

XV. RULES UNDER SECTION 32 OF THE CONSTITUTION

- 1.¹ Subject to this rule, the Standing Committee shall estimate, in respect of each calendar year, the amounts of the costs, charges and expenses expected to be incurred in that year in, or in connection with, matters referred to in paragraphs (a), (b1), (c), (e) and (f) of sub-section 32(2) of the Constitution.
- 2.² The estimate made by the Standing Committee under rule 1 in respect of a calendar year next following an ordinary session of synod shall not exceed in the aggregate the estimate of the costs, charges and expenses for that year in, or in connection with, those matters approved by the Synod at that session of Synod.
- 3.³ The Standing Committee shall estimate the amounts of the costs, charges and expenses expected to be incurred in, or in connection with, the holding of each ordinary session of Synod and the conduct of its business.
- 3A.⁴ The aggregate of the amounts estimated in accordance with rule 1 in respect of a calendar year shall be increased by:
- (a) the aggregate of the amounts estimated in accordance with rule 3; or
 - (b) a proportion, determined by the Standing Committee, of the aggregate of the amounts estimated in accordance with rule 3;
- as the Standing Committee determines in respect of that year.
- 3B.⁵ The Standing Committee may, from time to time, revise the estimate made in accordance with rule 3 and, if it does so, may revise the determination made by it under rule 3A in respect of a calendar year other than a calendar year in respect of which levies have already been made on the dioceses under rule 15.
- 3C.⁶ (1) Where:
- (i) the aggregate of the costs, charges and expenses incurred in a calendar year in, or in connection with, matters referred to in paragraphs (a), (b1), (c), (e) and (f) of sub-section 32(2) of the Constitution (excluding expenses to which rule 12 relates) exceeds the estimate of the aggregate of those costs, charges and expenses in respect of that year; or

¹ Substituted by Rule 2, 1989.

² Substituted by Rule 2, 1989.

³ Substituted by Rule 2, 1989.

⁴ Added by Rule 2, 1989.

⁵ Added by Rule 2, 1989.

⁶ Added by Rule 2, 1989.

- (ii) the aggregate of costs, charges and expenses incurred in, or in connection with, the holding of an ordinary session of synod exceed the estimate, or revised estimate, as the case may be, of the aggregate of those costs, charges and expenses;

the Standing Committee may determine that the aggregate of the amounts estimated in accordance with rule 1 in respect of a calendar year be increased, or further increased, by:

- (a) the amount of the excess; or
 - (b) a proportion, determined by the Standing Committee, of the amount of the excess.
- (2) In respect of a calendar year next following an ordinary session of synod, if, but only if, the aggregate of the estimate of costs, charges and expenses for that year approved by synod at that session of synod in or in connection with, matters referred to in paragraphs (a), (b1), (c) and (e) of subsection 32(2) of the Constitution exceeds the aggregate of the estimate of the costs, charges and expenses expected to be incurred in that year in, or in connection with, matters so referred to made under rule 1, Standing Committee may determine, under sub-rule (1) of this rule, an increase, not exceeding the amount of that excess, in respect of costs, charges and expenses incurred in another year in, or in connection with, matters so referred to.

3D.7 (1) The aggregate of the amounts, estimated in accordance with rule 1 in respect of a calendar year increased to the extent (if any) provided in rules 3A and 3C, shall be divided by the number of elected and appointed members of Synod who were entitled to attend the ordinary session of the Synod immediately preceding the time when the quotas for the dioceses are to be ascertained (other than the members so entitled to attend as representatives of missionary dioceses).

(2) The quotient so obtained shall be multiplied by the respective numbers of elected and appointed members who were entitled to represent each diocese at that ordinary session of the Synod (other than a missionary diocese) and the amount so obtained in respect of a diocese is the quota for the diocese in respect of that calendar year.

4. Within sixty days after the close of any session of the Synod the registrar or other official of each diocese may forward to the Secretary of the Standing Committee of the Synod a detailed statement of the amount payable on behalf of the members of such dioceses attending the session. The Standing Committee may reject any claims (a) not made within the prescribed period, or (b) not, in its opinion, provided for under these rules.

5. When the Standing Committee shall have received all the quotas hereinbefore mentioned it shall forward to the registrar or other official of each diocese the sum approved on behalf of the members of each diocese including the missionary dioceses, and his receipt shall be a sufficient discharge of the obligations of the Standing Committee. The Standing Committee shall not consider nor be responsible for any claims by individual members of the Synod.

Interpretations

6. In these Rules:

"**Cost of fares**" means the actual sum paid by any member of Synod, for the purpose of attending a session of the Synod, in the purchase of tickets permitting him to travel by air, rail, boat or coach between his accustomed abode and the city in which session of the Synod is held and shall include the expenses of transport for such purpose incurred by a member who travels by any other means not exceeding an amount a sum approved by the Standing Committee and being not greater than that which might have been incurred in travel by air, rail, boat or coach.

"**Members attending the Session**" means a member of the Synod who has attended upon not less than half the days during which the Session has been held unless his absence be due to urgent causes approved by the Standing Committee.

- 6A.⁸ For the purposes of these Rules:

- (a) the number of elected and appointed members of the Synod entitled to attend a session of the Synod; and
- (b) the number of elected and appointed members of the Synod entitled to represent a diocese at a session of the Synod;

must be ascertained according to the certificates referred to in subsection 17(7) of the Constitution that had been received by the Primate before the commencement of that session.

7. The Registry of the Primate shall be located at Sydney or at such other see City as the Primate with the concurrence of the Standing Committee, shall from time to time determine, and the Standing Committee is hereby empowered to make all necessary and suitable arrangements for the maintenance of the said Registry.⁹
8. The Standing Committee is hereby authorised to pay to the Primate such travelling expenses as may be reasonably incurred by him in the performance of his duties as Primate.

9.¹⁰

⁸ Added by Rule 4, 1992.

⁹ Amended by Rule III, 1966.

¹⁰ Repealed by Rule 2, 1989.

- 10.¹¹ The Standing Committee is hereby authorised to estimate the costs and expenses of sittings of the Appellate Tribunal and in relation to such costs and expenses as are attributable to sittings for the purpose of determining any appeal question or matter made or referred to it and not otherwise provided for under canon of Synod or by direction of the Appellate Tribunal and recovered thereunder to apportion the same in the manner provided in Rule 3D.
- 11.¹² The Standing Committee is hereby authorised to estimate the costs and expenses of any sitting of the Special Tribunal in so far as they may not be provided for under canon of Synod or by direction of the said Tribunal and recovered thereunder and to apportion the same in the manner provided by Rule 3D.
12. All expenses incurred by the Corporate Trustees shall be met by those synods, churches, societies, councils, boards, agencies or authorities in the management of whose property or for whose benefit the expenses have been incurred.
- 13.¹³ (1) Where a special session of synod is required to be convened, the Standing Committee shall estimate the amounts of the costs, charges and expenses expected to be incurred in, or in connection with, the holding of that session and the conduct of its business.
- (2) The Standing Committee shall apportion among the dioceses the aggregate of the amounts estimated under sub-rule (1) in the manner provided in rule 3D.
- (3) Where:
- (a) the Standing Committee is of the opinion that the aggregate of the amounts of the costs charges and expenses expected to be incurred in, or in connection with, the holding of a special session of Synod exceeds the aggregate of the amounts levied in respect of that session; or
- (b) the aggregate of the amounts of the costs, charges and expenses of, or in connection with, a special session of synod exceeds the aggregate of the amounts levied in respect of that session;
- the Standing Committee shall apportion the amount of the excess in the manner provided in rule 3D.
- (4) The Standing Committee may determine that a quota for a diocese determined under sub-rule (2) or (3) be payable as a single quota for the purposes of this rule or in proportions determined by Standing Committee over two or more years.

¹¹ Amended by Rule 2, 1989.

¹² Amended by Rule 2, 1989.

¹³ Added by Rule 2, 1989.

- (5) Where Standing Committee determines that a quota be payable over two or more calendar years, the part payable in a year shall be treated as a quota in respect of that year for the purposes of this rule and the first-mentioned quota shall be disregarded.
- 14.¹⁴ The Standing Committee may, from time to time, revise an estimate made under rule 10 or 11 and, if it increases the amount of the estimate, it shall apportion the amount of the increase in the manner provided in rule 3D.
- 15.¹⁵ Where:
- (a) A quota for a diocese (not being a missionary diocese) is ascertained in accordance with rule 3D in relation to the estimate, or an increased estimate, made under rule 1 in respect of a calendar year;
- (b) a quota for a diocese (not being a missionary diocese) is ascertained in accordance with rule 3D in respect of an estimate, or an increased estimate, made under rule 10 or 11; or
- (c) a quota for a diocese (not being a missionary diocese) is ascertained in accordance with rule 13 in respect of a special session of Synod;
- a levy, equal to the amount of the quota, shall be taken to have been imposed on, and is payable by, the diocese concerned.
- 16.¹⁶ Where a quota for a diocese is ascertained in accordance with rule 13 in respect of a calendar year, the levy in respect of that quota imposed by rule 15 is imposed in respect of that calendar year.
- 17.¹⁷ Where the aggregate of the amounts levied in respect of costs and expenses referred to in rule 10, 11 or 13 exceeds the amount of the costs and expenses concerned, the Standing Committee may apportion the excess among the dioceses (other than missionary dioceses) in the same proportions as the levies were imposed on those dioceses and apply the amount so apportioned to a diocese to any levies due and payable by that diocese.
18. The amendments of Rule XV made by rules 1 to 5 of these rules apply to and in relation to the calendar year immediately following the calendar year in which these rules are made and in relation to each subsequent calendar year.¹⁸

¹⁴ Added by Rule 2, 1989.

¹⁵ Added by Rule 2, 1989.

¹⁶ Added by Rule 2, 1989.

¹⁷ Added by Rule 2, 1989.

¹⁸ Rules 1 to 5 of amending Rule 2, 1989, refer to rules 1 to 3D inclusive, 9 to 11 inclusive, and 13 to 17 inclusive of the consolidated Rule XV above.

- 19.¹⁹ As soon as possible after the passing by General Synod of a canon to which, in the opinion of the General Secretary, section 32(3) of the Constitution may apply, the General Secretary shall send to the bishop, the registrar or diocesan secretary of each diocese a copy of the canon together with a form of certificate relating to the canon in accordance with the form contained in the Schedule.
20. As soon as possible after the passing by a diocesan synod of an ordinance assenting to a canon referred to in section 19 the bishop, the registrar or diocesan secretary of the diocese shall complete and return to the General Secretary the certificate referred to in section 19.
21. The General Secretary shall record in a Register of Canons of General Synod any notification by the bishop or the registrar or diocesan secretary of a diocese of the passing by the synod of such diocese of an ordinance assenting to a canon referred to in section 19.
22. Where a canon to which section 19 applies is also a canon to which section 30(a) or (b) of the Constitution applies or may apply the General Secretary may adapt the form of the certificate in the Schedule to refer to both the adoption of and assent to the canon by the synod of a diocese.
- 23.²⁰ The Standing Committee shall, in the first instance, discharge the financial obligations of the Episcopal Standards Commission incurred in accordance with any directions or protocol adopted by the Standing Committee.
- 24.²¹ As soon as practicable after advice to the General Secretary that, in accordance with any directions or protocol, the Episcopal Standards Commission has incurred or is likely to incur a financial obligation, the General Secretary shall inform the members of the Executive of Standing Committee of such advice together with the name of the diocese or dioceses that appear to be involved.
- 25.²² The Executive shall arrange for consultations with the diocesan council (without its bishop) of such diocese or dioceses as to the equitable sharing of the money necessary to discharge the costs incurred and to be incurred by the Episcopal Standards Commission with respect to the investigation in which it incurred or is likely to incur the aforesaid financial obligations.
- 26.²³ The Executive shall make a report to the Standing Committee.
- 27.²⁴ The Standing Committee shall determine the proportion of the costs referred to in sub-rule 25 that ought to be borne by particular dioceses involved which determination shall constitute an assessment on any such diocese.

¹⁹ Rules 19-22 added by Rule 6, 1995.

²⁰ Paragraph 23 added by Rule 6, 2010.

²¹ Paragraph 24 added by Rule 6, 2010.

²² Paragraph 25 added by Rule 6, 2010.

²³ Paragraph 26 added by Rule 6, 2010.

²⁴ Paragraph 27 added by Rule 6, 2010.

- 28.²⁵ The Standing Committee shall include in its reporting to the next following ordinary session of General Synod provision for meeting such costs in part by such dioceses and in part pursuant to section 32(2)(b1) of the Constitution.
- 29.²⁶ The Standing Committee shall also include in such financial reporting the best estimate of the anticipated costs of the Episcopal Standards Commission for the following triennium.
- 30.²⁷ A bishop who has incurred expense in or about the bringing of a charge against a bishop to the Special Tribunal may request the Standing Committee to treat those expenses in the same way as expenses claimed by the Episcopal Standards Commission and the Standing Committee may accede to that request and act accordingly.
- 31.²⁸ Notwithstanding anything in sub-rules 10 or 11, the costs of sittings of the Special Tribunal and the Appellate Tribunal may be apportioned in accordance with sub-rule 27.
- 32.²⁹ Sub-rules 23 and following shall also apply in respect of actions taken prior to the enactment of the Amendment to this Rule by the General Synod of 2010.
- 33.³⁰ Sub-rules 23-33 shall expire on the commencement of the 16th General Synod.

THE SCHEDULE

Certificate of assent to a canon to which section 32(3) of the Constitution applies.

[Short Title and Number of Canon]

To: The General Secretary

General Synod

I CERTIFY that on the _____ day of _____ the synod of this diocese assented by Ordinance to the above Canon.

Signed:

Bishop/Registrar/Diocesan Secretary

Diocese:

Date:

²⁵ Paragraph 28 added by Rule 6, 2010.
²⁶ Paragraph 29 added by Rule 6, 2010.
²⁷ Paragraph 30 added by Rule 6, 2010.
²⁸ Paragraph 31 added by Rule 6, 2010.
²⁹ Paragraph 32 added by Rule 6, 2010.
³⁰ Paragraph 33 added by Rule 6, 2010.