

# Standing Orders

## *of the Provincial Synod of New South Wales*

### **Meeting of Synod**

1. The hours of meetings shall be 10.00 a.m. unless otherwise ordered.

### **Adjournment - if no Quorum**

2. If at the expiration of half an hour from the time fixed for meeting there be not a quorum as prescribed by Section 12 of the Constitution for the Provincial Synod, the President shall adjourn the Synod to the next day of sitting; and if, at the expiration of half an hour from the time fixed for meeting upon that day, there be not a quorum, the President may either adjourn the Synod to the next day of sitting, or may in his discretion adjourn it *sine die*.

### **Prayers**

3. The Synod shall be opened each day with prayers by the President.

### **Secretaries**

4. There shall be one Clerical and one Lay Secretary for the Synod, who shall be elected immediately after the Address of the President shall have been delivered on Motion without notice, on the first day of each session of the Synod, and shall hold office until the election of their successors. In the event of a vacancy occurring in this office when the Synod is not in Session, it may be filled by the Metropolitan.

### **Duties of Secretaries**

5. The Secretaries shall prepare the Business Paper for each day of the Session of the Synod, take Minutes of the proceedings, and prepare and publish the Report thereof. They shall also have charge of the record of all Rules and Regulations and Ordinances passed by the Synod, and of all other documents appertaining to the business of the Synod, which shall be deposited for safe custody in the Registry of the Metropolitan.

### **Representatives elected for two or more seats**

6. Whenever any person has been elected as a Representative for two or more Dioceses, and has not previously made his or her choice, he or she shall, on taking his or her seat, and before taking part in any of the proceedings of the Synod, choose for which of such Dioceses he or she will retain his or her seat, and the President shall declare the other seat or seats to be vacant.

### **Order of Business for the first day of each Session of Synod**

7. (a) After Prayers, and before proceeding to the business of the day, (1) the Roll of Bishops, (2) the Roll of Clerical Representatives summoned to the Synod, and (3) the Roll of Lay Representatives summoned to the Synod shall be called.  
(b) The President shall deliver his address.  
(c) Motions for the election of:  
(1) A Clerical and a Lay Secretary.  
(2) A Chairman and a Deputy Chairman of Committees.  
(3) A Committee of Elections and Qualifications.  
(4) A Committee to arrange the Order of Business.  
(d) The President shall lay upon the table the Minute Book of the Standing Committee.  
(e) Petitions.  
(f) Notices of Questions.  
(g) Notices of Motions.  
(h) Election of a Chairman and other officers of (i) the House of Clergy and (ii) the House of Laity.  
(i) Reports, Accounts, and Motions connected therewith.  
(j) Motions by request of (i) the Standing Committee; (ii) the House of Bishops.  
(k) .....  
(l) Motions which shall have been received by the Standing Committee from Members of the Synod at least one month before the Session of Synod.

**Notices before 7.00 p.m.**

8. Notices of Questions and of Motions given by any Member in writing before 7.00 p.m. on the first day of each Session shall, after that hour, be deemed sufficient within the meaning of the 37th Standing Order in lieu of Notice given on a previous day.

**Order of Business for the second and succeeding days of each Session of the Synod**

9. (a) After Prayers, the Minutes of the previous meeting shall be read and confirmed.
- (b) Questions.
- (c) Petitions.
- (d) Notices of Questions.
- (e) Notices of Motions.
- (f) Reports.
- (g) Orders of the Day.
- (h) Motions according to order arranged by the Committee appointed by Synod for that purpose.

**Formal Motions**

10. Before the Orders of the Day or Motions are proceeded with the President at each sitting shall call the Motions on the Business Paper and any Motion may be taken as a Formal Motion, unless objection be taken thereto by the word "Object" being called by a person other than the mover, and such Motion on being declared formal shall be forthwith put without debate.

**Committee of Elections and Qualifications**

11. (a) The Committee of Elections and Qualifications shall inquire into and report upon all Questions which shall be referred to them by the Synod respecting the validity of any Election or return of any Member, and also respecting the qualification or disqualifications of any person who has been returned as a Member of the Synod; and the Committee may sit if they think fit while the Synod is sitting.
- (b) The Committee when inquiring into the matters referred to them, may receive the best evidence they can procure or which is laid before them, whether it be such as would be admitted in cases at law or not and they may reject any evidence tendered to them which they may see fit to reject.
- (c) The Committee shall report the result of their inquiries to the Synod, and shall report whether they find that the Election or return of the Member whose case has been referred to them is valid, or whether he or she is qualified as the case may be; whereupon it shall be competent to move forthwith, without notice, or on any subsequent day, pursuant to notice, that the report be adopted.
- (d) Upon the Motion for the adoption of the Report it shall be competent to substitute for it by way of amendment such resolution in respect to the matter referred to the Committee as to the Synod shall seem proper; provided that such resolution shall state distinctly that the Election or return of the Member is or is not valid, or that he or she is qualified or disqualified to be such Member as the case may be: and if by such resolution or by the adoption of the Report, it be determined by the Synod that the Member has not been properly elected or returned or that he or she is not qualified to be a Member, he or she shall not thenceforth sit (unless re-elected) as a Member of Synod, and his or her seat shall be declared vacant, but if the contrary be determined he or she may forthwith take his or her seat.
- (e) No Member of the Committee of Elections and Qualifications whose case has been directed to be referred to such Committee, and is still undecided, shall sit thereon until his or her case shall have been finally dealt with by the Synod.

**Select Committees**

12. Every Select Committee shall consist of not less than five nor more than twenty-one Members, and the Notice of Motion appointing such Committee shall state the number of Members it is proposed should serve on such Committee and contain the names of the Members proposed to serve thereon. It shall be in the power of any Member of the Synod to propose the name or names of any other Member or Members to serve on such Committee. If the nominations are not in excess of the number of persons required to be elected the President shall declare the persons nominated to be duly elected, but whenever they are in such excess all the names proposed shall form a select list out of which such Committee shall be elected by ballot, such ballot shall be taken on the next day of sitting between the hours of 4.30 p.m. and 9.00 p.m. or on such other day and at such other time as Synod may appoint.

13. Whenever such a ballot is taken, the persons who shall be reported by the Scrutineers appointed by the President to have the largest number of votes shall be declared by the President to be duly elected. Any voting paper containing more names than the number of vacancies to be filled shall be informal. Provided that if two or more shall have received an equal number of votes, rendering the issue of the election doubtful, the President shall thereupon give a casting vote.

14. Notice of Motion may be given for adding to or substituting Members of any Select Committee which may have been appointed, and such notice shall specify the names of such Members. Notice of Motion may also be given for discharging a Select Committee.
15. In Select Committees, three shall form a quorum.
16. Every Select Committee shall before proceeding to business elect a Chairman, who shall prepare and sign the report of the Committee. The Chairman shall have a deliberative vote only.
17. It shall be the duty of a Member naming a Select Committee or proposing to add or substitute Members thereon, to obtain previously the assent of the Members who he or she proposes to serve on such Committee.
18. Select Committees, unless specially appointed to report to the Synod then sitting, shall have power to sit during the recess and report to the Synod in the following Session or to the Standing Committee between Sessions.
19. Motions for appointment of Select Committees who are to report at the same Session of Synod, shall become Orders of the Day, and take precedence of all other business.
20. The mover of the Motion for the appointment of a Select Committee, if a member thereof, shall fix the time for the first meeting of the Committee; if the mover be not a member the President shall fix the time.

#### **Petitions**

21. Petitions may be in writing or in typescript and must conclude with the prayer of the Petitioners, and be duly signed.
22. Petitions shall not be received which, in the opinion of the President, are disrespectful or couched in offensive language, or which have been altered by erasure or interlineation.
23. A Member presenting a Petition must make himself or herself acquainted with its contents, and affix his or her name at the beginning thereof, and shall state from whom it comes, its material allegations and its prayer, and may require that it be read by one of the Secretaries, and the only Question which shall be entertained by the Synod on its presentation shall be "That the Petition be received".

#### **Questions**

24. (a) After the time for presenting Petitions, questions may be put, upon notice, to the President relating to any motion or matter connected with the business of the Synod or any committee, board or commission of the Synod or any committee, board or commission established by or under an Ordinance or resolution of Synod.
- (b) In putting any such question no statement of fact shall be made without leave of Synod and no argument or opinion shall be offered and no inference or imputation shall be made.
- (c) A reply to a question shall be in writing and shall be recorded in the proceedings of Synod.

#### **Rules of Debate**

25. Every Member shall stand while speaking and address the President.
26. The President may take part in debate without leaving the chair, and may vote on any question.
27. When the President rises in his place all other Members shall be seated, and continue sitting until he resumes his seat.
28. All Questions of Order shall be decided by the President, and such decisions shall be final unless altered by a vote of the Synod forthwith. Any member may speak to a Point of Order.
29. The President shall confine each speaker to the subject matter of debate, and it shall not be in order for a Member to interrupt a speaker except through the President. This Standing Order shall be applied to Motions of Adjournment.
30. (a) The President shall call to order any Member who in his opinion is digressing from the subject matter of the Question under discussion, or who shall make personal reflections on, or impute improper motives to, any Member.
- (b) If any Member shall persist in such irrelevant remarks, or shall, in the judgement of the President, be guilty of disorderly conduct, the President may call upon him or her to make apology, whereupon if he or she refuse, he or she shall withdraw, and the Synod shall take his or her conduct into consideration and may suspend or otherwise deal with him or her as the Synod thinks fit.
31. (a) Any time during the debate any Member may without notice and without debate ask "Whether in the opinion of the President the Question shall now be put?" whereupon, or of his own act, the President may inform the Synod that in his opinion the Question has been sufficiently discussed.
- (b) If after such expression of opinion by the President a Motion be made "That the Question be now put" the Question on such Motion shall then be put without further debate and if such Motion be carried the President shall forthwith put the original Question to the vote.

Provided that, whenever it is decided that any Question shall be put the mover of the original Motion shall have a right of reply.

32. The three Houses, namely the House of Bishops, the House of Clergy and the House of Laity, shall sit together in full Synod and shall deliberate and transact business therein and shall vote together unless a vote by Houses is required by not less than three members of the House of Bishops or by five members of the House of Clergy, or by five members of the House of Laity. In the event of a vote by Houses being required all questions shall be put first to the House of Laity, then to the House of Clergy and finally to the House of Bishops and no question shall be deemed to be resolved in the affirmative by Provincial Synod unless it is so resolved by a vote of the majority of those present in each of the three Houses. A House by a majority of its own members voting may decide to consider separately any matter in debate whereupon further discussion of the matter shall be postponed until there has been an opportunity of separate consideration.

#### **Adjournment of Debate**

33. When an adjournment of a debate shall take place, it may be resolved that at the next sitting the debate thus adjourned shall take precedence of all or any of the Motions and Orders of the Day.

#### **Limitation on Speeches**

- <sup>1</sup> 33A. (1) On a motion that a rule be made or that an ordinance be read a second time, the mover shall not speak for more than 20 minutes. No other speaker shall speak for more than 5 minutes.
- (2) The synod may grant leave to extend the time fixed by this Standing Order by motion without notice.

#### **Right of Reply**

34. Except when in Committee of the whole Synod no Member shall be allowed to speak more than once on the same Question, except in explanation. Provided that the mover of any Motion, other than a Motion for an amendment or a Motion that the Question be now put or the previous Question shall be allowed the right of reply, and after the reply the Question shall be put forthwith.

#### **Motion or Amendment not seconded**

35. Except in Committee, no Motion or Amendment unless seconded shall be further discussed, nor shall any entry thereof be made in the Minutes.

#### **Motions - Formally Seconding**

36. Any Member formally seconding a Motion shall not be thereby considered as having spoken to the Question.

#### **Motions - Pursuant to Notice**

37. Save as specially provided for in Standing Order No. 8 no Member shall bring any subject under consideration of the Synod or ask any Question except in pursuance of a notice given in writing on a previous day.

#### **Motions - Without Notice**

38. A Motion, however, may be made or a Question may be asked without previous notice by leave of the majority of the Members then present.

#### **Motions - Lapsed**

39. Motions shall be taken in the order in which they stand, and if not then made, unless postponed by leave of the Synod, shall be considered as having lapsed.

#### **Motions - Put by the President**

40. When a Motion has been made and seconded, a Question thereupon shall be proposed by the President, and at any time before the close of the debate any Member may move an amendment.

#### **Amendments**

41. No amendment (except of a verbal character) shall be put from the Chair unless it be seconded and a copy thereof shall have been handed to the President.

42. When an amendment is proposed it shall be in the following form:

- (a) When it is intended entirely to supersede the original Motion by another Motion on the same subject matter, the form in which the amendment shall be made by the mover shall be -  
That all the words after the word "that" of the original Motion be omitted with a view to the insertion of the following words in lieu thereof (words of the amendment).
- (b) When the object of the amendment is to omit certain words only, but not all the words of the original Motion, the form shall be -  
"that the word \_\_\_\_\_, or the words \_\_\_\_\_, or all the words from \_\_\_\_\_ to \_\_\_\_\_ inclusive, or all the words after the word \_\_\_\_\_ be omitted with the view of substituting the following word or words in lieu thereof (the word or words of the amendment)."

- (c) The Question before the Synod in either case shall be put by the President thus -  
"That the word or words proposed to be omitted be so omitted."
- (d) If it be decided in the negative, such word or words shall be retained. If it be decided in the affirmative, then the Question shall be put by the President -  
"That the word or words proposed to be inserted be so inserted." If the latter Question be negative, other words may be moved until the Synod shall agree.
- (e) The amended Motion shall formally be submitted in its entirety to the vote of the Synod.
- 2 (f) A proposed amendment may be withdrawn by leave of the synod.
- (g) Amendments may be proposed to a proposed amendment as if such proposed amendment were an original Question.
- 3 (h) In any case where an amendment has been proposed and any member or members has or have indicated an intention to move a further amendment or amendments, the President shall allow all such amendments and the original motion to be debated together and shall at the end of the debate put the amendments in such order as the President considers most likely to obtain the mind of the Synod.
- 4 (i) Where in the opinion of the President the strict application of this Standing Order would cause confusion or prevent the Synod from giving expression to its real wishes he may waive the provisions of this Standing Order or so much of it as he thinks fit.

#### **Previous Question**

43. When it is desired to avoid or postpone a decision on any Question, it shall be competent for any Member to move the previous Question.

When the previous Question is moved it shall not stop debate which shall continue, but no amendment may be moved until the previous Question has been disposed of by the Synod.

The previous Question shall be put by the President - "That the Motion be not put."

The previous Question shall not be moved in Committee.

#### **Question May be Superseded**

44. A Question may be superseded -
- (1) By the adjournment of the Synod on the motion of a Member "That the Synod do now adjourn."
  - (2) By the Previous Question, viz., "That the Motion be not put," being proposed and affirmed.

#### **Motions - How Resolved**

- 5 45. Unless a vote by Houses is requested in accordance with Section 2 of the Constitution for the Provincial Synod, a Question shall be resolved as follows:-
- (a) In the first instance, by the majority of voices voting "Yes" or "No";
  - (b) At the option of the President or request of any ten members, by a show of hands;
- Provided that before the vote is taken, any ten members may demand a secret ballot or a division.

46. ....

#### **Motions - Withdrawal of**

47. Any Motion may be withdrawn by the mover unless ten Members object.

#### **Motions previously dealt with, etc.**

48. No subject which shall have been under the consideration of the Synod and disposed of, shall be again brought forward during the Session.

49. No Question shall be entertained which in the opinion of the President is substantially the same as one which has been resolved during the same Session.

#### **Count out**

50. If at any time during the progress of business, on any Member moving that the Synod be counted, there be not a quorum, the President shall adjourn the Synod until the next time of sitting.

51. A debate interrupted by such counting out shall at the next time of sitting be resumed at the point where it was interrupted.

#### **Adjournment of Synod, or Debate**

52. A Motion for adjournment of either the Synod, or the debate, may be made at any time; provided that no Member shall be interrupted thereby while speaking.

### **Motions - Members to conclude with**

53. When no Question is before the Synod, no Member shall be at liberty to speak unless he or she intends to conclude by making a Motion; and any Member desiring to submit a Motion of which notice has not been given, shall, when called upon by the President, forthwith state what Motion he or she intends to make.

### **Divisions**

6 54. When a Division is demanded whether the Synod be voting together or by Houses, the President or the Chairman if the Synod be in Committee shall put the Question, and, after the lapse of two minutes, shall direct the Members then present to divide, those intending to vote 'Yes' to the right, and those intending to vote 'No' to the left of the chair, and shall appoint two Tellers from each side, and shall declare the number of votes on each side from a count of the Members voting to be given him by the Tellers. The President or Chairman shall declare the Question carried or lost as the case may be. Where the Synod is voting together a majority will carry the Question.

55. Members may leave or enter the Synod during the two minutes which elapse before the Division, but after the President commences to direct the Members to divide, no Member shall leave or enter the Synod until the Division is concluded; and after the appointment of Tellers no Member, except the Tellers, shall change his place from one side of the Chair to the other.

### **Standing Orders - Suspension of**

56. Any Standing Order of the Synod may at any time be suspended on Motion with notice. Any Standing Order may also be suspended on Motion without notice, unless ten Members object.

### **Committee of the whole - Quorum**

57. In Committee of the whole Synod, the same number of Members shall form a quorum as in the Synod itself.

58. If, during the progress of business in Committee, notice be taken that there is not a quorum, the Chairman shall leave the chair and report the same.

59. A Motion made in Committee need not be seconded.

### **Adjournment of Committee**

60. A Motion of adjournment of Committee shall be "That the Chairman leave the chair, report progress, and ask leave to sit again." On such Motion being carried the Chairman shall report to the Synod and ask leave accordingly.

### **Standing Orders to Apply in Committee**

61. The Standing Orders shall, so far as applicable, be observed in Committee, and the Chairman shall have the same authority as the President for the preservation of order.

### **Absence of Chairman of Committees**

62. In case of the absence of the Chairman the Deputy Chairman shall act and in case of his or her absence a member whom the Committee shall appoint.

### **Ordinances**

63. (1) (a) An Ordinance of Synod shall be made by a Bill which shall be introduced by a Motion for leave to bring it in, specifying its general purpose.

(b) .....

(c) A Member having obtained leave to introduce a Bill shall hand to the Secretaries of Synod a copy either in print or in typescript of the draft Bill, and may immediately move that the Bill be read a first time and, if necessary, also that it be printed or otherwise reproduced for the use of Members.

7 (d) After a Bill has been read a First Time a time shall be immediately fixed, for its second reading.

(e) On every order for the reading of a Bill the title only shall be read.

(f) After the second reading the Synod shall appoint a time which may be either the same or some future day for resolving itself into a Committee of the Whole for consideration of the Bill in detail.

(g) In a Committee of the Whole Synod the Question shall be put on each clause of the Bill separately, leaving the preamble to be last considered.

(h) When the Bill has been settled in Committee it shall be reported by the Chairman to the Synod with or without amendment as the case may be.

(i) When a Bill is reported, the adoption of the report may be immediately moved or a future day appointed for that purpose.

8 (j) .....

- (k) On the Motion for the adoption of the report or on the order for the third reading being called or moved the whole Bill or any clause therein may on Motion be recommitted.
- (l) Before the third reading the Chairman of Committees shall certify in writing that the Bill as printed is in accordance with the Bill as reported. And the President shall announce that the Chairman has so certified.
- (m) No amendment shall be made in any Bill on the third reading unless notice thereof shall have been previously given, but any amendment or the addition of any clause of which notice has been given may be then moved.
- (n) After the third reading the President shall on Motion put the Question "That this Bill do pass."
- (o) If the Bill be passed, its title shall be settled and the Secretaries shall certify at the foot of the Bill the date of its passing.

(2) .....

### Rules

64. (a) A Rule shall be made by Resolution.
- (b) The proposed resolution shall be circulated to each Diocese at least two months before the first day of the Session of Synod at which the resolution is to be presented provided that the Standing Committee may allow a shorter period of notice and provided further that Synod by an affirmative vote of three-fourths of the members present may declare any resolution to be a matter of urgency and permit it to be included in the Agenda without further notice.
- (c) Synod shall resolve itself into a Committee of the Whole to consider the rule in detail.
- (d) After the Committee stage has been completed and the report adopted a Motion shall be proposed "That this rule (or these rules) be now made."

### Parliamentary Practice

65. In all cases not herein provided for, resort shall be had to the rules, forms and practice of the House of Representatives of the Parliament of the Commonwealth of Australia, so far as they can be applied.

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### Endnotes

- 1. New clause added by Rule in 2002
- 2. Amended by Rule in 2002
- 3. New clause added by Rule in 2002
- 4. New clause added by Rule in 2002
- 5. Amended by Rule in 2002
- 6. Amended by Rule in 2002
- 7. Amended by Rule in 2002
- 8. Deleted by Rule in 2002
- 9. Amended by Rule in 2002