

ST. MICHAEL'S SYDNEY ORDINANCE 1977

No. 8 1977

AN ORDINANCE to vary the provisions for governing and controlling the management and user of certain land situated in the Parish of St. Michael Sydney and to make further provision for governing and controlling the management and use of such land.

WHEREAS

A. Church of England Property Trust Diocese of Sydney is the trustee of the land described in the first and second schedules hereto.

B. The land described in the first schedule hereto is church trust property held for the benefit of the church of St. Michael's Sydney upon the trusts set forth in the St. Michael's Surry Hills Resumption Ordinance of 1915 and the provisions for governing and controlling the management and user thereof are those contained in the Sydney Church Ordinance 1912 (as amended).

C. The land described in the second schedule hereto is church trust property held upon the trusts set forth in the St. Michael's Sydney (St. David's Surry Hills Development) Ordinance 1972 and the provisions for governing and controlling the management and user thereof are those contained in that Ordinance.

D. The Synod of the Diocese of Sydney, in October, 1975, passed the resolution set forth in the third schedule hereto.

E. On or shortly after the 2nd December 1975, the Archbishop of Sydney distributed amongst clergy in the Diocese of Sydney a letter in the terms set forth in the fourth schedule hereto.

F. The Standing Committee of the Synod of the Diocese of Sydney has received a report to the effect that the clergyman who is licensed to the Parish of St. Michael Sydney and the churchwardens of St. Michael's church or some or all of them have purported to grant a lease or some other right of occupancy in respect of some part of the said lands to a body known as the "Deliverance Trust" and that the said clergyman and persons associated with him or with the said body have held meetings on part or parts of the said lands which meetings are unseemly.

G. The Archbishop of Sydney has considered the request of Synod and has issued regulations limiting the practice of exorcism by licensed clergymen which regulations are set forth in the fifth schedule hereto.

H. In the opinion of the Standing Committee of the Synod, the wish of Synod, as expressed in the said letter and in the said regulations, should be obeyed.

I. It is expedient that provisions relating to the government and control of the management and use of the said lands be varied to the extent provided herein.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARED RULES ORDAINS AND DIRECTS as follows:-

INTERPRETATION

1. In this Ordinance, unless repugnant to the context or inconsistent therewith

- (a) the expression "the said lands" means the land described in the first and second schedules hereto and each and every part thereof,
- (b) the term "Corporate Trustee" means Church of England Property Trust Diocese of Sydney,
- (c) the word "Rector" means the clergyman for the time being licensed to the cure of souls known as the Parish of St. Michael Sydney,
- (d) the word "officer" means and includes all persons who, on the date on which assent is given to this Ordinance or at any time thereafter, hold the office of churchwarden of the church known as St. Michael's Sydney or who are members of the Parish Council of the Parish of St. Michael Sydney,
- (e) the word "regulations" means the regulations set forth in the fifth schedule hereto as amended or modified from time to time by further regulations which are
 - (i) made by the Archbishop of Sydney,
 - (ii) approved by resolution of the Standing Committee of the Synod, and
 - (iii) distributed amongst clergy in the Diocese of Sydney by such means as to the Archbishop seem appropriate, and
- (f) the word "exorcism" has the meaning attributed to that word in the regulations.

2. The provisions of this Ordinance shall override the provisions of every other Ordinance to the extent that the provisions of this Ordinance are inconsistent with the provisions of any other Ordinance.

3. (1) The headings in this Ordinance have been inserted as a matter of convenience only and shall not limit or restrict the provisions of this Ordinance in any way.

(2) Where used herein, words importing the singular number or plural number shall include the plural number and singular number respectively.

(3) This Ordinance may be cited as "St. Michael's Sydney Ordinance 1977"

MANAGEMENT AND USE OF CERTAIN PROPERTY

4. (1) It shall be and is hereby declared to be unlawful for the said lands or any building or buildings thereon to be used by any person or persons for the purpose of undertaking, engaging in or being in any way concerned with the practice of exorcism or for any purposes which include that purpose other than such exorcism as is permitted by and is in accordance with the regulations.

(2) It shall be and is hereby declared to be unlawful for the Rector or any officer to permit or allow the said lands or any building or buildings thereon to be used by any person or persons whatsoever for the purpose of undertaking, engaging in or being in any way concerned with the practice of exorcism or for any purposes which include that purpose other than such exorcism as is permitted by and is in accordance with the regulations, and is conducted by a person who has been so licensed by the Archbishop of Sydney.

FIRST SCHEDULE

ALL THAT piece of land situated in the City of Sydney Parish of Alexandria and County of Cumberland being the whole of the land comprised in Certificate of Title Volume 6584 Folio 126 together with ALL THAT piece of land situated as aforesaid with frontages to Flinders Street and Albion Street being the subject of an application Numbered 52415 to bring the title thereto under the provisions of the Real Property Act.

SECOND SCHEDULE

ALL THAT piece or parcel of land situated at Surry Hills in the County of Cumberland and Parish of Alexandria, be the hereinafter mentioned several dimensions a little more or less being part of Block G22 Riley Estate Surry Hills appropriated to Mrs. Ann Sophia Campbell and containing by admeasurement 1 rood 30 $\frac{1}{2}$ perches commencing at a point on the southern building line of Arthur (late Church) Street bearing north 88 degrees 26 minutes west 199 feet 10 inches from its intersection with the western building line of Crown Street and bounded thence towards the north by part of the southern building line of Arthur street aforesaid being a line bearing north 88 degrees 26 minutes west 159 feet 10 inches to its intersection with the eastern building line of Riley Street thence towards the west by part of the eastern building line of Riley Street being a line bearing south 1 degree west 188 feet 10 $\frac{1}{2}$ inches to its intersection with the northern building line of Tudor (late Davy) Street thence towards the south by part of the western building line of Tudor Street being a line bearing south 87 degrees 42 minutes east 159 feet 10 $\frac{3}{4}$ inches and thence towards the east by the western boundaries of the adjacent properties as occupied by lines bearing successively north 1 degree 20 minutes east 41 feet north 39 seconds east 26 feet 5 inches north 50 minutes east 53 feet 6 $\frac{1}{2}$ inches to the point of commencement EXCLUDING THEREOUT ALL THOSE PIECES or parcels of land situated as aforesaid comprised in Certificate of Title Volume 1205 Folio 31 and Certificate of Title Volume 1204 Folio 129.

THIRD SCHEDULE

That Synod, having received the Report of the Commission of Enquiry into the Occult, expresses its deep concern at the increasing fascination with the occult and respectfully makes the following requests:-

- (a) His Grace the Archbishop to consider in what ways, if any, the practice of exorcism by licensed clergymen should be limited and/or authorised;
- (b) The Board of Education to consider including in their 1976 syllabus for Religious Instruction in High Schools suitable material about the occult;
- (c) The Diocesan Youth department to consider the implications of the Commission's report in its youth leadership training and other activities.

Further, that Synod commends the report for study by church people, especially those engaged in youth leadership.

FOURTH SCHEDULE

From
The Archbishop of Sydney

P.O. Box Q190
Queen Victoria Building
York Street Sydney.

2 December, 1975.

Dear Brethren,

The recent session of Synod passed a resolution (17/75), the first part of which reads as follows -

"That Synod, having received the Report of the Commission of Enquiry into the Occult, expresses its deep concern at the increasing fascination with the occult, and respectfully makes the following requests:-

- (a) His Grace the Archbishop to consider in what ways, if any, the practice of exorcism by licensed clergymen should be limited and/or authorised".

The last recommendation of the Report of the Commission of Enquiry on page 30 is as follows -

"The right of clergy to conduct exorcisms should be defined by diocesan authorities".

I am reluctant to be over-precise in the definition of "the right of clergy", but I believe that the greatest caution should be observed. An individual clergyman would be unwise to act alone, and ought only to act at all after the most careful preparation on his own part and on the part of the person concerned.

Clergy need to realise their limitations. If a person being ministered to has suicidal or homicidal tendencies, there is a responsibility to inform and involve the regular community resources, i.e. the medical profession and/or the police.

Before a clergyman undertakes a ministry of exorcism he should consult with others. I have appointed an Advisory Panel whose members are - The Dean (Chairman), Dr. Ruth Shatford, Dr. David Collison, Dr. Maree Farley, the Rev. Canon A.J. Glennon and the Rev. Alan Nichols.

Before any one proposes to engage in this ministry in any particular case, except a case of special emergency, I would ask him only to act after consultation at first with a member of this panel and then his Regional Bishop.

I do not believe that exorcism is a practice to be carried out in a large number of cases, or more than one at a time, or in circumstances which attract publicity. Nor do I believe that glib assurances can be given to the effect that such practices are modern parallels to New Testament ministries.

Therefore, I draw your attention to the Report of the Commission of Enquiry into The Occult, and the Resolution (17/75) passed by Synod. I also draw attention to Appendix 3 in which the Rev. Dr. R. Alan Cole provides a careful and balanced summary of Scriptural teaching on this subject. I express the hope that clergy will act with caution and restraint in an area about which so little is known.

Yours sincerely,

M. L. Loane

Archbishop of Sydney

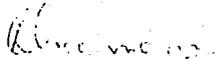
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FIFTH SCHEDULE

REGULATIONS RE EXORCISM

1. In these regulations
 - (a) the word "exorcism" includes the casting out, expelling or adjuring of demons, evil spirits, the devil and his angels or other powers of darkness, whether in the name of Almighty God or of Jesus Christ or otherwise, and also includes any attempt, successful or otherwise to do all or any of these things,
 - (b) the word "clergyman" means any clergyman to whom a licence has been issued by the Archbishop of Sydney being a licence which has not been suspended or revoked,
 - (c) the expression "Advisory Panel" means the persons appointed by the Archbishop of Sydney from time to time to act as an Advisory Panel on exorcism by clergymen and, on the date on which these regulations were adopted by the Archbishop of Sydney comprised the Very Reverend Lance R. Shilton, Dr. Ruth Shatford, Dr. David Collison, Dr. Marec Farley, the Reverend Canon A.J. Glennon and the Reverend Alan Nichols, and
 - (d) the expression "Assistant Bishop" means an Assistant Bishop in the Diocese of Sydney.
2. No clergyman shall undertake, engage in or be in any way concerned with the practice of exorcism unless and until the clergyman has obtained the approval thereto first of a member of the Advisory Panel and then of either the Archbishop of Sydney or an Assistant Bishop.
3. Where a clergyman has conducted an exorcism in respect of or in relation to any person, the clergyman shall not conduct a second or further exorcism in respect of or in relation to that person except with the approval thereto first of a member of the Advisory Panel and then of either the Archbishop or of an Assistant Bishop.
4.
 - (1) No clergyman shall conduct an exorcism in respect of or in relation to more than one person at the one time.
 - (2) No clergyman shall conduct an exorcism in respect of or in relation to one person in the presence of another person if that clergyman intends or may immediately or shortly thereafter conduct an exorcism in respect of or in relation to that other person.
 - (3) No clergyman shall advertise or make known to the public that he will undertake, engage in or be in any way concerned with the practice of exorcism on a regular basis or at any particular time or place or permit any person to hold out that he will or may do any of these things.
5. Regulations 2 and 3 do not apply to a clergyman who proposes to conduct an exorcism in respect of or in relation to any person if
 - (a) the clergyman is completely satisfied that the case is one of special urgency, and
 - (b) The clergyman has made all reasonable and possible endeavours

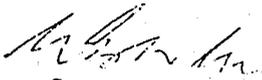
to contact a member of the Advisory Panel and an Assistant Bishop in relation to the case but has been wholly unsuccessful.

I CERTIFY that the Ordinance as printed is in accordance with the Ordinance as reported.



Deputy Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the day of 1976.



Secretary

I ASSENT to this Ordinance.



Archbishop of Sydney

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