

CLOSURE OF A CHURCH BUILDING ORDINANCE 1994

(Amended 2000)

An Ordinance to provide a procedure for the closing of a church building.

BE IT ENACTED by the Bishop, Clergy and Laity of the Diocese of Tasmania in Synod assembled as follows:

1. This Ordinance may be cited as the Closure of a Church Building Ordinance 1994.
2. The Bishop may at any time receive a petition from:
 - (1) *Deleted 2000.*
 - (2) an Incumbent, or
 - (3) a Parish Councilto consider the closure of a church building within their jurisdiction.
3. The Bishop shall within 14 days of receiving a petition to consider the closure of a church building advise the Petitioner, the Incumbent and the Parish Secretary that he has received such a petition.
4. Upon receipt of such advice the Incumbent shall cause to be displayed in each church building of the Parish a notice advising that the Bishop has received such a petition and that any elector may within 28 days express in writing to the Parish Council their opinion on the merits or otherwise of closing the church building.
5. The Incumbent shall call a Special Meeting of the Parish Council in accordance with the provisions of the Parish Administration Ordinance 1986 to consider the advice that the Bishop has received such a petition.
6. The Incumbent and the Parish Council shall within 45 days of receiving the advice from the Bishop advise him, in writing, if in their opinion he should consider the petition.
7. Upon receipt of advice from the Parish Council and the Incumbent or after 45 days have expired the Bishop shall consider the petition and within 14 days
 - (1) Advise the petitioner in writing that he does not intend to proceed with the petition.
 - (1) (a) Appoint a person to assist the parish as it considers the closure of a church building.
 - (2) Advise the person appointed in accordance with section 7. (1) (a), the Incumbent and the Parish Secretary in writing that he wishes the petition to proceed and
 - (a) request the Incumbent and the Parish Council advise the relevant person appointed in accordance with section 7. (1) (a) within sixty days of the merits or otherwise of the closure of the church building.
 - (b) request the Redundant Church Buildings Committee, established by Standing Resolution of Synod, if any, to advise the relevant person appointed in accordance with section 7. (1) (a) within sixty days of the merits or otherwise of the closure of the church building.

- (c) request the Incumbent to call and hold within sixty days a Special Meeting of Electors, in accordance with the provisions of the Parish Administration Ordinance 1986, to discuss the petition to close the church building, at which the person appointed in accordance with section 7. (1) (a) shall be the Chairperson.
8. Following the conclusion of the sixty day period the Registrar shall at the next ordinary meeting of Diocesan Council:
 - (1) present a report detailing the merits or otherwise of closing the Church Building.
 - (2) present a report on the Special Meeting of Electors called in accordance with section 7 (2) (c) of this Ordinance.
 - (3) present a report on the views expressed by the Incumbent and the Parish Council.
 - (4) table any submission received in relation to the closure of the Church Building.
9. The Diocesan Council shall upon receiving the report of the Registrar resolve to
 - (1) advise the Bishop to issue a Mandate for the closing of the Church Building, or
 - (2) defer consideration of the matter for a period not exceeding three months,
 - (3) advise the Bishop not to issue a Mandate for the closing of the Church Building.
10. The Bishop shall within thirty days of the meeting of a Diocesan Council which advises him to issue a Mandate for the closing of the Church Building
 - (1) issue the Mandate for the closing of the Church Building,
 - (2) defer consideration of the matter for a period not exceeding three months,
 - (3) advise the Diocesan Council of his intention not to issue the Mandate.
11. Where the Bishop declines to issue a Mandate in accordance with section 10 (3) he shall advise the Registrar of the reasons for his decision, who shall report the same to the next ordinary meeting of Diocesan Council, who shall reconsider the matter in accordance with section 9.
12. The Mandate for the Closing of a Church Building shall
 - (1) specify the date not less than sixty days after the issuing of the Mandate, the time and the style of the final service to be conducted in the building,
 - (2) be delivered to the Incumbent and the Parish Secretary within 30 days of issuing the Mandate.
13. The Registrar shall advise the Incumbent and the Parish Secretary within 14 days of any decision made in accordance with section 9.
14. The Bishop shall advise the Incumbent and the Parish Secretary within 14 days of any decision made in accordance with section 10.

15. *Deleted 2000.*
16. When a Church Building has been closed in accordance with the provisions of this Ordinance the Parish Council shall administer the property in accordance with provisions of the Parish Administration Ordinance 1986 provided that the building not be used for worship without a Faculty from the Bishop.
17. Within sixty days of the final service the Parish Council shall have applied to the Bishop, in the customary way, for a Faculty detailing the disposal of memorials, furniture, vessels, books and other items normally covered by a Faculty.
18. Nothing contained in this Ordinance shall derogate the rights and privileges of the Bishop of the Diocese.