

## MISSIONARY DIOCESES CANON 1977

Canon 4, 1977 as amended by  
Canon 10, 1985  
Canon 11, 1995  
Canon 22, 2017

**A canon to provide for the formation and administration of missionary dioceses.**

The General Synod prescribes as follows:

1.<sup>1</sup> In this canon unless the context otherwise requires -

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

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

"**Provisional Missionary Diocese**" means a diocese presently subject to a declaration under section 7C.

"**Standing Committee**" means the Standing Committee of General Synod.

2.<sup>2</sup>

### **Part 1 – Missionary Dioceses<sup>3</sup>**

3. The following provisions shall be deemed incorporated in the constitution of any new missionary diocese unless inconsistent with the initiating canon or the constitution in its schedule but the provisions shall not by reason of this section be deemed incorporated in the constitution of any existing missionary diocese.

- (i) The first bishop shall be elected by a meeting of the members of the House of Bishops.
- (ii) A budget of anticipated receipts and expenditure of the missionary diocese for the ensuing two years shall be prepared by its council and submitted annually to the Standing Committee for approval.
- (iii) An annual statement of income and expenditure and balance sheet shall be forwarded by the diocese to the Standing Committee.
- (iv) The constitution of any new missionary diocese shall not be altered until a resolution approving such alteration has been passed by Standing Committee of General Synod.

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<sup>1</sup> Replaced by Canon 11, 1995, amended by Canon 22, 2017.

<sup>2</sup> Repealed by Canon 11, 1995.

<sup>3</sup> Heading added by Canon 22, 2017

4. (i) Subject to sub-section (viii) hereof whenever the office of bishop of a missionary diocese shall become vacant, a bishop shall be elected in the manner provided in this section.
- (ii)<sup>4</sup> For the purposes of the election there shall be a board of electors comprising:
- (a) The Metropolitan of the province of which the missionary diocese is a part or a diocesan bishop nominated by that Metropolitan or if the missionary diocese is not part of a province the Primate or a diocesan bishop nominated by the Primate.
- (b) Four clergy and four lay members elected by the synod of the missionary diocese or if it has no synod by its diocesan council.
- (iii)<sup>5</sup> Whenever the office of bishop of a missionary diocese shall become vacant or is proposed to be vacated the Primate shall within one month of such vacancy occurring or of receipt by the Primate of the proposal summon the board to meet not earlier than one month nor later than two months after the issuing of the summons at a place nominated by the Primate for the purpose of electing a new bishop of the missionary diocese. At every meeting of the board the member pursuant to paragraph (a) of the previous sub-section shall be the chairman.
- (iv)<sup>6</sup> A meeting of the board shall not proceed to an election unless at least two-thirds of its members including the chairman are present. A person shall not be deemed elected unless he receives the votes of at least two-thirds of the members of the board.
- (v)<sup>7</sup> If no person should obtain such majority the meeting shall be adjourned until such time as the meeting shall determine. The board shall subject to this canon have power to regulate its own proceedings and to decide all matters relating to the election and shall have power to provide that after the first meeting if there be no person elected further consideration to the question may take place through the chairman by correspondence and voting may take place in writing addressed to the chairman.
- (vi)<sup>8</sup>
- (vii) The cost of and incidental to the first meeting of the board in any election shall be borne in equal shares by General Synod and by the missionary diocese concerned.
- (viii) The provisions of this section shall not apply to the Diocese of Carpentaria.

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<sup>4</sup> Sub-section 4(ii) replaced by Canon 10, 1985.

<sup>5</sup> Sub-section 4(iii) amended by Canon 10, 1985.

<sup>6</sup> Sub-section 4(iv) replaced by Canon 10, 1985.

<sup>7</sup> Sub-section 4(v) amended by Canon 10, 1985.

<sup>8</sup> Sub-section repealed by Canon 10, 1985.

5. Each diocese other than missionary dioceses shall contribute to the General Synod office an assessment which assessment is to provide for such of the costs of the remuneration, travelling and the providing of residential accommodation of a bishop of a missionary diocese and any incidental costs of running such diocese as is determined in each case by General Synod on the recommendation of the Standing Committee. The method of payment of the assessment shall be determined by General Synod.
- 6.<sup>9</sup> A missionary diocese is not required to pay the fixed assessments of General Synod unless General Synod otherwise determines by Rule.
- 7.<sup>10</sup> Where a Missionary Diocese has a synod such diocese may apply to General Synod to terminate its status as a Missionary Diocese. General Synod may on such application or on the recommendation of Standing Committee by resolution or by canon terminate the status of a diocese as a Missionary Diocese.

### **Part 2 – Provisional Missionary Dioceses<sup>11</sup>**

- 7A. (a) A diocese may apply to the Standing Committee to be declared a Provisional Missionary Diocese.
- (b) Subject to paragraph (c), an application must be made by resolution of the Synod of the diocese and with the consent of -
  - (i) the Metropolitan of the Province; and
  - (ii) a majority of the diocesan councils of the Province (of which the diocesan council of the applicant diocese is to be counted as a consent in favour).
- (c) If –
  - (i) the diocesan council considers that the application is urgent; and
  - (ii) the Synod of that diocese is not due to meet for at least two months from the date of the application -
 the application may be made by resolution of the diocesan council instead of by the Synod of the diocese.
- 7B. The application must set out the reasons for the diocese seeking to be declared to be a Provisional Missionary Diocese, and must:
  - (a) provide financial statements for the past three years;
  - (b) provide a financial plan for the future of the diocese;
  - (c) provide for appropriate episcopal oversight of the diocese;
  - (d) provide for appropriate synodical governance of the diocese;
  - (e) provide for compliance with the minimum legal and regulatory framework necessary for the diocese to function;

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<sup>9</sup> Amended by Canon 11, 1995.

<sup>10</sup> Replaced by Canon 11, 1995.

<sup>11</sup> Part 2 – 7A, 7B, 7C, 7D, 7E, 7F added by Canon 22, 2017

- (f) give consideration to the structures necessary to support the diocese in the future.
- 7C. (1) If the Standing Committee is satisfied that an application complies with the sections 7A and 7B, it may –
- (a) declare a diocese to be a Provisional Missionary Diocese;
  - (b) by a majority of two-thirds of the members of the Standing Committee declare that the Provisional Missionary Diocese is not required to pay the fixed assessments of General Synod;
  - (c) by a majority of three-quarters of the members of the Standing Committee, such majority to include all Metropolitans, declare that all other dioceses (other than missionary or provisional missionary dioceses) must pay the amount for the support of the Provisional Missionary Diocese that is determined by resolution of Standing Committee; and
  - (d) require the diocese to provide such information as the Standing Committee may require from time to time, including detailed financial reports.
- (2) A declaration under sub-section (1) is valid for no more than three years, or for the period not exceeding three years determined by the Standing Committee at the time it is made.
- (3) The Standing Committee may extend the validity of a declaration for one or more further periods of no more than three years at the request of the Synod of the diocese made by resolution.
- 7D. In determining and amount for the purposes of section 7C(1)(c), Standing Committee must take into account:
- (a) the costs of the bishop of the diocese, including remuneration, travel and accommodation; and
  - (b) other costs of running the diocese which seem relevant to Standing Committee.
- 7E. Sections 3 to 7 of this canon do not apply to a Provisional Missionary Diocese.
- 7F. A Provisional Missionary Diocese is a diocese for the purposes of the Constitution, remains subject to the Constitution and must at all times comply with the Constitution.

### **Part 3 – Miscellaneous<sup>12</sup>**

8. Section 8 of the Diocese of the Northern Territory Diocesan Council Canon 1966 is repealed.
9. This canon may be cited as the "Missionary Dioceses Canon 1977."

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<sup>12</sup> Heading added by Canon 22, 2017