



PERTH SYNOD STATUTES ACCEPTANCE STATUTE 1961

The Perth Synod Statutes Acceptance Statute 1961, as amended by the Perth Synod Statutes Acceptance Statute Amendment Statute 1986.

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LONG TITLE

A Statute to provide for the acceptance of certain Statutes of the Synod of the Diocese of Perth.

PREAMBLE

WHEREAS it is desirable that the Diocese of North West Australia shall accept the New Diocese Statute 1907-1928 of the Diocese of Perth except as hereinafter mentioned.

The Synod of the Diocese of North West Australia resolves as follows.

Chapter 1 – Preliminary

NAME

This is the *Perth Synod Statutes Acceptance Statute 1961*.

Chapter 2 – Scope of the Statute

1. Subject as hereinafter mentioned the Statutes of the Diocese of Perth as set out in the Schedule hereto which were in force in the Diocese of Perth at the time of the enthronement of the first Bishop of the Northern Diocese now known as the Diocese of North West Australia shall be deemed to have been from the time aforesaid and are binding upon the Bishop, Clergy and Laity of the Diocese of North West Australia *mutatis mutandis* so far as the same may be applicable to or be capable of being carried out until the same shall be revoked or altered by any Synod of the Diocese of North West Australia.
2. Section 5 of *Northern Diocese Statute 1907-1928* is repealed.

3. Section 11 of the *Northern Diocese Statute 1907* is amended by striking out the words “Provided however that this Statute shall not be revoked or altered by the Synod of the said Diocese without the consent of the Synod of the Diocese of Perth nor by the Synod of the Diocese of Perth without the consent of the Synod and said Diocese”.
4. All other Statutes and all Statutory Resolutions and Regulations of the Diocese of Perth which were in force at the time aforesaid shall not from the passing of this Statute be deemed to have been and are not binding on this Synod and are repealed.

Chapter 3 – Regulations & Related Legislation

REGULATIONS

Regulation making power

The Diocesan Council may from time to time make, amend or repeal regulations (e.g. policies and procedures) not inconsistent with the provisions of this Statute providing for records arising out of or incidental to the operation of this Statute and for all or any of the purposes, whether general or to meet particular cases, which may be convenient for the administration of this Statute or which may be necessary or expedient to carry out the overriding purposes of this Statute.

Chapter 4 – General

RESPONSIBILITIES

Review

The Diocesan Council will review the operation of this Statute on or before six years after its commencement.

Records management

The Registry maintains all records relevant to administering this Statute using its recordkeeping system.

CERTIFICATIONS

I Certify that the Statute as printed is in accordance with the Statute as reported.

P GRICE
Chair of Committees

I Certify that this Statute was passed by the Synod of the Diocese of North West Australia on 04/12/1961

K HARRIS
Registrar

Northern Diocese Statute, 1907.

PREAMBLE.

Whereas it is desirable that the Diocese of Perth shall be subdivided, and that so much of the above-mentioned Diocese as is described in Schedule A be severed therefrom as hereinafter provided and constituted a separate Diocese.

Be it resolved by the Bishop, Clergy and Laity of the Diocese of Perth in Synod assembled :—

FORMATION AND BOUNDARIES OF NEW DIOCESE.
HOW NEW DIOCESE DESIGNATED.

1. The portion of the State of Western Australia comprised within the boundaries as defined in Schedule A of this Statute shall become a separate Diocese upon the enthronement of a Bishop for such portion. And such new Diocese hereinafter called the said Diocese shall be designated as printed in such schedule.

SEE OF NEW DIOCESE.

2. The See of the Bishop of the said Diocese shall be at such place as the Bishop shall from time to time appoint.

MAP OF THE NEW DIOCESE.

3. The boundaries of the said Diocese as defined in Schedule A shall be shown on a map or plan of which one copy shall be lodged with the Bishop of Perth, and a duplicate thereof with the Bishop of the said Diocese, and each copy shall, when certified under the hand of the Bishop of Perth, be conclusive evidence of the boundaries of the said Diocese.

4. The appointment of the first Bishop shall be made by the Bishop of Perth for the time being, provided that if any vacancy should occur in the office of Bishop before the said Diocese shall have a Synod, then the appointment of a Bishop shall, as before, be made by the Bishop of Perth for the time being.

5. The Diocese shall be organised with a Synod so soon as there shall be at least eight Clergymen licensed by the Bishop resident within the Diocese.

6. The lands set out in Schedule B and all other property belonging to the Church of England within the said Diocese shall be held by the Trustees of the Diocese of Perth in trust for the said Diocese until such time as Diocesan Trustees for the said Diocese shall have been elected and incorporated.

7. Eight per cent. of the capital of the General Sustentation Fund of the Diocese of Perth which was in existence at the time of the passing of the Statute forming the Diocese of Bunbury, shall be invested by the Diocesan Trustees in trust for the said Diocese and shall be held by them until Trustees for the said Diocese shall have been elected and incorporated, and shall then be transferred to the new Trustees.

POWERS, ETC., OF BISHOP OF NEW DIOCESE.

8. When a Bishop of the said Diocese shall have been enthroned he shall have and may exercise within the limits of his Diocese all the powers, rights and authorities which a Bishop of the Church of England in Western Australia may lawfully exercise or to which he may be entitled, and shall be for all purposes the successor of the Bishop of Perth in the said Diocese.

9. Until a Synod is formed the government of the Diocese shall be in the hands of the Bishop thereof.

10. The first Synod of the new Diocese shall consist of the Bishop thereof, together with such Clergymen as are licensed by the Bishop and two Laymen elected by the Parishes or Mission Districts in which each Clergyman resides, and such Synod shall have and exercise in the said Diocese all authority, rights and privileges which appertain to the Synod of the Diocese of Perth. The place and time of meeting of such Synod shall be fixed by the Bishop of the said Diocese or in case of his death or inability to act by the Bishop of Perth, or if he is unable to act, by the Primate or a deputy appointed by him, and the said Bishop or Bishop of Perth or Primate or his Deputy, as the case may be, shall preside at all meetings of such first Synod.

ACTS OF THE SYNOD TO BE BINDING UNTIL ALTERED BY SYNOD OF NEW DIOCESE.

11. All Statutes, Statutory Resolutions and Regulations of the Synod of Perth which shall be in force in the Diocese of Perth at the time of the enthronement of the first Bishop of the said Diocese shall be binding upon the Bishop, Clergy and Laity of the said Diocese so far as the same may be applicable to, or be capable of being carried out until the same shall be revoked or altered by any Synod convened by the Bishop thereof. Provided, however, that this Statute shall not be revoked or altered by the Synod of the said Diocese without the consent of the Synod of the Diocese of Perth, nor by the Synod of the Diocese of Perth without the consent of the Synod of the said Diocese.

CONSTITUTION OF PROVISIONAL COUNCIL.

12. Until the formation of an Ecclesiastical Province in Western Australia a Provisional Council shall be established, consisting

of the Bishop and four Clerical and four Lay representatives of the Dioceses of Perth and Bunbury and the Northern Diocese, to be elected annually by the Synods thereof. The Bishop of Perth, or in his absence or incapacity to act, the Bishop of Bunbury or the Bishop of the said Diocese shall summon such Council to meet once in every year, and shall preside at such meeting, and such Council shall have power to consider matters concerning the ordering and good government of the Church of England in Western Australia, and to make recommendations thereon to each Diocesan Synod, and to do all such other things as the Synods of the several Dioceses may from time to time determine.

RESERVATION OF RIGHTS OF CLERGY PASSING TO
NEW DIOCESE IN CLERGY WIDOWS' AND ORPHANS'
FUND.

13. Any Clergyman who is a beneficiary under the Clergy Widows' and Orphans's Fund of the Diocese of Perth formed under the provisions of the Statute of the Synod of Perth made on the 10th of October, A.D. 1898, and whose premium or premiums shall have been duly paid may continue to be beneficiary under the said fund and may participate in the benefits thereof, although he be no longer a resident in the Diocese of Perth.

14. So soon as three Dioceses shall have been formed in Western Australia then the Synod of each Diocese shall submit proposals to the Primate for the formation of an Ecclesiastical province of which the Bishop of Perth for the same time being shall be Metropolitan.

15. It shall be lawful for the Diocesan Trustees of the Diocese of Perth out of monies paid to them under the will of the late Walter Padbury, to apply a sum at their discretion, not exceeding £3,000 for the endowment of the See of the proposed new Diocese.

16. It shall be the duty of the Bishop of Perth to carry this Statute into execution, and the Bishop of Perth is hereby authorised and enjoined, where provision is not otherwise made to take all such steps as he may consider requisite to give effect to the directions of this Statute.

17. If the power of appointment provided in Clause 4 be not exercised before January 1st., 1910, this Statute shall cease and determine.

18. This Statute may be cited as the "Northern Diocesan Statute, 1907."

SCHEDULE A.

BOUNDARIES OF THE NORTHERN DIOCESE.

The Northern Diocese shall include all that part of the State to the North of the Magisterial Districts of Northampton, Murchison, and East Murchison, as at present existing.

SCHEDULE B.

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| BROOME— | Town Lot 148 |
| BAMBOO— | Town Lots 37 and 38. |
| COSSACK— | Town Lots 156, 160 and 424. |
| CARNARVON— | Town Lots 178 and portion of 179; 236 and 237. Suburban Lots 1, 2, 3 and 15 |
| DERBY— | Town Lots 19, 20 and 21. |
| MARBLE BAR— | Town Lots 30 and 31 |
| ONSLOW— | Town Lots 44 and 50. |
| PORT HEDLAND— | Town Lots 37 and 38. |
| ROEBOURNE— | Town Lots 152, 153, 154, 155, 156, and 382. Suburban lot 16. |
| WYNDHAM— | Town Lots 97, 98, 327, and 328. |