

**CANON CONCERNING HOLY ORDERS 2004 ASSENTING AND ADOPTING
ORDINANCE 2005**

ORDINANCE NO 2 OF 2005

AN ORDINANCE

To assent to and adopt the *Canon Concerning Holy Orders 2004* being a General Synod Canon.

PREAMBLE

WHEREAS it is desirable that the *Canon Concerning Holy Orders 2004* of the General Synod of the Anglican Church of Australia should be assented to and adopted by the Diocese of Grafton

THEREFORE the Bishop, Clergy and Laity of the Diocese of Grafton in Synod assembled decree and enact as follows:

SHORT TITLE

1. This Ordinance may be cited as the *Canon Concerning Holy Orders 2004 Adopting and Assenting Ordinance 2005.*”

ASSENT

2. The *Canon Concerning Holy Orders 2004* as set out in the Schedule hereto is hereby assented to and adopted.

DATE OF COMMENCEMENT

3. The *Canon Concerning Holy Orders 2004* shall come into force in the Diocese of Grafton on the date the Primate declares the *Canon Concerning Holy Orders 2004* to be in force.

SCHEDULE

“CANON CONCERNING HOLY ORDERS, 2004

PROVISIONAL CANON No. P2, 2004

The General Synod prescribes as follows:

Short title

1 This Canon may be cited as the *Canon Concerning Holy Orders 2004*.

Definitions

- 2 (1) In this Canon—
- "authorising bishop"**, in relation to an ordination, means—
- (a) the bishop of the diocese in which the ordination occurs; or
 - (b) if a bishop ordains a person for the bishop of another diocese, the bishop of that other diocese.
- (2) In this Canon, a reference to a Church in communion with this Church is a reference to a church which by Section 6 of the constitution or by a resolution of General Synod in conformity with the Fundamental Declarations of this Church is in Communion with the Anglican Church of Australia.
- (3) Nothing in this Canon shall make it lawful for a woman to be ordained to the office of priest in a diocese which has not adopted the “*Law of the Church of England Clarification Canon 1992*”

Bishops, priests and deacons

- 3 (1) A person shall not be accounted or taken to be a bishop, priest or deacon in this Church unless, in accordance with this Canon or the law of this Church applying at the relevant time, the person—
- (a) has been consecrated or ordained to that office by bishops, or a bishop, of this Church, or by bishops, or a bishop, of a Church in communion with this Church; or
 - (b) has been received into the ministry of this Church by a bishop of a diocese of this Church in accordance with the *Holy Orders (Reception into Ministry) Canon 2004*.
- (2) A person shall not exercise the ministry of bishop, priest or deacon in this Church unless the person has been elected or appointed to an Episcopal office or is otherwise duly authorised as mentioned in section 14 to minister as a bishop, priest or deacon in this Church.
- (3) A person does not have a right to be ordained deacon or priest or to be consecrated bishop.

Age

- 4 (1) Subject to sub-section (2)–
- (a) a person shall not be ordained deacon unless the person is at least 23 years of age;
 - (b) a person shall not be ordained priest unless the person is at least 24 years of age.
- (2) The Metropolitan of the Province in which the ordination of a deacon occurs or, where the ordination occurs in an extra-provincial diocese, the Primate, may, for reasons which seem to the Metropolitan or the Primate appropriate, dispense with the provisions of sub-section (1)(a).

Deacons

- 5 (1) A person shall not be ordained deacon unless on good and credible evidence the authorising bishop is satisfied that the person–
- (a) has been baptised; and
 - (b) has–
 - (i) been confirmed; or
 - (ii) been received into this Church under the *Reception Canon 1981* or any other law of this Church providing for the reception of persons into this Church; or
 - (iii) been received into a Church in communion with this Church under a law of that Church corresponding to the *Reception Canon 1981* or a law of that Church providing for the reception of persons into that Church; and
 - (c) has a firm conviction of a calling by God to minister in Holy Orders as a deacon; and
 - (d) is of good character, as testified by a person specified by the authorising bishop; and
 - (e) is an active member of this Church or of a Church in communion with this Church and has been for no less than one year; and
 - (f) has completed appropriate training in theological and ministerial formation; and
 - (g) has a sufficient knowledge of Holy Scripture; and
 - (h) has a sufficient knowledge of and accepts the doctrine, discipline and forms of worship of this Church; and
 - (i) has demonstrated the physical and mental capacity to minister.
- (2) A person shall not be ordained deacon unless the authorising bishop is satisfied that the person has been designated to receive an appointment as a deacon in this Church.
- (3) Notwithstanding sub-section (1)(e), a person–
- (a) who has been ordained minister of another Christian Church; and
 - (b) of whom the authorising bishop is satisfied in respect of the other requirements of sub-section (1)–
- may be ordained deacon.

Priests

- 6 (1) A person shall not be ordained priest unless on good and credible evidence the authorising bishop is satisfied that the person—
- (a) is a deacon of this Church; and
 - (b) has ministered satisfactorily as a deacon for not less than 9 months or, for reasons satisfactory to the authorising bishop, for such shorter period as the authorising bishop approves; and
 - (c) has a firm conviction of a calling by God to minister in Holy Orders as a priest; and
 - (d) has completed appropriate training in theology and ministerial formation; and
 - (e) has a sufficient knowledge of Holy Scripture; and
 - (f) has a sufficient knowledge of, and accepts, the doctrine, discipline and forms of worship of this Church; and
 - (g) has demonstrated the physical and mental capacity to minister.
- (2) A person shall not be ordained priest unless the authorising bishop is satisfied that the person has been designated to receive an appointment as a priest in this Church.

Bishops

- 7 A person shall not be consecrated bishop unless on good and credible evidence the Metropolitan of the Province which includes the diocese for or in respect of which the consecration takes place or, in the case of an extra-provincial diocese, the Primate or, in either case, the diocesan bishop nominated by the Primate or the Metropolitan to act in the place of the Primate or the Metropolitan for such consecration pursuant to the *Consecration of Bishops Canon 1966* is satisfied that the person—
- (a) is a priest of this Church; and
 - (b) has attained 30 years of age; and
 - (c) has been duly elected or appointed to an Episcopal office in accordance with the Constitution and any other relevant canon or ordinance.

Ordaining bishop

- 8 Where an ordination under section 5 or 6 is not performed by the bishop of the diocese for which the person is being ordained, the ordaining bishop may act only on the written confirmation of the bishop of that diocese that the requirements of the relevant section have been satisfied.

Diaconate

- 9 Nothing requires that a deacon be at some time ordained priest, the office of deacon being recognised by this Church as a full and distinctive order within the historic ministry of this Church.

Ordinal or other form of service

- 10 A person shall be consecrated bishop or ordained priest or deacon in this Church in accordance with the Ordinal or a form of service authorised by General Synod.

Consecration

- 11 Sections 1 and 2 of the *Consecration of Bishops Canon 1966* as in force immediately before the enactment of this Canon apply to and in respect of the consecration of a bishop.

Day and place of consecration

- 12 The consecration of a bishop shall take place upon some Sunday or Holy Day unless the Metropolitan or, in the case of an extra-provincial diocese, the Primate, for special reasons appoints some other day and shall take place either in the metropolitan church of the Province or in a cathedral church or in another church or in some other place appointed by the Metropolitan or, in the case of an extra-provincial diocese, the Primate.

Place of ordination

- 13 Ordination to the office of priest or deacon shall take place either in the cathedral church of the diocese or in some other place nominated by the bishop.

Authority to minister

- 14 A bishop (not being the bishop of the diocese), a priest and a deacon may minister in that capacity in a diocese only after having received authority to do so from the bishop of the diocese, such authority ordinarily being given by licence under the hand and seal of the bishop or by written permission of the bishop.

Oaths etc and acceptance of codes of practice etc

- 15 (1) A bishop of a diocese, and an assistant bishop or a priest or deacon who has received authority from the bishop of a diocese to minister in that diocese shall take the oaths or affirmations, and make the declaration and assent, and the assent, required under the *Oaths Affirmations Declarations and Assents Canon 1992* as adopted by the diocese or, if that Canon is not adopted by the diocese, such other oaths, affirmations, declarations and assents as are required under the law in force in that diocese.
- (2) A bishop of a diocese, an assistant bishop or, a priest or deacon who has received authority from the bishop of a diocese to minister in that diocese shall declare acceptance of such codes of practice as are from time to time in force in the diocese.

Permission to officiate

- 16 The bishop of a diocese of this Church may permit a bishop, priest or deacon consecrated or ordained in this Church or in a Church with which this Church is in communion, to officiate as a bishop, priest or deacon, as the case may be, in any parish or congregation of this Church within the diocese if the bishop has satisfactory evidence relating to the bishop's consecration or the priest or deacon's ordination and good standing.

Removal of bar to ordination

- 17 A person shall not be refused ordination as deacon or priest or consecration as a bishop on the ground that the person was born out of lawful wedlock.

Enforcement of Canon

- 18 (1) A person must not-
- (a) in undertaking the whole, or any part, of any ordination or consecration (or purported ordination or consecration) in this Church; or

(b) in submitting or offering himself or herself for ordination or consecration in this Church,

knowingly act in contravention of this Canon.

(2) A person who breaches sub-section (1) will be taken to be in wilful violation of this Canon for the purposes of the Offences Canon 1962.

Canons 31 to 37

19. The Canons numbered 31 to 37, inclusive, of the Canons of 1603, insofar as the same may have any force, either in their original form or as amended or as affected by a law of this Church, shall have no operation or effect in a diocese of this Church which adopts this canon.

Coming into force by adoption

20. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.”

I hereby certify that the Ordinance as printed is in accordance with the Ordinance as passed.


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Chairman of Committees

I hereby certify that the Ordinance was passed by Synod on the twenty eighth day of May, 2005


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Registrar

I assent to this Ordinance.


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Bishop