

THE BUNBURY BISHOPRIC ELECTION STATUTE 2001-2018

Be it enacted by the Bishop, Clergy and Laity of the Diocese of Bunbury in Synod assembled:

1. The Bunbury Bishopric Election Statute 1999 is hereby repealed and the following substituted in lieu thereof.

2. Vacancy of the See

- (a) The See of Bunbury shall become vacant if the Bishop:
 - (i) Attains the age of 70 years, or
 - (ii) Resigns the Bishop's Office in the manner provided in Clause 2 (c), or
 - (iii) Becomes permanently incapacitated, or
 - (iv) Dies, or
 - (v) Shall be deprived by competent authority.
- (b) The date on which the See shall become vacant in the case of the events specified in Sub Clauses (i), (iii), (iv) and (v) above is the date the event occurs and in the case of the Bishop resigning the Bishop's office the date on which the See shall become vacant is the date specified in Clause 2 (d).
- (c) The Bishop may resign the Bishop's Office by giving not less than six months' notice in writing to the Metropolitan of the Province and to the Bishop- in-Council. The notice shall specify the date when it is intended for the resignation to take effect.

- (d) In the event of the Bishop giving notice of intended resignation the See shall become vacant on the date specified in the letter as the date when it is intended for the resignation to take effect.

3. The Bishopric Nomination Committee

- (a) When the See becomes vacant, or three months before the date of the retirement of the Bishop, the Administrator shall call together the Bishopric Nomination Committee which shall nominate not less than three and not more than six persons to a special session of Synod to be called within three months of the vacancy of the See for the purpose of electing a Bishop.
- (b) The Bishopric Nomination Committee shall consist of six clerical members, one of whom shall be the Administrator and six lay members of Synod who shall be elected at the first session of each Synod. There shall also be elected three clerical and three lay persons as reserves in the event of any member of the Committee being unavailable to serve. Any clerical member whose name is considered for nomination as Bishop or their immediate family shall cease to be a member of the Committee. In the event of the Administrator being nominated, the committee shall elect one of its members to chair the Committee. The Diocesan Secretary shall be the secretary of the committee.
- (c) The Nomination Committee shall consider as a minimum these five areas of competence/expertise for each candidate:

- (i) Theological focus
 - (ii) Pastoral focus
 - (iii) Management focus
 - (iv) Spirituality
 - (v) Health check
- (d) The Administrator shall invite all members of Synod to submit in confidence names of potential candidates to the Nomination Committee. The Nominations shall be held in secret by the Diocesan Secretary until the nominations are closed.
- (e) The Nomination Committee shall determine its own procedure.
- (f) A name shall not be included for nomination to the Synod unless the person concerned has consented and a majority of the clerical and a majority of the lay members of the Nomination Committee agree to such nomination.
- (g) The Administrator shall advise the Archbishop of the names of the nominees.
- (h) The Nomination Committee shall present to the Synod a statement about each nominee.

4. Election Synod

- (a) The Administrator shall cause a call of the Synod to be made within three calendar months of the vacancy of the See for the purpose of electing a Bishop.
- (b) The Synod shall commence with a celebration of the Eucharist in the Cathedral seeking the guidance of The Holy Spirit. A sermon shall be preached at this service.

- (c) During the deliberations of the Election Synod only members and officers shall be allowed to be present except by special leave of the Synod. Any cleric nominated and their immediate family shall not be entitled to be present or to vote at the Election Synod. No members shall at any time disclose any information concerning the proceedings of the Election Synod or the names of the candidates or the details of any ballot.
- (d) When members have gathered after the Eucharist the following declaration shall be read aloud by them and the Administrator together and shall thereupon be signed by the Administrator and each member present in a book to be kept for that purpose.

"I do hereby solemnly declare that in the election of a Bishop for this Diocese I shall record my vote only for such as upon my conscience I believe to be worthy and fit for the holy office of Bishop, and I do further solemnly declare that I shall not at any time reveal to any person the figures involved in any ballot, nor any information likely to cause harm, embarrassment or distress to any nominee, speaker or diocesan official, but only such information as is authorised by the Synod to be published".

- (e) All election votes shall be by secret ballot. Where any majority of votes is required, it shall be of those present and entitled to vote.
- (f) When the Synod has assembled the Administrator shall announce that a vacancy of the See has occurred. The Administrator shall

state the cause thereof and explain the procedure to be followed in filling the vacancy, namely: that Synod shall receive the names submitted to it by the Nomination Committee and proceed to the election. The Administrator shall give such further advice to the Synod as is appropriate.

- (g) The Administrator shall then inform members of Synod of the nominations being submitted to the Synod by the Nomination Committee.
- (h) The Synod by a vote of the majority of members present may at any stage in the proceedings under this statute resolve itself into a Committee of the whole and report back to Synod or may from time to time adjourn to a time to be fixed.
- (i) Synod shall then resolve itself into a committee of the whole for the purpose of discussing the candidature of those who have been nominated. After discussion Synod shall resume.
- (j) A discrete time of Prayer is to be held before taking a vote on the election of a Bishop and after the presentation of nominations.
- (k) The names on the list shall then be balloted for, each voter recording a vote for one person only. The candidate obtaining two-thirds of the votes of each house shall be the Bishop elect.
- (l) After each ballot, the percentage of the vote that each candidate received from each house shall be combined and averaged (to determine which candidate is removed). Then the candidate with the lowest combined and averaged percentage of votes shall be removed from the list. Thus removing one nomination per ballot. Should more than one candidate tie with the least combined and averaged percentage of votes, then none

should be removed in that round of balloting.

If after five ballots as in Clause 3 (k) no candidate receives the requisite majority and if one of the candidates shall have obtained a majority of votes in each house and if the Synod decides in the affirmative it shall be permissible to move that such candidate be elected Bishop. If this motion is carried by a two thirds majority in each house voting by secret ballot then that person shall be the Bishop elect.

- (m) If no such motion is agreed to or if no candidate receives the requisite majority then the Synod shall be adjourned until such time as the Nomination Committee shall have prepared another set of nominations for Synod.

5. Diocesan Electors

After three Election Synods, when Synod has failed to elect a Bishop, that sitting of Synod shall elect three lay and two clergy as the Diocesan Electors. Any Bunbury Diocesan cleric who has been a candidate in this election is ineligible to be nominated as a Diocesan Elector.

6. Board of Electors

If Synod fails to elect in the manner specified in Clause 4 of this Statute the choice of a Bishop for the Diocese of Bunbury shall then be delegated to a Board of Electors consisting of the Archbishop and Diocesan Bishops of the Province of Western Australia together with the Diocesan Electors. No person previously nominated and voted upon in Synod shall be deemed eligible to be chosen.

7. Canonical Fitness

Upon an election having been made the Administrator

shall transmit the name of such person together with the certificate of election to the Archbishop of the Province for communication to the other Diocesan Bishops of the Province. The Archbishop and other Bishops of the Province shall satisfy themselves as to the canonical fitness of the person so elected.

- (a) If the Archbishop and Bishops of the Province are not satisfied as to canonical fitness the said election shall be null and void and proceedings shall be taken as if the vacancy in the See had occurred at the time of this notification.

8. Declining of Election

When any person shall have been duly elected by Synod that person shall forthwith be informed of the fact by the President who shall at the same time ask for that person's acceptance of this office. If the person elected by Synod shall decline to accept the See the proceedings shall be commenced *de novo* as on the occurrence of the vacancy. If the person chosen by the Board of Electors shall decline to accept the See the Board shall proceed to a further election.

9. Acceptance of Election

When the Archbishop and the Diocesan Bishops of the Province are satisfied as to canonical fitness and the acceptance of the office by the person elected having been duly signified, the person so elected (subject to that person's consecration if necessary) shall be the Bishop of the See of Bunbury and shall be entitled as from the date of the recognition in the Cathedral Church of the Diocese to exercise the functions of Bishop.

10. The failure to take any step of procedure referred to in this Statute or the fact that a summons or other notice required to be given to a Member has not been given or has not had attached to it material required to be

attached is not a ground for questioning and does not invalidate or affect the election.

11. This Statute shall be known as "The Bunbury Bishopric Election Statute 2001-2018".