arrange another election.

*Committee may refer resolution to Synod*

42. If any such Committee come to any resolution other than the Determination above mentioned such Committee shall report the same to the Synod for its opinion and decision and the Synod may confirm or rescind any such resolution and may make such order thereon as to the Synod shall seem proper.

*Regulations*

s. 42A inserted by No. 9/1993 and amended by No. 7/1999

- 42A. (1) The Archbishop in Council may make regulations for the purpose of this Act.
- (2) The regulations, in making provision for elections under section 5B<sup>4</sup> –
- (a) may provide for the election to be by postal ballot;

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- (b) may confer a discretionary authority or impose a duty on the Registrar or the person presiding at a Regional Assembly;
- (c) may make such other provision as is necessary or convenient to be made.

s. 43 repealed by No. 7/1999

43. \* \* \*

s. 44 repealed by No. 7/1999

44. \* \* \*

Schedule A amended by No. 7/1991

SCHEDULE A

FORM 1

Election of Lay Representatives

We the undersigned do hereby nominate ..... as a fit and duly-qualified person who is willing to serve as lay representative of the parish of ..... in the Synod of the Diocese of Melbourne and each of the undersigned hereby declares himself or herself to be a member of the Anglican Church of Australia belonging to no other religious denomination enrolled on the electoral roll of a church within the said parish.

Signature of five or more electors enrolled on the electoral roll of the parish .....

FORM 2

Election of Alternate Lay Representatives

We the undersigned do hereby nominate ..... as a fit and duly-qualified person who is willing to serve as alternate lay representative of the parish of ..... in the Synod of the Diocese of Melbourne and each of the undersigned hereby declares himself or herself to be a member of the Anglican Church of Australia belonging to no other religious denomination enrolled on the electoral roll of a church within the said parish.

Signature of five or more electors enrolled on the electoral roll of the parish .....

Schedule B amended by No. 7/1991

SCHEDULE B

I declare that I am duly enrolled as an elector of ..... church in the parish of ..... and

- 1. I have been baptised.
2. I am 18 years or more of age.
3. I am a member of the Anglican Church of Australia and do not belong to any religious body which is not in communion with the Anglican Church of Australia.
4. I have habitually attended public worship in such parish during the three months immediately prior to my enrolment as an elector.
5. I have not already voted at this election or at any other similar election this year in any other parish.

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## Synod Act 1972

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### NOTES

<sup>1</sup>The **Synod Act 1972** was assented to on 6 November 1972 and came into operation on the dissolution of the (then) present Synod.

<sup>2</sup>This reprint incorporates the amendments made to the **Synod Act 1972** by the following Acts:

<i>Name</i>	<i>No.</i>	<i>Date of Assent</i>	<i>Date of Commencement</i>
<i>Synod (Amendment) Act 1980</i>	3/1980	9 October 1980	9 October 1980
<i>Synod (Lay Representatives) Act 1986</i>	5/1986	3 October 1986	3 October 1986
<i>Parishes Act 1987</i>	2/1987	16 October 1987	1 October 1988
<i>Synod (Correction of Name of Church) Act 1991</i>	7/1991	30 May 1991	30 May 1991
<i>Synod (Amendment) Act 1993</i>	9/1993	15 October 1993	18 November 1993
<i>Regions of the Diocese and other Acts (Amendment) Act 1999</i>	7/1999	18 October 1999	18 October 1999
<i>Synod (Amendment) Act 2000</i>	4/2000	23 October 2000	Section 3 on 1 May 2003. Remainder on 23 October 2000
<i>Authorised Anglican Congregations Act 2004</i>	1/2004	2 September 2004	2 September 2004
<i>Synod (Deputy Chancellor) Act 2008</i>	1/2008	10 October 2008	10 October 2008

<sup>3</sup>Sub-section (2) came into operation on 1 May 2003.

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## Synod Act 1972 - Regulations

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### REGULATIONS

<sup>4</sup>The Synod (Elections by Regional Conferences) Regulations were made by the Archbishop in Council on 20 April 1995:

#### SYNOD (ELECTIONS BY REGIONAL CONFERENCES) REGULATIONS ACT 1995

##### *Title*

1. These Regulations may be cited as the Synod (Elections by Regional Conferences) Regulations 1995.

##### *Commencement*

2. These Regulations come into operation on 1st May 1995.

##### *Definitions*

3. In these Regulations:  
“region” means a region of episcopal care of the Diocese;  
“Regional Bishop” means an assistance Bishop of the Diocese responsible for a region.

##### *Allotted number of lay representatives*

4. After the issue of the Archbishop’s mandate for a general election, the Archbishop:
  - (a) shall notify each Regional Bishop of a number of lay representatives and alternate lay representatives that may be elected by the Regional Conference under section 5B of the Synod Act 1972, and
  - (b) shall specify the close date for nominations, being a date not less than 6 weeks after the date of the mandate.

##### *Regional Bishop to invite nominations*

5. Each Regional Bishop, after receiving the notice from the Archbishop, shall give notice in writing to each clerk in charge of a parish in the region inviting nominations of lay persons for election by the Regional Conference as lay representatives or alternate lay representatives.

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*Eligibility*

6. A lay person is eligible for nomination for election by a Regional Conference if:
- (a) he or she has been baptised and is of or over the age of 18; and
  - (b) he or she is a member of the Anglican Church of Australia and does not belong to any religious body which is not in communion with that church; and
  - (c) his or her name is on the electoral roll of a church in a parish in the region; and
  - (d) he or she is not a lay representative or alternate lay representative of Synod.

*Nominations*

7. (1) Five persons of each whom is on the electoral roll of a parish in the region may nominate a person eligible for nomination for election by the Regional Conference.
- (2) A nomination:
- (a) must state the full name and address of the nominee;
  - (b) must state the name of the church on the electoral roll on which the nominee's and nominator's names are entered;
  - (c) must be signed by the nominee and the nominators;
  - (d) may be accompanied by a statement by the nominee in no more than 50 words of the nominee's principal interests and commitments;
  - (e) must be given to the Regional Bishop before the closing date for nominations specified in the Archbishop's notice under section 4.

*Elections by Regional Conference by postal ballot*

8. The Regional Bishop shall cause to be posted to each lay member of the Regional Conference who is also a lay representative of Synod:
- (a) a voting paper to the effect of the form set out in Schedule A to the Regulation of Elections Act 1980 listing the lay persons who have been nominated in accordance with these Regulations for the relevant number of positions of lay representatives and alternate lay representatives that may be elected by the Regional Conference; and

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- (b) copies of the information statements; and
- (c) an envelope for return of the ballot paper addressed to the Regional Bishop; and
- (d) a notice specifying the latest date for receipt of ballot papers by the Regional Bishop, being a date at least 14 days after the date of posting of the voting papers by the Regional Bishop.

*Application of Regulation of Elections Act 1980*

9. Except as otherwise provided in this Act, the provisions of the Regulations of Elections Act 1980, except sections 29 (vacancies filled by Archbishop in Council) and 30 (continuance in office until election of successors) and of regulations under that Act apply, with any necessary modifications, to a postal ballot, voting, determining the results of the poll and casual vacancies under section 5B of the Synod Act 1972 and these Regulations.

*Not more than 3 persons whose names are on the same electoral roll to be elected.*

10. If, in accordance with the regulations under the Regulations of Elections Act 1980, 3 persons whose names are on the same electoral roll have been elected in the same election, the name of any other candidate in the election whose name is also on the same electoral roll is deemed to have withdrawn from the election at the time of the election of the last of the 3 to be elected.