

No.2 of 1985

Serial No. 122

Reprinted as at 1 February 2016 incorporating amendments up to No. 7/2015

## **ASSISTANT BISHOPS ACT 1985**

### TABLE OF PROVISIONS

#### *Section*

1. Short title
2. Repeal
3. Creation of six offices
4. Appointment subject to resolution of Council
5. Stipend &
6. Appointment and title
- 6A Regional bishops and the responsibilities of regional bishops
7. Duties
- 7A. Confirmation as to canonical fitness
8. \* \* \*
9. Retiring age
10. Voting
11. Application to other Acts

#### NOTES

Reprinted as at 1 February 2016 incorporating amendments up to No. 7/2015



AN ACT  
to repeal and re-enact the Coadjutor Bishop Act 1961-67

*Short title*

1. This Act may be cited as the **Assistant Bishops Act 1985**

*Repeal*

2. The Coadjutor Bishop Act 1961-1967 is hereby repealed provided that Coadjutor Bishops holding office under that Act immediately prior to the commencement of this Act shall be deemed to be Assistant Bishops holding office under this Act.

*Creation of six offices*

s. 3 amended by s. 4 of No. 3/2007

3. The offices of six Assistant Bishops of the Diocese of Melbourne are hereby created.

*Appointment subject to resolution of Council*

4. When any of the said offices be vacant an appointment thereto may be made in accordance with section 6 only if the Archbishop in Council shall so resolve.

*Stipend &*

5. The stipend emoluments and allowances of Assistant Bishops may differ but shall in each case be as follows:
  - (a) a stipend of such amount as the Archbishop in Council shall from time to time determine;
  - (b) the provision under arrangements approved by the Archbishop in Council of a suitable residence free of any charge in respect of rent rates and taxes thereon the maintenance of the same in good repair and the insurance thereof;
  - (c) an allowance of such amount as the Archbishop in Council shall by resolution determine as being necessary or expedient to be expended for travelling and other expenses incidental to the office of the Assistant Bishop.

*Appointment and title*

6. Each Assistant Bishop shall be appointed by the Archbishop with the concurrence of the Council of the Diocese and during the period of his office shall bear such title as the Archbishop may determine.

*Regional bishops and the responsibilities of regional bishops*

s.6A inserted by No. 7/2015

- 6A. Where an Act provides that a function may be performed or anything may be done by a regional bishop, the Archbishop may determine that the function is to be performed or the thing is to be done by an Assistant Bishop determined by the Archbishop.

*Duties*

7. An Assistant Bishop may hold such other offices as the Archbishop in Council from time to time approves but shall perform such Diocesan duties and exercise such Episcopal authority in the Diocese as the Archbishop may from time to time require.

*Confirmation as to canonical fitness*

s. 7A inserted by s. 7 of No. 3/2007

- 7A. A priest appointed to the office of an assistant bishop shall not be consecrated unless the priest's appointment has, as to canonical fitness within the meaning of section 74(1) of the Constitution of the Anglican Church of Australia as at the date of commencement of section 7 of the *Assistant Bishops (Further Provisions) Act 2007*, been confirmed in writing by a majority of the diocesan bishops of the Province of Victoria including the Metropolitan who shall have a casting vote.

s. 8 repealed by s. 8 of No. 3/2007

8. \* \* \* \*

*Retiring age*

9. An Assistant Bishop who attains the age of seventy years shall thereupon cease to hold that office.

*Voting*

10. Each Assistant Bishop shall vote in Synod and, for the purpose of enactments of Synod, elsewhere as a member of the Clergy except when presiding as Vicar-General or Commissary for the Archbishop or as Administrator of the Diocese.

*Application to other Acts*

11. Where in any Act the expression "Coadjutor Bishop" or the expression "Assistant Bishop" appears that expression shall be read and construed during any time when more than one Assistant Bishop holds office under this Act as if there were substituted therefor the expression "the Assistant Bishop nominated from time to time for the purposes of this Act by the Archbishop".

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NOTES

<sup>1</sup>The **Assistant Bishops Act 1985** was assented to on 22 March 1985 and came into operation on that date.

<sup>2</sup>This reprint incorporates the amendments made to the **Assistant Bishops Act 1985** by the following Act:

<i>Name</i>	<i>No.</i>	<i>Date of assent</i>	<i>Date of commencement</i>
<i>Assistant Bishops (Further Provisions) Act 2007</i>	3/2007	10 November 2007	Sections 1 to 6 and 9 on 10 November 2007, section 7 on 11 November 2007 and section 8 on 9 March 2007
<i>Regions of the Diocese (Repeal) Act 2015</i>	7/2015	20 October 2015	Section 3 of the <b>Regions of the Diocese (Repeal) Act 2015</b> No. 7/2015 all of which came into operation on 20 October 2015.