

## **SECTION E**

### **Ministry Units**

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# **Mission and Ministry Unit Amalgamation Statute 2016**

Formerly The Anglican Diocese of Christchurch Structural Review  
Implementation and Transition Amendment Bill  
Enacted 2013; Amended 2016, 2022

## **Part 1 – Preliminary Provisions**

### **1 Title**

This Statute is the Mission and Ministry Unit Amalgamation Statute 2016.

### **2 Purpose**

(1) The purpose of this statute is to provide a mechanism for Mission and Ministry Units to amalgamate and provide for effective transitional governance during amalgamations by ensuring:

- (a) stability of clergy and lay leadership during the Transitional Period;
- (b) continuity of stipended clergy appointments during the Transitional Period;
- (c) a review of clergy appointments and the making of new clergy appointments to best serve the needs of the New Ministry Units at the end of the Transitional Period; and
- (d) clarity around the transfer of the property and obligations of Former Ministry Units to New Ministry Units.

### **3 Effect on Other Statutes**

- (1) This Statute will apply, for the matters identified in and to the extent provided for in this Statute, to affected parishes instead of:
  - (a) the Diocesan Local Ministry Units Statute;
  - (b) the Diocesan Synod Statute;
  - (c) the Clergy Appointment Statute;
  - (d) the Clergy Resignation and Termination Statute;to the extent these statutes are not incorporated into this Statute.
- (2) To the extent any Statute, Regulation or Standing Order relating to the Anglican Diocese of Christchurch is inconsistent with this Statute, the provisions of this Statute are to prevail.

*Explanatory Note to section 3: The Statute is intended to apply, to the extent provided for in it, instead of certain other Statutes and, in the event of any inconsistency, this Statute is to prevail and have effect. The intention of the Statute is to provide an alternative method for the reconstitution of parishes.*

### **4 Interpretation**

For the purposes of this Act, unless the context requires another meaning:

**Affected parishes** means those the subject of a resolution proposed in accordance with section 5(1).

**Bishop** means the Bishop of the Diocese of Christchurch at any given time.

**Clergy person** includes any new ministry enabler and those persons licensed to Local Shared Ministry parishes.

**Former Ministry Unit** means a Ministry and Mission Unit that existed before being dissolved in accordance with section 5.

**New Ministry Unit** means a Ministry Unit established in accordance with sections 6 and 7.

**Sub-committee** means the vestry of a Former Ministry Unit.

**Statute, Regulation or Standing Order** means any statute, regulation or standing order of the Diocese of Christchurch.

**Transitional Period** in respect of each New Ministry Unit means the period from its establishment to the beginning of the third Annual General Meeting held for that New Ministry Unit since its establishment pursuant to this Statute.

## **Part 2 – Dissolution and Establishment of Ministry Units**

### **5 Dissolution of Ministry and Mission Units**

- (1) Following consultation by the Standing Committee (or its delegate) with parishioners and the relevant Archdeacon, Ministry and Mission Units may be dissolved by the Standing Committee proposing a resolution to the Synod that a Ministry and Mission Unit be dissolved, and that resolution being passed by the Synod.
- (2) Once a Ministry and Mission Unit is dissolved in accordance with section 6(1):
  - (a) it will cease to exist as a Ministry and Mission Unit effective on the date proposed in the resolution proposed under section 6; and
  - (b) it will be a Former Ministry Unit for the purposes of this Statute.
- (3) Any resolution proposed in accordance with section 5(1) must be proposed in conjunction with a resolution under section 6. The resolution proposed in accordance with section 5(1) will be deemed to have failed unless the accompanying resolution proposed under section 6 is passed.

### **6 Establishment of New Ministry Units**

- (1) A New Ministry Unit may be established by the Standing Committee proposing a resolution to the Synod to establish a New Ministry Unit, and that resolution being passed by the Synod.
- (2) The proposed resolution must identify:
  - (a) the geographical area for which the New Ministry Unit will have particular ministry, mission and pastoral responsibility;
  - (b) the Former Ministry Units that constitute (in whole or in part) the New Ministry Unit; and
  - (c) the date of the resolution.

- (3) The New Ministry Unit will be constituted at the beginning of the financial year next following the date of the resolution.

*Explanatory Note to sections 5 and 6: The understanding behind sections 5 and 6 is that the proposed ministry units that comprise a number of existing units will be created by first dissolving the existing ministry units and then reconstituting those ministry units as an entirely new ministry unit. The resolution that will create the New Ministry Unit will identify the geographical area for which the New Ministry Unit will have particular responsibility and it must identify the date on which the resolution will take effect and the New Ministry Unit will be constituted.*

### **Part 3 – Organisation of New Ministry Units**

#### **7 Vestries**

- (1) A New Ministry Unit will have a Vestry.
- (2) During the Transitional Period, a Former Ministry Unit's vestry, as it was comprised at the date of the resolution dissolving the Ministry Unit:
  - (a) will have no capacity as a vestry;
  - (b) will become a sub-committee of the New Ministry Unit's Vestry.
- (3) There will be no elections held for sub-committees of a New Ministry Unit.
- (4) A sub-committee will be able to call meetings of the parishioners of Former Ministry Units during the Transitional Period to discuss any matter affecting the life of the New Ministry Unit.
- (5) The Vestry of a New Ministry Unit will comprise:
  - (a) all clergy licensed to the New Ministry Unit;
  - (b) the Wardens, and
  - (c) individuals representing each Former Ministry Unit elected in accordance with sub-section (7).
- (6) Where more than two clergy persons were licensed to a Former Ministry Unit, and those clergy persons are then licensed to the new Ministry Unit of which the former Ministry Unit forms a part:
  - (a) No more than two clergy persons from a Former Ministry Unit may be part of the Vestry of the New Ministry Unit for the purposes of sub-section (5)(a);
  - (b) The two clergy persons will be selected by the clergy amongst themselves.
- (7) Individuals elected to Vestry will be elected by each sub-committee formed from the vestry of a Former Ministry Unit, with each sub-committee appointing no more than three of their number to be Vestry members.
- (8) Where due to the application of clause 7(6) there is an imbalance in representation from the Former Ministry Units on the Vestry of the New Ministry Unit, then:
  - (a) The sub-committee of the Former Ministry Unit that is under-represented may appoint sufficient additional members to the Vestry to enhance equality; and/or
  - (b) The sub-committee of the Former Ministry Unit that is over-represented may agree to reduce the representation of that Former Ministry Unit on the Vestry to a level that ensures equality.

- (9) Where a Vestry member elected in accordance with sub-section (7) resigns or becomes ineligible to be a Vestry member during the Transitional Period then he or she will be replaced by one member elected by and from the sub-committee of the relevant Former Ministry Unit.
- (10) Where a sub-committee member resigns or becomes ineligible to be a sub-committee member during the Transitional Period he or she will be replaced by one member appointed from amongst the parishioners of the Former Ministry Unit by the sub-committee of the relevant Former Ministry Unit.
- (11) Where it is proposed that the geographic area that formed a Former Ministry Unit is to be divided between more than one New Ministry Unit then the Vestry of the Former Ministry Unit will appoint members from itself to form the relevant sub-committee of each of the New Ministry Units it has been divided into.
- (12) The Vestry of a New Ministry Unit will have the powers and responsibilities given to Vestries under the Diocesan Local Ministry and Mission Units Statute.
- (13) From the conclusion of the Transitional Period the Vestry of a New Ministry Unit will be elected in accordance with the Diocesan Local Ministry and Mission Units Statute.

## **8 Wardens**

- (1) A New Ministry Unit will have two wardens, unless more wardens are allowed for in accordance with section 8(4).
- (2) After the date of the constitution of the New Ministry Unit the Vestry of the New Ministry Unit will elect a People's Warden and the Transitional-Priest-in-Charge will appoint a Transitional Priest-in-Charge's Warden.
- (3) The position of People's Warden will then be open for election at the New Ministry Unit's first Annual General Meeting with the person elected to serve as the People's Warden for the Transitional Period.
- (4) Where a New Ministry Unit comprises more than two former Ministry Units, and the approval of the Standing Committee is given, then:
  - (a) the People's Warden will not be chosen in accordance with sections 8(2) and 8(3);
  - (b) there will be a People's Warden for each of the former Ministry Units who will be chosen by election at a special meeting of the parishioners of a Former Ministry Unit called in the same manner as a Special General Meeting under the Diocesan Local Mission and Ministry Units Statute and who will serve until the end of the Transitional Period.
- (5) Where a Warden resigns or becomes otherwise ineligible to serve as a Warden during the Transitional Period then:
  - (a) a replacement Transitional Priest-in-Charge's Warden will be chosen by the Transitional Priest-in-Charge or, where there is no Transitional Priest-in-Charge, by the Bishop;
  - (b) a replacement People's Warden will be elected at a Special General Meeting of the New Ministry Unit.
- (6) Where section 8(4) is operative the People's Warden who has resigned or is otherwise ineligible to serve as a Warden will be replaced by election at a special meeting of the parishioners of the relevant Former Ministry Unit

- which meeting must be called in the same manner as a Special General Meeting under the Diocesan Local Mission and Ministry Units Statute
- (7) The Wardens of a New Ministry Unit will have the powers and responsibilities given to Wardens under the Diocesan Local Ministry and Mission Units Statute.
  - (8) From the conclusion of the Transitional Period the Wardens of a New Ministry Unit will be chosen in accordance with the Diocesan Local Ministry and Mission Units Statute.

## **9 Parish Nominators**

- (1) A New Ministry Unit will have Parish Nominators as that term is defined in the Clergy Appointments Statute.
- (2) The Parish Nominators will be elected by the Vestry.
- (3) A New Ministry Unit must have four Parish Nominators, with at least one to represent each Former Ministry Unit that comprises the New Ministry Unit.
- (4) During the Transitional Period the Parish Nominators of a New Ministry Unit will have the powers and responsibilities given to Nominators under the Clergy Appointments Statute.
- (5) From the conclusion of the Transitional Period the Parish Nominators of a New Ministry Unit will be chosen in accordance with the Clergy Appointments Statute.

## **10 Synod Representation**

- (1) The New Ministry Unit will be represented at the Diocesan Synod by the same number of Lay Representatives as provided for in the Diocesan Synod Statute for the Former Ministry Units that comprise the New Ministry Unit.
- (2) Where the geographic area that formed a Former Ministry Unit is divided between more than one New Ministry Unit then section 10(1) applies to the New Ministry Unit that contains the greatest geographic area that formed part of the Former Ministry Unit.

## **11 Diocesan Quota**

- (1) The Diocesan Quota of a New Ministry Unit will be assessed in accordance with clause 8 of the Financial Regulations of the Diocese of Christchurch 2007.
- (2) For the time between the formation of a New Ministry Unit and the start of the next financial year the Diocesan Quota for the New Ministry Unit will be the sum of the Diocesan Quotas of the Former Ministry Units comprising the New Ministry Unit. Where a Former Ministry Unit is divided between more than one New Ministry Unit, the proportion of that Former Ministry Unit's Diocesan Quota which is attributable to each New Ministry Unit will be decided by the Standing Committee.

## **12 Former Ministry Units' Property**

- (1) Any property held directly by a Former Ministry Unit will pass to the New Ministry Unit that it forms part of.
- (2) Any obligations of the Former Ministry Unit will be taken over by the New Ministry Unit that it forms part of.

- (3) Where the geographic area that formed a Former Ministry Unit is divided between more than one New Ministry Unit then any property held directly by that Former Ministry Unit, and any obligations of that Former Ministry Unit, will pass to New Ministry Units in the proportions decided by the Standing Committee, after consultation with the affected Ministry Units.
- (4) The provisions of this section do not apply to any property held on trust for a Former Ministry Unit by the Church Property Trustees or any other trustee.

*Explanatory Note to sections 10 to 12: These sections set out how Synod representation, Diocesan Quota and property held directly by a Former Ministry Unit will be dealt with. Section 10 sets out that a New Ministry Unit will have the same number of Lay Representatives currently provided for the Former Ministry Units that comprise it. Where a Former Ministry Unit is divided between more than one New Ministry Unit the Lay Representatives will be allocated to the New Ministry Unit that takes the largest geographic area of the Former Ministry Unit. Section 11 sets out that the Diocesan Quota of a New Ministry Unit will be calculated in accordance with the Financial Regulations. Section 12 provides that property held directly by a Former Ministry Unit will pass to the New Ministry it forms part of. The word 'property' is used in its technical legal sense, and includes land and buildings, chattels, money in a bank account and so on. Where a Former Ministry Unit is divided between more than one New Ministry Unit the property will be allocated between them by Standing Committee. The section does not apply for any property held on trust by the Church Property Trustees or any other trustee, as this statute cannot affect those legal relationships.*

### **13 Early Cessation of the Governance Provisions**

- (1) A New Ministry Unit may shorten the application of the governance provisions of Part 3 and move to elections of Vestry and Wardens pursuant to the Mission and Ministry Units Statute on:
  - (a) A resolution being passed by 75% of the Vestry of the New Ministry Unit; and
  - (b) Standing Committee confirming the resolution.
- (2) The provisions of the Mission and Ministry Unit Statute will apply from the next scheduled Annual General Meeting of the New Ministry Unit after the process in sub-section (1) is completed.

## **Part 4 – Clergy and Staffing for New Ministry Units**

### **14 Revocation and Reissue of Clergy Licences during the Transitional Period**

- (1) Upon the dissolution of a Ministry and Mission Unit, all clergy positions will be dis-established and the licences of all clergy for ministry to that Ministry and Mission Unit will be automatically revoked.
- (2) A clergyperson whose position is dis-established and licence is revoked in accordance with sub-section (1) will be automatically re-licensed (on the same terms as to stipend, except as otherwise agreed) for ministry to the New Ministry Unit that includes the Former Ministry Unit to which he or she was previously licensed.

- (3) Sub-sections 2 and 4 may be waived in favour of automatic re-licensing to permanent positions if, after consultation with the Bishop:
  - (a) the Vestry of the New Ministry Unit has determined the ministry needs of the New Ministry Unit and what clergy appointments are required;
  - (b) the clergy, wardens and vestries of the Former Ministry Units have made written application to the Standing Committee for waiver; and
  - (c) the Standing Committee has approved the application.
- (4) Where a Former Ministry Unit is divided between more than one New Ministry Unit then clergypersons from that Former Ministry Unit will be re-licensed to a New Ministry Unit chosen by the Bishop, in consultation with the affected clergyperson and Ministry Units, provided that the New Ministry Unit must include in it part of the Former Ministry Unit to which the clergyperson was previously licensed.
- (5) The term of a clergyperson's licence for ministry to a New Ministry Unit given in accordance with sub-section (2) will terminate in accordance with notice given by the end of the Transitional Period, which notice must be given at least eight weeks prior to the date specified in the notice for the termination of the appointment.
- (6) If, within three months of the termination of a clergyperson's appointment to a New Ministry Unit, he or she has made reasonable endeavours to find and has not found another stipended position in the Province then he or she will be entitled to a payment of an amount equivalent to three months stipend for that clergy person. That payment shall be made from funds under the control of Standing Committee.
- (7) If, at the end of a period of six months from the termination of a clergy person's appointment to a New Ministry Unit, that clergy person has not secured another stipended position in the Province or secular employment despite having made reasonable endeavours, he or she may apply to the Standing Committee for further financial assistance.
- (8) A clergyperson whose licence is revoked in accordance with sub-section (1) may request to the Bishop that he or she not be re-licensed in accordance with sub-section (2).
- (9) Nothing in sub-sections (1) to (4) will prevent a clergyperson from resigning as he or she ordinarily could in accordance with the Clergy Resignation and Termination Statute.
- (10) Nothing in sub-sections (1) to (4) will prevent a clergyperson from having his or her office terminated as could ordinarily occur in accordance with the Clergy Resignation and Termination Statute.
- (11) The dis-establishment or termination of a clergy appointment under this section does not give rise to a right to any payments provided for in the Clergy Resignation and Termination Statute.

## **15 Appointment of a Transitional Priest-in-Charge to a New Ministry Unit during the Transitional Period**

- (1) The Bishop will, after appropriate consultation with the Parish Nominators, appoint a Transitional Priest-in-Charge for a New Ministry Unit from the clergypersons licensed for ministry to that New Ministry Unit in accordance with section 14.
- (2) The term of the appointment as Transitional Priest-in-Charge under sub-section (1) will be for the duration of the Transitional Period and the



- Transitional Priest-in-Charge's appointment will terminate in accordance with notice given by the end of the Transitional Period, which notice must be given at least eight weeks prior to the date specified in the notice for the termination of the appointment
- (3) The Transitional Priest-in-Charge will have the powers and responsibilities given to a Vicar under the Diocesan Local Ministry and Mission Units Statute.
  - (4) If, within three months of the termination of the Transitional Priest-in-Charge's appointment, he or she has made reasonable endeavours to find and has not found another stipended position in the Province then he or she will be entitled to a payment of an amount equivalent to three months stipend for that Transitional Priest-in-Charge. That payment shall be made from funds under the control of Standing Committee.
  - (5) The termination of a Transitional Priest-in-Charge's appointment under this section does not give rise to a right to any payments provided for in the Clergy Resignation and Termination Statute.
  - (6) If a Transitional Priest-in-Charge resigns or retires during the Transitional Period then the Bishop and Vestry of the relevant New Ministry Unit may decide to either:
    - (a) proceed to terminate all clergy appointments in that New Ministry Unit and make appropriate permanent appointments in accordance with section 16; or
    - (b) allow for the appointment of a new Transitional Priest-in-Charge in accordance with sub-section (1) provided that the Bishop is not bound to appoint a Transitional Priest-in-Charge from amongst the clergypersons licensed for ministry to that New Ministry Unit.

## **16 Appointment of clergy after the Transitional Period**

- (1) Before the end of the Transitional Period there will be a parish consultation, following which the Vestry of a New Ministry Unit will assess the clergy needs of the New Ministry Unit and decide, in consultation with the Bishop, what clergy appointments are required.
- (2) The clergy appointments identified after the process in sub-section (1) will then be made in accordance with the Clergy Appointments Statute.
- (3) Once those appointments have been determined the notices referred to in sections 15(4) and 15(2) will be issued.
- (4) Notwithstanding sub-sections (1) and (2), the clergy currently licensed to the New Ministry unit in accordance with section 14 may be permanently appointed without the need for any advertisement of the positions, provided at any time before the end of the Transitional Period:
  - (a) A Parish consultation has occurred in accordance with sub-section (1)
  - (b) The Vestry of the New Ministry Unit determines that the clergy needs of the new Ministry Unit are adequately met by the current clergy; and
  - (c) The Board of Nomination, as exists under the Clergy Appointments Statute, confirms the appointment after consultation with the New Ministry Unit.

*Explanatory Note to sections 14 to 16: The sections governing clergy and staffing appointments allows all clergy appointments to be retained during the*

*Transitional Period. The Bishop will appoint one of those clergy members to be the Transitional Priest-in-Charge. During the Transitional Period the Vestry will assess clergy requirements and a new Vicar and clergy team for that ministry unit to exist permanently at the end of the Transitional Period will be appointed, in accordance with the Clergy Appointments Statute. Once that process has been carried out, the clergy positions will automatically terminate at the end of the Transitional Period, but at least eight weeks' notice of termination must be given.*

*No rights of compensation will arise as a result of the creation of a New Ministry Unit and the end of a prior position. However, compensation may be payable as a result of the termination of an appointment at the end of the Transitional Period. If a clergy person makes reasonable endeavours to find another stipend position within the Province, but does not find one within three months of termination, then a payment equivalent to three months of that clergyperson's stipended will be made. No other rights to compensation will then arise.*

*Where a New Ministry Unit is satisfied with its clergy levels, provision is made to by-pass the formal appointment process provided certain conditions are met.*

## **Part 5 – Naming New Ministry Units**

### **17 Naming New Ministry Units**

- (1) The name of the New Ministry Unit may be decided upon at a Special General Meeting of all the Former Ministry Units prior to the motion to amalgamate being presented to Synod, and the new name can be part of that motion and approved at Synod.
- (2) Where the name of the New Ministry Unit has not been decided before Synod's approval to amalgamate the Former Ministry Units, a Special General Meeting of the New Ministry Unit is to be held before the end of the month in which Synod is held, to decide on the name of the New Ministry Unit.
- (3) Standing Committee's approval of the new name must be sought as soon as practicable thereafter and in such time as to enable changes to financial arrangements for the New Ministry Unit to take effect at the beginning of the following financial year.

# **THE DIOCESAN LOCAL MINISTRY AND MISSION UNITS STATUTE**

Enacted 1994; Amended 1996, 1999, 2002, 2004, 2007, 2011, 2016, 2019  
Repealed 2021

## **THE DIOCESAN MINISTRY UNITS STATUTE 2021**

### **1. Title**

That the title of this statute will be **The Diocesan Ministry Units Statute 2021**.

### **2. Commencement**

This Statute comes into force at the close of the session of Synod at which it is passed.

## **Part 1 - Preliminary matters**

### **3. Purpose**

The purpose of this Statute is to repeal and replace the Diocesan Local Ministry and Mission Units Statute 1994 (as amended) in order to:

- (a) better clarify the types of ministry units in the Diocese;
- (b) introduce greater flexibility into provisions for ministry units in the Diocese; and
- (c) simplify the administration for ministry units in the Diocese as far as possible.

### **4. Types of ministry units**

The Diocese will have four types of ministry units:

- (a) Parishes which are the worshipping communities established on a geographic basis;
- (b) Chaplaincies where chaplains are licensed by the Bishop to institutions and organisations such as seafarers, schools, universities, university halls of residence, hospitals, the Police, and the Armed Forces;
- (c) Co-operating ventures where there is an agreement with other Christian churches to form a co-operating ministry unit; and
- (d) Mission Units which are forms of ministry units established by the Standing Committee in accordance with this Statute for the purpose of advancing the mission of the Diocese.

### **5. Purpose of ministry units**

The purpose of each ministry unit is to:

- (a) promote the worship of God, the Holy Trinity;
- (b) proclaim the good news of the Kingdom of God;
- (c) teach, baptise, nurture and disciple believers in the Christian faith within the Anglican tradition;
- (d) respond to human need by loving service;

- (e) seek to transform the unjust structures in society, to challenge violence of every kind in pursuit of peace and reconciliation.
- (f) strive to safeguard the integrity of creation and to sustain and renew the life of the earth; and
- (g) function, in accordance with Part E Clause 2 of the Constitution/Te Pouhere, on the basis of the covenant expressed in the constitution and in partnership with Te Pihopatanga o Aotearoa and the Diocese of Polynesia and their constituent parts.

## **6. Ministry unit accounts**

- (a) Ministry units are required to keep annual accounts, in compliance with the Charities Act 2005 requirements, which must be submitted to the Diocese before the end of June after the financial year end.
- (b) Ministry units are required to comply with the Charities Act 2005 in terms of audit and review requirements. Where there is no legal requirement for an audit or a review, the parish Wardens and Vestry may still choose to have a review or audit utilising a suitably qualified person or the Diocese can request a review or audit to be undertaken.

## **Part 2 – Parishes**

### *Sub-part 1 – creation, boundary adjustment, amalgamation, and dissolution*

## **7. Creation of Parishes**

- (1) New parishes are created by a resolution of Synod put forward on the recommendation of the Standing Committee.
- (2) Any resolution for the creation of a new parish must:
  - a. provide a date when the parish will come into existence;
  - b. define the boundaries of the new parish;
  - c. set out the adjustments to the boundaries of existing parishes;
  - d. propose a name for the parish;
  - e. confirm there are suitable buildings and facilities available for the parish to properly function; and
  - f. confirm that the new parish will be in a position to pay for the stipend and related costs of sufficient clergy to minister in the parish.
- (3) After the date set for the creation of a new parish, the following will occur:
  - a. the Bishop will appoint a Bishop's Warden;
  - b. the Bishop's Warden will convene a meeting of parishioners for the purposes of electing a People's Warden and a Vestry in accordance with this Statute;
  - c. after a Vicar has been appointed to the parish then a Vicar's Warden will be appointed and the Bishop's Warden will cease to hold office.

## **8. Boundary adjustment**

- (1) The boundaries of parishes may be adjusted by resolution of Synod proposed by the Standing Committee.
- (2) Any resolution proposing adjusting the boundaries of parishes presented to Synod shall be accompanied by a report on the results of a consultation with the relevant Archdeacon(s) and the affected parishes.

## **9. Amalgamation and dissolution**

- (1) Parishes may be amalgamated in accordance with the Diocesan Ministry Unit Amalgamation Statute 2016.
- (2) Parishes may be dissolved by resolution of Synod proposed by the Standing Committee.
- (3) Any resolution to dissolve a parish presented to Synod shall be accompanied by a proposal to adjust any boundaries and a report on the results of a consultation with the relevant Archdeacon(s) and the affected parishes.
- (4) On the dissolution of a parish, all parish property:
  - a. held in trust by CPT shall be dealt with by CPT in accordance with the Anglican (Diocese of Christchurch) Church Property Trust Act 2003 and any trusts relating to such property; and
  - b. not held in trust by CPT passes to the Anglican Diocesan Ministry Support Centre (ADMSC) to be available for:
    - i. first the carrying out of mission and ministry in the geographic area formerly covered by the dissolved parish; and
    - ii. second, to the extent not required for the first, for the general purposes of the Diocese.
- (5) The appointments of any clergy may only be terminated in accordance with the Clergy Resignation and Termination Statute.
- (6) Dissolution of a parish does not affect any financial commitments made by the parish which may only terminate in accordance with their own terms.

### *Sub-part 2 – Membership and governance of parishes*

## **10. Membership of parishes**

- (1) To qualify as a member of a parish a person must:
  - (i) Be baptised
  - (ii) be resident in that parish and, regularly attend Divine Service, in that parish or be non-resident and regularly attend Divine Service in the parish, and
  - (iii) have made, either expressly or impliedly through conduct, the following declaration that they are a Member of the Church,
 

*I, AB, declare that I have been baptised and am a member of the Anglican Church in Aotearoa, New Zealand and Polynesia, and*
  - (iv) be recorded in a central register called the Parish Roll
- (2) The Parish Roll must be reviewed annually.

(3) A person may only be a member of one parish at any one time.

## **11. Parish Vestry**

Each parish will have a Vestry responsible for the good governance and efficient running of the parish.

## **12. Responsibilities of the Vicar, Vestry, and Churchwardens**

The responsibilities of the Vicar, Vestry, and Churchwardens collectively shall be to promote and participate in the mission of this Church and generally to seek the coming of Christ's Kingdom;

### **13. The purpose of the Vicar is, through the grace of God, to:**

- a. provide spiritual leadership in the sustenance and promotion of the Christian faith within the Anglican tradition;
- b. hold on trust the keys of the Church and Vicarage;
- c. use the Church for regular Divine Service;
- d. open the Church for services other than parish ones to be performed under the authority of the Bishop;
- e. be responsible for the ordering of public worship and the administration of the sacraments, in consultation with parishioners, using only the forms of service, which are authorised or allowed by lawful authority, while retaining discretionary power regarding times of services, selection of hymns, anthems, and Church music;
- f. take part in Christ's prophetic work;
- g. preach, proclaim, and teach the Christian faith, which is revealed in Holy Scriptures and set forth in the Catholic Creeds, as this Church has received it and explained it in its Formularies and its authorised worship;
- h. be pastors of the people, sharing the people's joys and sorrows, encouraging the faithful, recalling those who fall away, healing and helping the sick;
- i. liaise with people concerning the staffing, curriculum, and direction of Sunday School, youth and other educational concerns in the parish;
- j. give consent for the ringing of Church bells, which shall only be rung with good cause.

### **14. The purpose of Vestry is, through the grace of God, to:**

- a. uphold and support the Vicar and any other clergy in the parish;
- b. in conjunction with the Vicar develop and enable the vision and strategy of the parish;
- c. act as the governing body of the parish;
- d. approve a budget for presentation to the parish annual meeting;
- e. take responsibility for the maintenance and care of the parish buildings;

- f. take responsibility for meeting the health and safety obligations of the parish;
- g. elect, at its first meeting after the parish annual meeting, four persons qualified to be Vestry members to be Parish Nominators;
- h. maintain records of the life of the parish and ensure they are provided to the Diocesan Archivist as appropriate;
- i. discharge any functions entrusted it by the Canons of the General Synod/Te Hinota Whānui or any Statute, regulation or resolution of Synod.

**15. The purpose of the Churchwardens is, through the grace of God, to:**

- a. support and encourage the work of the Vicar and any other clergy in the parish;
- b. ensure the provision of all things required for public worship, and the preservation of order during services;
- c. be the key lay leaders of the parish;
- d. have responsibility for health and safety in a parish including ministry safeguarding and to report from time to time on these matters to vestry and as appropriate to the Diocesan Manager;
- e. to be signatories to all contracts and deeds executed on behalf of the parish
- f. have the superintendence of the buildings, furniture and equipment required for the work of the parish, and to report to Vestry from time to time on their state and any need for repairs, replacement, improvement or insurance.
- g. be spokespersons for Vestry to the parishioners;
- h. be spokespersons for the parishioners in all matters except those for which the Lay Synod Representatives or the Parish Nominators are responsible;
- i. attend the Bishop, or the Vicar-General, or the Archdeacon as required for visitation purposes.
- j. inform the Archdeacon should the Vicar be prevented by death, illness or accident from officiating
- k. be responsible, in liaison with the relevant Archdeacon, for the running of the parish during an interregnum or during the illness or incapacity of the Vicar, unless an interregnum priest is appointed by the Bishop in which case the Wardens are to support the interregnum priest in accordance with clause 15a;.
- l. ensure that the Vestry is properly informed about matters in the parish and that decisions of the Vestry are carried out;
- m. call annual and general meetings of the parish in accordance with clauses 24 and 25
- n. ensure the keeping of records and making of return in accordance with clauses 24 and 25 as required by Synod or Standing Committee

- n. ensure, with the Treasurer, there is a proper system of accounting for collections and all other monies received by the parish and that payments, including those to and through the Diocese, are made as required.

## **16. Powers of the Vestry**

- (1) To fulfil its purpose the Vestry will have all the powers of a natural person.
- (2) The parish may only enter into legal obligations (through contracts or deeds) on the resolution of the Vestry and with the Churchwardens being the signatories on behalf of the parish.

## **17. Churchwarden Personal Liability**

- (1) Where a Churchwarden enters into legal obligations on behalf of the parish in accordance with clause 16(2) then they will be indemnified by the parish for any personal liability arising as a result except where the liability is attributable to any willful misconduct or dishonesty on the part of the Churchwarden.

## **18. Membership of Vestry**

- (1) The Vestry will consist of:
  - a. the Vicar
  - b. any other clergy licensed to the parish;
  - c. a Vicar's Warden, appointed by the Vicar or, where there is no Vicar holding office, a Bishop's Warden appointed by the Bishop;
  - d. a People's Warden elected annually by the members of the parish at the annual meeting;
  - e. a Treasurer when elected annually by the members of the parish at the annual meeting; there is no requirement to elect a treasurer to the Vestry
  - f. between two and seven ordinary Vestry members elected annually by the members of the parish at the annual meeting.
  - g. the Lay Synod Members of the parish as provided for in the Diocesan Synod Statute 2021.
- (2) No one may be elected as, or remain, a member of Vestry who:
  - a. is not a member of the parish except as approved by Standing Committee in accordance with clause 22(2)(a);
  - b. is under the age of sixteen (16) or, in the case of the Churchwardens and Treasurer, under the age of twenty (20);
  - c. is an employee of the parish;
  - d. is a close relative of the Vicar, any other clergy licensed to the parish; or
  - e. fails to meet the requirements of section 16 of the Charities Act 2005.



- (3) For the purposes of section 18(1)(f), prior to the election of ordinary Vestry members, the annual meeting of the parish may reduce the maximum number of ordinary Vestry members that would otherwise be able to be elected under that section, to a number not less than two.
- (4) Upon taking office as a member of vestry, all lay members shall take the declaration that is required of such office bearers as prescribed from time to time by the Constitution of this Church

## **19. Term of office of members of Vestry**

- (1) The term of office for:
  - a. elected members of Vestry is one year;
  - b. the Vicar's Warden is at the pleasure of the Vicar;
- (2) No elected nor un-elected member of a Vestry (except for the Vicar and other clergy licensed to the parish) may serve more than six consecutive terms.
- (3) The term of office of elected members will commence at the close of the annual meeting at which they were elected and the term of office for unelected members will commence on appointment and end:
  - a. on the commencement of the term of any duly elected successor for elected members;
  - b. for the Vicar's Warden when the Vicar provides notice, in writing, of removal from office;
  - c. on the date nominated in any notice of resignation addressed to and received by the Vicar;
  - d. on their death;
  - e. on their no longer meeting the requirements in section 16 of the Charities Act 2005; or
  - f. on their no longer being a member of the parish.
- (4) When the office of any elected member becomes vacant pursuant to clauses 19(c) to (f) then the Vestry may co-opt any person eligible for election to the vacant position to serve for the remainder of the vacant position's term.

## **20. Election of members**

- (1) There will be an annual election for the elected members of Vestry which shall take place at the annual meeting of the parish.
- (2) Elections will take place as follows:
  - a. nominations must be provided to the Vicar in writing on the day the elections are scheduled to be held;
  - b. those nominated must be members of the parish
  - c. nominations must be in writing, proposed and seconded by two members of the parish, and must be accepted by the candidate in writing;

- d. the election will occur by secret ballot in writing with each person nominated required to poll over 50% in order to be eligible to be declared elected;
- e. where there are more eligible candidates than the number of members to be elected then the highest polling eligible candidate(s) will be declared elected

(3) In respect of a candidate nominated for election to office at a meeting of parishioners, unless the person nominated for election, or the nominator of the candidate, or the seconder supporting the candidate's nomination, are present at that meeting of parishioners, the nomination will be treated as withdrawn. The candidate should also either be present at the meeting or have personally offered an apology to the meeting.

## **21. Meetings and decisions of Vestry**

- (1) A parish Vestry must meet:
  - a. at least every three months with at least ten (10) working days' notice of any meeting date that is set by either the Vicar or both Churchwardens; and
  - b. within ten (10) working days of any written request received from one-third of Vestry members for a meeting.
- (2) The quorum for a meeting of Vestry is one-third of its members provided that at least one Churchwarden and one member of vestry who is not a Church Warden is present.
- (3) Meetings of Vestry may take place physically or virtually through any appropriate virtual meeting facility.
- (4) The Vicar will chair Vestry unless they decline to do so in which case the Vestry will elect its own chairperson.
- (5) Each decision of the Vestry must be assented to by a majority of those present at the meeting.
- (6) A Vestry may make decisions by circular resolution by e-mail and may make its own policy if a simple or special majority is required.
- (7) Minutes of Vestry meetings and records of circular resolutions must be kept.

## **22. Standing Committee appointments**

- (1) Where a parish does not have a People's Warden, either through resignation or due to a failure to elect one at a duly convened annual meeting, the Standing Committee may appoint any Member of the Church aged 20 or over who is living within the Diocese as the People's Warden to serve until the next annual meeting.
- (2) Where a parish does not have the minimum number of Vestry members required by clause 18(1) either through resignation or due to a failure to elect sufficient Vestry members at a duly convened annual meeting then the Standing Committee may either:

- a. appoint the number required to meet the minimum number of Vestry members required by clause 18(2) from Members of the Church aged 16 or over who are living within the Diocese and whom will serve until the next annual meeting; or
- b. resolve that the parish concerned need not meet the minimum number of Vestry members required by clause 18(2) at which point the remaining members of the Vestry will be deemed to be a validly constituted Vestry and all decisions of that Vestry will be deemed to be valid.

(3) When a parish is unable to duly convene an annual meeting, the Bishop, with the concurrence of the Chancellor, may either appoint a Bishop's Commissioner in accordance with clause 23 to lead the parish or request that the Standing Committee appoint a People's Warden who is a Member of the Church aged 20 or over and a Vestry from Members of the Church aged 16 or over living within the Diocese who will serve until the next annual meeting.

(4) The Standing Committee may only exercise the powers given under this clause 22 in two successive years in relation to a parish after which the Bishop must present a proposal for the future of Ministry within that parish to the next session of Synod.

### **23. Bishop's Commissioner**

(1) On receipt of a written request from either the Vicar or both Churchwardens, or on resolution of the Vestry, and after consultation with the Chancellor and the relevant Archdeacon, the Bishop may appoint a Bishop's Commissioner to lead a parish with the Commissioner assuming all duties and powers of the Vicar, Churchwardens, and Vestry in respect of administration of the parish or a mix of duties in association with the Vicar, as determined by the Bishop.

(2) Any appointment under clause 23(1) is for a maximum of twelve months unless the Standing Committee agrees otherwise.

(3) Any appointment made under clause 23(1), including its proposed term, must be notified in writing to the parish concerned, the Archdeacon, and the Standing Committee.

(4) If, after two years, there is still a need for a Bishop's Commissioner then the Bishop must present a proposal for the future of the parish to the next session of Synod.

#### *Sub-part 3 – parish meetings*

### **24. Annual Meeting**

(1) Each parish shall hold an annual meeting of parishioners by 30 April each year.

(2) The business of the annual meeting shall include:

- a. confirmation of the minutes of any prior meetings;
- b. receipt and adoption of the accounts of the parish for the previous financial year;
- c. presentation of a budget for the current financial year;
- d. receipt of a report on the life of the parish from the Vicar and Churchwardens;

- e. the election of the People's Warden, Treasurer, Vestry members and (where required) Lay Synod Representatives;
  - f. appointment of an auditor or reviewer where appropriate; and
  - g. consider any matter required to be put to the parish under any Diocesan Statute or such other matters as the Vestry decides to place before the annual meeting.
- (3) The Vicar will chair the meeting unless they decline to do so in which case the meeting will elect its own chairperson. The chairperson may delegate the role for certain parts of the meeting.
- (4) Only those aged sixteen (16) and over who are listed on the Parish Roll and are physically present at the meeting may speak and vote.
- (5) At least ten (10) working days' notice of the time, place and business of the meeting must be provided.
- (6) Notice of the meeting:
- a. may be provided to those on the Parish Roll by way of e-mail or social media messaging; and
  - b. must be provided in the weekly parish bulletin at Sunday services.
  - c. affixed on the door or an outside noticeboard of every church in regular use in the parish
- (7) Within seven (7) days of the annual meeting being held the Chairperson will notify the Diocesan Manager, using the forms provided, of those persons elected or appointed to the various offices.
- (8) Minutes of the annual meeting shall be kept.
- (9) In exceptional circumstances and with the Bishops permission, a parish AGM may be held by electronic means.

## **25. Special meetings**

- (1) A special meeting of the parish shall be convened by the Churchwardens when requested to do so by:
- a. resolution of the Vestry; or
  - b. written request signed by not less than one-quarter of those on the Parish Roll.
- (2) The business of the meeting shall be any matter specified in the resolution or written request calling the meeting.
- (3) The requirements of clause 24 (3), (4), (5), (6) and (8) apply to any special meeting convened.
- (4) In exceptional circumstances and with the Bishops permission, a parish AGM may be held by electronic means.

## **Part 3 – Chaplaincies**

### **26. Appointment of Chaplains**

- (1) Chaplains may be appointed to seafarers, schools, colleges, universities, university halls of residence, hospitals, the Police, the Armed Forces, and any other organisation or institution that requests it.

- (2) Chaplains shall be appointed in consultation with the Bishop and licensed by the Bishop.
- (3) No clergy person may hold appointment as a Chaplain without having completed the declarations required under the Constitution/Te Pouhere and the Canons of this Church for the holding of office.

## **27. Responsibility of Chaplains**

- (1) The responsibility of chaplains shall include:
  - a. active participation in the mission of this Church and the seeking of the coming of Christ's Kingdom;
  - b. maintenance of an active relationship with parishes and other ministry units where their chaplaincy is located; and
  - c. maintenance of an active relationship with the Diocese and Bishop.

### **Part 4 – Co-operating Ventures**

## **28. Formation of Co-operating Ventures**

- (1) Synod or the Standing Committee may enter into agreements to form Co-operating ventures with other Christian Churches.
- (2) Any agreement to form a Co-operating venture must be based on the guidelines approved by General Synod/Te Hinota Whānui from time to time.

## **29. Guidelines to be followed**

- (1) Co-operating ventures are to follow either:
  - a. the "Guide to Procedures in Co-operative Ventures" as agreed from time to time by the Uniting Congregations of Aotearoa New Zealand or any body which may replace it; or
  - b. guidelines within a local agreement entered into between another Christian denomination and either Synod or the Standing Committee.

## **30. Termination of Co-operating Ventures**

- (1) A Co-operating venture may be terminated in accordance with the agreement that formed it.
- (2) The property of any Co-operating venture will, on termination, be dealt with in accordance with the agreement that formed it.

### **Part 5 - Mission Units**

## **31. Establishment of Mission Units**

- (1) The Standing Committee, at the request of the Bishop, may by resolution establish Mission Units where it is considered beneficial to the advancing of the mission of the Diocese.

(2) A resolution establishing a Mission Unit must:

- a. provide a date for the establishment of the Mission Unit;
- b. name the Mission Unit;
- c. identify the purpose, nature and form of the Mission Unit;
- d. set out the governance structure of the Mission Unit;
- e. identify who will be responsible for the spiritual welfare of the Mission Unit;
- f. identify who any clergy licensed to the Mission Unit will be responsible to; and
- g. provide a date no more than three years' from the date of the resolution for a review of the life and structure of the Mission Unit.

### **32. Form of Mission Units**

Mission Units may take any form the Standing Committee resolves and need not cover mission that is tied to any particular geographic area.

### **33. Governance of Mission Units**

Mission Units shall have governance structures appropriate to the ministry and size of the Mission Unit and that provide for accountability and transparency in the life of the Mission Unit. For avoidance of doubt, such governance structures are not required to follow those set out for parishes in Part 3 of this Statute.

### **34. Amendment of Mission Unit structures**

The Standing Committee may by resolution amend the structure of any Mission Unit it has established.

### **35. Dissolution of Mission Units**

- (1) The Standing Committee may by resolution dissolve any Mission Unit it has established.
- (2) On the dissolution of a Mission Unit all property of the Mission Unit passes to the Anglican Diocesan Ministry Support Centre to be available for the general purposes of the Diocese.

## **Part 6 – Transition and repeal**

### **36. Repeal**

The Diocesan Local Mission and Ministry Unit Statute 1994 is repealed.

### **37. Transition**

- (1) All persons holding office under the Diocesan Local Mission and Ministry Unit Statute 1994 will remain in office and serve out the remainder of their term as if they had been elected or appointed under this Statute.
- (2) Each ministry unit in existence at the date this Statute comes into effect continues in existence as a ministry unit and each parish continues in existence with its current boundaries.

## SCHEDULE

Anglican Church in Aotearoa, New Zealand and Polynesia  
DECLARATION OF ACKNOWLEDGEMENT OF THE AUTHORITY OF  
THE GENERAL SYNOD/TE HINOTA WHANUI

I, (full name, address, occupation)  
being about to be (appointed) to the office of

## DO ACKNOWLEDGE AND DECLARE

1. That I accept the authority of the General Synod/Te Hinota Whanui of the Anglican Church in Aotearoa, New Zealand and Polynesia in relation to the office of .....  
(here describe the office)
2. That I will obey all the applicable laws and regulations and the provisions of the Constitution of the said Church in so far as they relate to the above described office.
3. That I will well and faithfully carry out the duties and responsibilities relating to the above described office, and if called upon by the General Synod/Te Hinota Whanui of the said Church, or by any person or body lawfully acting under its authority, I will immediately resign the office and any benefits that relate to it.

Signed by the above named declarant

this                      day of

in the presence of:

.....  
Signature of Witness

Occupation:

Address:

## **THE LICENSED LAY MINISTERS STATUTE**

Enacted 1999

WHEREAS it is considered that all baptised people are called to ministry;

AND WHEREAS it is desirable to encourage the development of competent and responsible lay ministry;

AND WHEREAS it is recognised that much lay ministry requires no authorisation beyond that of the local church community;

AND WHEREAS it is desirable that provision should be made for particular lay people to be authorised by Bishop's Licence to perform certain specific tasks in the ministry, mission, and leadership of the Church when operating with sole responsibility or with responsibility for the ministry of others;

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

1. THE Short Title of this Statute shall be "The Licensed Lay Ministers Statute 1999".
2. "THE Licensed Lay Ministers Statute" is hereby repealed.
3. THE following is enacted:

"THE LICENSED LAY MINISTERS STATUTE

### **1. LAY MINISTERS**

In addition to the personal ministry expected of all people in the Church and in the world by virtue of their baptism, Parishes and Local Churches may call and train lay people to perform certain tasks in the mission, ministry and leadership of the Church within the Parish or Mission or Ministry Unit. When they are exercising such ministry under the oversight or supervision of someone holding a Bishop's Licence they may do so without authorisation by Bishop's licence. Such ministry includes, but is not limited to:

- parish administration
- Christian education
- administration of the elements at Holy Communion
- reading the scriptures
- leading the prayers of the people
- music ministry

### **2. LICENSED LAY MINISTERS**



- 2.1 Baptised lay people exercising ministry with sole responsibility or with responsibility for the ministry of others shall be licensed by the Bishop to the Office of Licensed Lay Minister. Such ministry may be in one or more of the following areas or in such other areas as shall be determined by the Advisory Chaplains for Licensed Lay Ministry referred to in clause 3:
  - (a) leading worship
  - (b) taking the Holy Communion, whether for individuals or groups using the reserve sacrament
  - (c) preaching
  - (d) taking funeral liturgies
  - (e) the conduct of healing liturgies including the Laying on of Hands and Anointing with oil previously consecrated by a Bishop or priest
  - (f) the oversight of parish visiting
  - (g) the oversight of Christian education
- 2.2 The selection of Licensed Lay Ministers and their recommendation to the Bishop for the issuing of a Licence shall be by a process agreed upon by the Advisory Chaplains for Licensed Lay Ministry designated in clause 3.
- 2.3 Every application for the licensing of a lay person as a Licensed Lay Minister shall include an endorsement of the candidate by the Vestry of the parish or its equivalent in any other ministry or mission unit in which the candidate is to serve, and by the Vicar or Chaplain where applicable, as attested by the appropriate signatures attached to the application. In Local Shared Ministry Parishes licensing shall follow the requirements of "The Local Shared Ministry Statute".
- 2.4 Every person to be admitted to the Office of Licensed Lay Minister shall first sign the Declaration in the Second Schedule to this Statute.
- 2.5 Every licence of a Licensed Lay Minister shall be for no more than five years, but may be renewed by the Bishop.
- 2.6 Every application for the renewal of a licence shall meet the requirements under 2.3
- 2.7 Licensed Lay Ministers shall carry out their duties in such manner as the Vicar or Priest-in-Charge or Ministry Team, on behalf of the Bishop, shall from time to time direct, and such ministry shall comply with the Diocesan Ethical Guidelines.
- 2.8 Where appropriate, Licensed Lay Ministers may wear robes suitable to the performance of any of their duties such as would normally be worn at services in the parish or other local ministry or mission unit.
- 2.9 When a Licensed Lay Minister leaves the parish or other local ministry or mission unit in which licensed, the licence of that Licensed Lay Minister shall lapse.
- 2.10 Any licence under this Statute may be withdrawn at any time by the authority of the Bishop by notice in writing to the holder, who shall forthwith surrender the licence to the Bishop.

### **3. ADVISORY CHAPLAINS FOR LICENSED LAY MINISTRY**

- 3.1 There shall be a group of five Advisory Chaplains for Licensed Lay Ministry, consisting of two clergy and two lay persons appointed by the Bishop, and the Diocesan Ministry Educator or the Ministry Educator's nominee
- 3.2 The Advisory Chaplains for Licensed Lay Ministry shall be responsible for establishing and administering processes for:
- the provision, recommendation or approval of opportunities for initial and ongoing training and support of Licensed Lay Ministry
  - the recognition of appropriate standards of training for the issuing of any Licence by the Bishop
  - the selection of Licensed Lay Ministers and their recommendation to the Bishop for the issuing of a Licence
  - the re-licensing of Licensed Lay Ministers, and
  - oversight of the ministry of Licensed Lay Ministers.

## **FIRST SCHEDULE**

### **DIOCESE OF CHRISTCHURCH**

#### **LICENCE TO THE OFFICE OF LAY MINISTER**

N., by the Grace of God BISHOP OF CHRISTCHURCH to our well beloved in Christ  
.....

We, having received a request from the parish/local ministry or mission unit (delete one) of ..... and having received the consent of the Vicar and Vestry, or similar authorised persons, and;

You having made the required declarations required by the Constitution and Canons of the Anglican Church in Aotearoa, New Zealand and Polynesia.

WE DO HEREBY ADMIT YOU to the office of Licensed Lay Minister whereby you are authorised to perform the duties of that Office, and DO AUTHORISE YOU to exercise the following ministry/ministries in the parish/local ministry or mission unit (delete one):

\*\* Here is details and sets out the ministry to which the licence applies.

PROVIDED always that you do not use the Absolution or the Blessing; and that you do not use The Great Thanksgiving or Prayer of Consecration of a Eucharistic Liturgy, or the Prayer of Consecration of Oil.

IN WITNESS WHEREOF we have affixed our Episcopal Seal, this     day of     in the year of our Lord one thousand nine hundred and     and in the     year of our Consecration.

This Licence unless renewed by our endorsement will expire on the     19     and must be returned to the Bishop for renewal on or before the expiry date.

## **SECOND SCHEDULE**

### **ANGLICAN CHURCH IN AOTEAROA, NEW ZEALAND AND POLYNESIA**

#### **DECLARATION OF ACKNOWLEDGEMENT OF THE AUTHORITY OF THE**

#### **GENERAL SYNOD/TE HINOTA WHANUI AND THE SYNOD OF THE DIOCESE OF CHRISTCHURCH**

I, ( ), being licensed to the ministry of ( ) in the Parish (mission and ministry unit) of ( ) in the Diocese of Christchurch do acknowledge and declare:-

1. That I accept the authority of the General Synod/Te Hinota Whanui of the Anglican Church in Aotearoa, New Zealand and Polynesia in relation to the ministry in which I am licensed.
2. That I will obey all the applicable laws and regulations and the provisions of the Constitution of the said Church in so far as they relate to the ministry in which I am licensed.
3. That I will well and faithfully carry out the duties and responsibilities relating to this ministry, and if called upon by the General Synod/Te Hinota Whanui of the said Church, or by any person or body lawfully acting under its authority, I will immediately resign the office and any benefits that relate to it.
4. That I will pay true and canonical obedience, in all things lawful and honest to the Bishop of Christchurch and to the successors to that Bishop, and will be obedient to the ecclesiastical laws and regulations in force in the said Diocese of Christchurch.

Signed by the above named declarant  
this            day            ,19  
in the presence of:

14. THIS Statute shall come into effect on the first day of February 1995.

## **THE LOCAL SHARED MINISTRY STATUTE 1999**

Enacted 1999

1. THE Short Title of this Statute shall be “The Local Shared Ministry Statute 1999”
2. THE following will form this Statute:
  - “1. Parishes may decide, following the process requirements contained in this Statute, to adopt a pattern of ministry organisation known as Local Shared Ministry.
  2. The provisions for all parishes except those relating to a Vicar, as contained in the “The Local Ministry and Mission Units Statute”, shall apply to those parishes who choose to adopt Local Shared Ministry.
  3. The following procedure shall be followed where parishes wish to consider and or adopt Local Shared Ministry:
    - 3.1 Parish representatives meet with Diocesan personnel and use resources provided to discover what Local Shared Ministry could mean for them.
    - 3.2 The Bishop assisted by advisors, together with the parish, will assess whether Local Shared Ministry is appropriate.
    - 3.3 The Parish will hold a properly convened meeting of parishioners which must vote in favour of the Local Shared Ministry option.
    - 3.4 Final approval shall be given by the Bishop and Standing Committee before the process continues.
  4. The continuing process for the development of Local Shared Ministry in the parish will include:
    - 4.1 The appointment of a Ministry Enabler who will be licensed by the Bishop to nurture ministry and Local Shared Ministry development.
    - 4.2 The worshipping congregation along with the vestry will covenant with the Diocese and the Ministry Enabler to enter into development of Local Shared Ministry process according to the current guidelines.
    - 4.3 At an appropriate time a Ministry Support Team, will be called in order to enhance and support the ministry of the whole worshipping community(ies).
    - 4.4 Following a period of formation, which will include prayer and study by the ministry unit, the Ministry Support Team shall be commissioned/ordained and licensed by the Bishop for ministry.
  5. The responsibilities of the Ministry Enabler shall include assisting in:
    - 5.1 the development of appropriate styles of local ministry
    - 5.2 the ongoing identification of ministry skills
    - 5.3 the facilitation of training programmes

- 5.4 the encouragement of ministry outreach
- 5.5 Sunday worship as appropriate
- 6. In Local Shared Ministry Parishes there shall be a Ministry Support Team
  - 6.1 Membership of the Team shall consist of the Administrator and other licensed lay leaders and priests and deacons as agreed and called by the Local Shared Ministry Unit and the Diocese. Other licensed lay ministers may be called under the provisions of the "Licensed Lay Ministers Statute" but need not be members of the Ministry Support Team.
- 7. The responsibilities of the Ministry Support Team shall be:
  - 7.1 To promote and participate in the mission of this Church, and generally to seek the coming of Christ's Kingdom.
  - 7.2 To support and encourage the ministry of all the baptised.
  - 7.3 To support and encourage each other as members of the Team.
  - 7.4 To meet with the Ministry Enabler, regularly as a Team and individually as required.
  - 7.5 To report to the vestry on ministry matters and to make recommendations concerning the same.
- 8. The place of the ordained members of the Ministry Support Team shall include:
  - 8.1 Partnership in ministry with the Team and Parish community
  - 8.2 Serving within the community which called them for ordination, as licensed by the Bishop, and shall only function in another parish or ministry unit with the support of the Team and the Ministry Enabler
  - 8.3 Serving in a voluntary capacity
  - 8.4 Not being eligible to be a Churchwarden
  - 8.5 The licence ceasing upon movement to another parish or diocese.
- 9. Members of the Team are eligible to receive from the parish reimbursement for expenses including travel at rates approved by the Diocese from time to time, as agreed by the Vestry.
- 10. To meet the requirements of the Anglican (Diocese of Christchurch) Church Property Trust Act 2003 s23(b)(i) the signatories on behalf of the parish shall be the Ministry Enabler and the Churchwardens.
- 11. In the case of sickness, accident to or the death of the Ministry Enabler the Churchwardens shall liaise with the Archdeacon and the Diocesan Ministry Educator.
- 12. The Churchwardens shall hold on trust the keys to any parish buildings.

13. Unless elected or appointed under the provisions of the "Diocesan Synod Election Statute" those ordained for such local ministry shall not by virtue of ordination be entitled to a seat on Synod. However the parish shall elect one of those ordained for such local ministry to be its licensed clergy representative of Synod with both a seat and vote."
3. THIS Statute shall come into effect on the passing of the same.

**RULES AND REGULATIONS**  
**FOR THE MANAGEMENT OF THE CHURCH OF ENGLAND CEMETERIES IN**  
**THE DIOCESE OF CHRISTCHURCH, NEW ZEALAND**

Enacted 1864

Amended 1873, 1891, 1897, 1900, 1919, 1940, 1983, 1989

1. All the Anglican Cemeteries in the Diocese shall be placed under the control and management of the Vicar and Churchwardens or Cemetery Boards of the several districts in which they are situated, subject to the general superintendence of the Archdeacon.
2. Nobody shall be interred in these cemeteries without an authorised service read by the Vicar of the Parish or some other person authorised by the Vicar and no other service shall be performed over bodies in such cemeteries except by consent of the Vicar.
3. A sum to be fixed by the Vicar and Churchwardens or Cemetery Boards shall be paid as Sexton's fees.
4.
  - (a) Persons desirous of obtaining an exclusive right in any plot of ground as marked on the plan of cemetery, for the purpose of making graves or family vaults, or erecting memorials may do so at a rate to be fixed by the Vicar and Churchwardens or Cemetery Board. An extra rate, at the discretion of the Vicar and Churchwardens or the Cemetery Board may be charged in the case of persons desiring to purchase who are not resident within the parish or mission district, or who, whether so resident or not desire to purchase for the burial of the body or ashes of any person who at the time of death was not resident within the parish or mission district.
  - (b) Every burial plot shall be 2.7 metres by 1.2 metres for adults, and no persons shall hold more than six of such plots, nor shall the top of any coffin be less than 1.2 metres at least from the natural level of the soil. For the interment of ashes every burial plot shall be at least 0.6 metres by 0.6 metres and such ashes shall be buried so that they are not less than 0.5 metres below the natural level of the soil.
  - (c) Every person obtaining such a plot shall receive a document signed by the Vicar and one of the Churchwardens, or by the Chairperson of the Cemetery Board of the district, or, in the case of there being no Vicar, by the Priest-in-Charge for the time being and one of the church officers.

*Received from A.B., of ....., the sum of ..... for that piece of ground, part of the Anglican Church Cemetery, at ....., numbered ..... on the map of the cemetery in the custody of the Vicar and the Churchwardens, or Cemetery Board, of .....*

*The above piece of ground to be held by the said A.B. subject to the rules for the time being in force for the management of the cemetery.*

5. Applications for this purpose or for burial, may be made to the Vicars of the several districts, or the Sextons.

6. The money arising from the above payments for burial plots shall be appropriated towards the cost of enclosing, draining, planting and maintaining the cemetery, provided that not less than one half of such payment shall normally be paid into a separate fund, the income of which shall be applied to the up-keep and maintenance of the cemetery. In special circumstances the Cemetery Board in consultation with the Standing Committee may apply for the use of the capital set aside in the separate fund for use in expenditure which will result in permanent improvements in the cemetery.
7. The holders of any plot of burial ground, vaults, or graves in the several cemeteries shall observe such rules with regard to the erection of monuments and memorials, the enclosure and fencing and decent keeping of such plots, vaults, graves, monuments and memorials as shall from time to time be in force in the said cemeteries, such rules having been approved by the Standing Committee.
8. The Vicar and Churchwardens or Cemetery Board may remove at their discretion any enclosure or fencing which may be in a state of dilapidation from any plots of burial ground, after due notice of such intended removal given, if possible, to the holders of such plots.
9. Any tree or shrub or plant injuring , or likely to injure, any memorial, or overhanging another plot, may be pruned, or, if necessary, removed by order of the Vicar and Churchwardens or Cemetery Board, notice having been given, if possible, to the persons interested.
10. The position of the graves or vaults and the general arrangement and laying out of the ground shall be determined by the Vicar and Churchwardens or Cemetery Board of the several committees, subject to the approval of the Archdeacon.
11. A plan of each Cemetery shall be kept, on which position of the several graves and vaults (each of which shall be numbered) shall be shown, and a register of ownership and interment shall also be kept.
12. No monument, gravestone, railing, or erection of any kind shall be placed in any cemetery without the specific consent, in writing, of the Vicar, Officiating Minister, or Bishop (if the cure be vacant), or of the clerical members of the Cemetery Board, as the case may be; nor shall any inscription of any wall, monument, gravestone or railing be made without the consent of the Vicar, Officiating Minister, or Bishop (if the cure be vacant), or of the clerical members of a Cemetery Board, as the case may be reserving to the Archdeacon the power of ordering the removal of any inscription erection or obstruction at the Archdeacon's next visitation, subject to an appeal to the Bishop as hereafter provided.
13. In the case of the Vicar, officiating minister, or the clerical members of the Cemetery Board objecting to any inscription or the erection of any monument, an appeal may be made to the Bishop, whose decision shall be final.
14. In the case of any dispute arising between the Vicar and Churchwardens, or between the members of the Cemetery Board, an appeal may be made to the Archdeacon, whose decision shall be final; and in case of any dispute arising between the Archdeacon on the one part and the Vicar and Churchwardens or Cemetery Board on the other, and appeal may be made to the Bishop, whose decision shall be final.



15. A separate account shall be kept in respect of every cemetery, and shall be made up annually to 31 December in each year, and a copy bearing the auditor's signature shall be forwarded to the Standing Committee, and the Standing Committee may at any time call upon the Vicar and Churchwardens or the Cemetery Board for accounts of all monies received and expended upon the cemetery.
16. Except as directed by the Coroner or other Public Officer having legal authority in that behalf, no body shall be disinterred for removal without the consent of the Bishop, or, in the Bishop's absence, of the Archdeacon.
17. These Rules and Regulations shall be applicable as far as possible, to interments which have already been made in the several cemeteries.
18. Nothing in these Regulations shall be held to conflict with the Burial and Cremation Act 1964 and any subsequent amendments.
19. With the consent of the local authority concerned the Church Property Trustees may transfer a cemetery to such local authority subject to the consent in writing of the Synod, given under the hand of the President thereof, or, if such Synod shall not be in session, given under the hand of the Chairperson of the Standing Committee of the Synod, and subject also to the consent in writing of the ordained minister licensed by the Bishop of Christchurch to such parish in which the cemetery concerned, or any part thereof, shall be situated, and in the event of such parish being vacant, of the Archdeacon of the district in which such parish is included, and subject further to the consent in writing of the Churchwardens of such parish.
20. The Rules and Regulations for the management of the Church of England Cemeteries in the Diocese of Christchurch, New Zealand as enacted in 1864 and amended in 1873, 1891, 1900, 1902, 1919 and 1940, are hereby repealed.

These should be read in conjunction with the Section on the Guidelines on the Establishment and Operation of Columbariums, Ashplots and Memorial Gardens (See Page H 33-34).

And the Historic Places Trust Act (copy of this Act available from the Archivist at the Diocesan Office)

## **REGULATIONS FOR TRUSTEES**

1. Every trustee in this Diocese who holds property on behalf of the Anglican Church in Aotearoa, New Zealand and Polynesia shall
  - 1.1 Ensure that the provisions of Part C Clause 14 of the Constitution/te Pouhere are complied with
  - 1.2 Before admission to office sign the Declaration provided for in Part C Clause 15 of the Constitution/te Pouhere as contained in Schedule One hereto
  - 1.3 Be subject, concerning such property, to all regulations and instructions, not inconsistent with the terms of trust, which may from time to time be issued by the Synod.
  - 1.4 Resign as trustee whenever called upon by the Synod, or by any person or body lawfully acting on behalf of the Synod to do so; PROVIDED however, that no trustee shall be called upon to resign office except on judgement of the persons acting on that behalf under Title D Canon I or II of the General Synod/Te Hinota Whanui.
2. Trustees appointed by the Synod may receive and administer properties offered by any donor for religious, charitable, or educational purposes generally, provided that no special conditions or limitations shall be introduced into any deed or gift without the approval of the Standing Committee.
3. Where land is vested in trustees for religious, charitable, and educational purposes generally, the specific applications shall be determined by the Synod, or the Standing Committee.
4. No sale of land shall be made, by any trustees other than the Church Property Trustees, except with the consent of Synod, or the Standing Committee.
5. No fine or premium shall be taken for granting any lease.
6. All leases of rural land shall contain clauses providing that such land shall not be exhausted, and that it shall not be sub-let without the consent of the trustees.
7. No building shall be erected on any church site, vicarage or clergy house site, or glebe land until the plans thereof shall have been submitted to, and approved by, the Standing Committee.
8. No alterations of any important kind shall be made:
  - 8.1 to the fabric of the church without a faculty from the Bishop
  - 8.2 to other church buildings without the permission of the Standing Committee
9. The Trustees of any church site shall allow the Bishop or the Vicar-General, specially authorised in that behalf, the Archdeacon, the vicar of the parish or ordained minister of a ministry or mission unit, or other cleric or licensed lay minister lawfully acting under the authority of the Bishop, the Churchwardens,

or other officers of the local ministry or mission unit, to perform therein all lawful acts belonging to their respective offices.

10. The Trustees shall allow the free use of the vicarage and glebe to the vicar of the parish or clergy house and grounds to the ordained minister of any other ministry or mission unit, and shall not interfere with the occupation thereof, except as may by regulation be expressly required.
11. No vicarage, clergy house or part thereof shall be let without the consent of the Standing Committee, the Church Property Trustees and the Vestry or church officers of the parish or other mission or ministry unit concerned. Any rental shall belong to the parish or other mission or ministry unit concerned.
12. The spouse of a vicar or ordained minister shall be permitted to continue in the use and occupation of the vicarage and glebe or clergy house and grounds for up to three months after the death of the vicar or ordained minister.
13. Every Board of Trustees shall, if required, lay before the Synod the Minutes, or a copy of the Minutes, of its proceedings.
14. All questions which may arise between any trustees and the officers of any parish or other ministry or mission unit shall be referred to and decided by the Standing Committee.
15. The trustees of a Burial Ground shall be subject to these regulations, so far as the same are applicable, and to any special regulations which may from time to time be passed by the Synod for the management of cemeteries."

*(for Schedule please refer next page)*

## SCHEDULE ONE

### **DECLARATION OF ADHERENCE AND SUBMISSION TO THE ANGLICAN CHURCH IN AOTEAROA, NEW ZEALAND AND POLYNESIA**

I, A.B. DO DECLARE my submission to the authority of the General Synod/Te Hinota Whanui of this Church established by a Constitution agreed to on the 13<sup>th</sup> day of June 1857 and as subsequently revised and amended from time to time and to all the provisions of the Constitution from time to time in force to the extent that that authority and those provisions relate to the office of ...../ membership of ..... and to any other office or membership I may at any time hold.

AND I further consent to be bound by all the regulations which may from time to time be issued by the authority of the General Synod/Te Hinota Whanui in relation to any such office or membership so long as I hold it;

AND I hereby undertake in consideration of my holding any such office or membership immediately to resign that office or membership together with all the rights and emoluments appertaining thereto whenever I shall be called upon so to do by the General Synod/Te Hinota Whanui or by any person or persons lawfully acting under its authority in that behalf.

Given under my hand this            day of            in the presence of:

**REGULATIONS FOR THE APPOINTMENT OF**  
**NEW TRUSTEES**

UNDER THE RELIGIOUS, CHARITABLE AND EDUCATIONAL  
TRUSTS ACT

Enacted 1914; Amended 1989

1. In all cases in which freehold or leasehold property in the Diocese is held upon trust under "The Charitable Trusts Act, 1957" or any Act passed in substitution, therefore, and it is provided by a Conveyance, Assignment or other Assurance declaring the trust thereof, that the provisions of the Statutes and Regulations of the Synod respecting the appointment of new Trustees shall be deemed to apply for the purpose of the appointment, resignation or removal of a new or an existing trustee or trustees of such property or other similar reference is made to the Statutes and Regulations of the Synod respecting the appointment of new trustees, the Synod, or when the Synod is not in session the Standing Committee of the Synod may by Resolution appoint a new trustee or trustees in place of any trustee who is dead, or who remains out of New Zealand for the space of twelve months, or desires to be discharged from all or any of the trusts or powers reposed in or conferred on such trustee, or who refuses or is unfit to act therein, or is incapable of so acting, and in any such case, the Synod or Standing Committee may appoint the Church Property Trustees to be sole trustee in place of a sole trustee or in place of two or more former trustees.
2. The foregoing regulation shall come into operation immediately upon the passing thereof, and after such passing any appointment thereunder may be made during or after the present session of the Synod.

## **REGULATIONS RELATING TO LOCAL RESERVES**

1. All reserves and donations of land for the sites of churches, schools, vicarages, burial grounds, or other local purposes shall be regarded as the property of the parishes or other ministry or mission units in which they are respectively situated, and any income arising from any such land shall be applied within the local ministry and mission unit to the special purpose for which the reserve was originally intended.
2. On the subdivision of any parish or other ministry or mission unit, the Synod shall decide to what proportion, if any, of any local reserve, or the income thereof, the newly-formed parish or other ministry or mission unit is entitled. Allocations made previously to such subdivision shall be deemed to have been made under this provision.\*
3. If at any time it shall appear to the Synod that the value or income of any local reserve has increased to such an extent as to be more than sufficient to satisfy the reasonable wants of the parish or district, the Synod may, unless inconsistent with the terms of the trust, decide what amount of the income shall be applied to the purposes of the parish or other ministry or mission unit, and shall determine to what purposes in neighbouring parishes or districts, or within the Diocese at large, the surplus income shall be applied.#}

### **EDITORIAL NOTES**

- Section 29 of the “Church Property Trust (Canterbury) Act, 1879,” provides that in the event of the constitution by Synod of any new parish or mission district being part of a parish or district in which local endowments are situated, the trustees shall administer the said local endowments, or such part of them as is situated within the boundaries of the new parish or mission district, for the benefit of such new parish or mission district; and any glebe lands so situated for the benefit of the licensed ordained minister of such new parish or mission district.

See also Resolution of Synod with respect to the proceeds of certain Special Reserves, Year Book, 1906, page 38.

- # Section 34 of the “Church Property Trust (Canterbury) Act, 1879,” provides that special directions in the Deed or other Document creating the Trust shall nevertheless have effect.
- } The “Church Property Trust (Canterbury) Act, 1879, Amendment Act, 1906,” provides, that after the date thereof in respect of any land originally given or acquired as a site for a Church, School, Parsonage or Vicarage, the Synod shall have full discretion in dealing with the proceeds (whether capital or income) without being limited by the consideration whether or not the value has increased beyond the reasonable wants of the parish or district.

## **REGULATIONS AFFECTING GLEBES**

WHEREAS IT IS ENACTED in "The Church Property Trust (Canterbury) Act, 1879," Part IV, Section 24, that local endowments held by the Church Property Trustees, or by any other trustees appointed by the Synod of the Diocese of Christchurch under the provisions of "The Religious, Charitable and Educational Trusts Act, 1856," "The Religious, Charitable and Educational Trusts Act Amendment Act, 1865," and "The Bishops in New Zealand Trusts Act, 1871," as glebe lands, shall be administered by the Trustees for the benefit of the ordained minister licensed by the Bishop of Christchurch to the cure of the particular parish or mission district in which any such glebe shall be situated" AND WHEREAS it is necessary for the due carrying out of the said enactment, and the permanent maintenance in good order and condition of glebe lands, and the improvements thereon, that regulations for the management of the same should be made -

It is hereby directed:-

1. That the terms 'glebe' and 'glebe land' shall, for the purpose of these regulations, be interpreted to mean land intended to be used by or for the benefit of the vicar of a parish or other ministry or mission unit, not being the actual site of the vicarage, nor a garden or orchard connected therewith, nor the site of the stable in the actual use of the vicar.
2. The vicar of the parish or other ministry or mission unit in which any glebe is situated is entitled to the free use thereof: nevertheless the trustees of any glebe shall have the free right of entry upon the same at all reasonable times for the purpose of inspecting the condition of the land, and the state of repair of all buildings, fences, gates, ditches, watercourses, drains and other improvements.
3. In the vacancy of any parish or other ministry or mission unit the trustees may, with the sanction of the Standing Committee, let the glebe lands pertaining to such cure, and shall hold the net rental thereof, after deducting the necessary expenses of management, for the benefit of the cure.
4. At the request of the vicar and church officers of any parish or other ministry or mission unit, and in the case of a mission district, with the sanction of the Standing Committee, the trustees may let or lease the glebe lands pertaining to such cure, and shall pay the net rental thereof, after deducting the necessary expenses of management, half-yearly or quarterly to the vicar for the time being of such parish or other ministry or mission unit. At the termination of any such letting, the vicar of the parish or other ministry or mission unit may elect either to occupy the glebe, or to request the trustees thereof to let it for a further term.
5. Unless otherwise sanctioned by resolution of the Synod or Standing Committee, no glebe shall be let or leased for a longer term than five years. When sanctioned by such resolution, a glebe may be leased for any term for which the Church Property Trustees may lease a Local Endowment.
6. The rental of any glebe so let shall not be included in any guarantee of local contributions to the stipend of the ordained minister.
7. No person or body of persons is authorised to let or lease any glebe other than the trustees thereof.
8. No buildings, fences, graves, trees, drains or other improvements shall be removed from any glebe without the consent, in writing, of the Trustees; and

the vicar shall have no claim to compensation, on vacating the cure, for any improvements effected during past tenure.

9. Subject to the provisions of "The Church Property Trust (Canterbury) Act, 1879," the Synod shall, on the division of any parish or mission district in which there are glebe lands, determine what portion of such glebe lands, or of the rental thereof, shall be administered for the benefit of the respective vicars of the separate parishes or districts.
10. That there shall be an inspection of all glebe lands, on behalf of the trustees thereof, at the least in every second year, and also at every fresh vacancy occurring in a cure; and the reports of the inspector shall be laid by the trustees before the Standing Committee.



## **REGULATIONS OF THE STANDING COMMITTEE**

### **CONCERNING FACULTIES, PLANS AND SITES**

For the guidance of Vicars, Churchwardens and Vestry members the following regulations are issued by the Bishop and the Standing Committee concerning plans of buildings and alterations thereto.

1. The Bishop's Faculty or Licence is necessary before permanent furnishings are made for a church or before any alteration is made in a church or before any addition is made to the permanent furniture thereof and before any reredos, monument, tablet, window or any inscription is placed therein or in the church grounds, but excluding tombstones. There is a printed form for the petition for a Faculty; the petition must be in writing, addressed to the Bishop, and signed by the Vicar and Churchwardens of the cure. It should distinctly describe the alteration or addition; the position it is to occupy in the church; the material of which it is to be made; whether it is a gift, and if so, by whom; and must also set out fully, and if possible in facsimile, the inscription, if any, which is desired. Applications must reach the Bishop at least ten days prior to the date set down for the meeting of the Plans and Sites Committee who act as the Bishop's Advisory Committee on Faculties.
2. The approval of the Standing Committee and of the Church Property Trustees is required on any church land and before any alteration is made to an existing building or the placing thereof on church land.
3. In case of buildings, sketch plans only should be supplied to the Diocesan Manager so that any alterations suggested by the Standing Committee may be made before final plans are prepared. It is important to see that plans and specifications, including a siting plan, are submitted and approved before the work is put in hand.
4. Sketch plans must be accompanied by draft specifications or a summary of materials which it is proposed to use.
5. In every case where it is proposed to erect a new building, sketch plans must be sent to and approved by the Standing Committee and the Church Property Trustees and then submitted to and approved by a general meeting of parishioners. After approval by the parishioners, final plans and specifications should then be submitted to the Diocesan Manager for submission to and approval by the Standing Committee before the work is put in hand. Approval of plans and specifications does not indicate that finance by way of loan is available, separate applications must be made as detailed in the following clause.

6. Where the raising of loan money is involved, the approval of a meeting of parishioners is required before the application, together with the text of the resolution passed at the parishioners' meeting, is submitted to the Standing Committee and the Church Property Trustees.

*(See Financial Regulation 12)*

Forms of application for Parochial Loans may be obtained from the Diocesan Office.

7. The services of a registered architect must be employed in the erection of, or alteration to, any building within the Diocese unless Standing Committee is satisfied that other arrangements, satisfactory to it, are made as to plans, specifications and supervision. Any application in this connection or plan prepared by other than a Registered Architect must clearly show the name and qualifications of the person concerned. An outline of the requirements of the Standing Committee in connection with the preparation of plans and specifications is available from the Diocesan Manager.
8. All applications for faculties and plans for consideration must reach the Diocesan Office at least ten days prior to the meeting of the Plans and Sites Committee as detailed on the Schedule of Meeting Cards forwarded yearly to all clergy and churchwardens.
9. There are certain minimum requirements in connection with vicarages and clergy houses and details of these are available from the Diocesan Manager.
10. Details concerning the Diocesan requirements in connection with floor and window coverings should be sought from the Church Property Trustees Property Manager.

## **THE CLERGY APPOINTMENTS STATUTE**

Enacted 2006; Amended 2007, 2015

- 1 Whenever a full time stipendiary clergyperson (other than a Priest-in-charge) is to be appointed to a ministry unit, or an Anglican appointed to a co-operating parish, a Board of Nomination shall be constituted.
  - 1.1. The membership of the Board shall be the Bishop, any Assistant Bishop of the Diocese, the nominators of the appointing unit and four Diocesan Nominators, two ordained and two lay.
  - 1.2. The Board shall be chaired by the Bishop.
- 2 The Diocesan Nominators shall be drawn from a pool of 12 people, six clergy holding the Bishops Licence and six Lay Representatives.
  - 2.1. These persons shall be elected at the first annual session of Synod held after each general election for the Diocesan Synod. The Clerical members elect the Clerical Representatives and the Lay Members elect the Lay Representatives, each Order acting as an electoral body and not as a Diocesan Synod.
  - 2.2. The Diocesan Nominators shall hold office until the election of their successors unless a Nominator resigns by letter addressed to the Bishop or leaves the Diocese.
  - 2.3. Any casual vacancies due to death or as under Clause 2.2 shall be filled by the Standing Committee. The Clerical Members of the Standing Committee shall elect Clerical Representatives and the Lay Members elect Lay Representatives, each Order acting as an electoral body and not as the Standing Committee.
  - 2.4. The Standing Committee may direct its Clerical Members to elect an eligible person as a substitute Diocesan Nominator in the place of a Clerical Representative who is appointed Vicar-General or Deputy Vicar-General or Commissary of the Primate, such substitute Diocesan Nominator to act wherever the Vicar-General or Deputy Vicar-General or Commissary is acting in such capacity on the Board of Nomination.
- 3 The Vestry of the Parish shall elect four persons to serve as Parish Nominators.
  - 3.1. Any casual vacancy on the Parish Nominators shall be filled by the Vestry.
  - 3.2. The Parish Nominators in office at the time a Vicar announces resignation shall continue in office until the appointment process is completed.
- 4 In the case of a Co-operating Parish, where an Anglican appointment is imminent the appointments of four persons to serve as Nominators shall be arranged by the Parish Council.
  - 4.1. The appointed persons shall as far as possible provide congregational representation for the partner church or churches.

- 5 For the appointment of a Vicar the Diocesan Board of Nomination shall observe the following process:
  - 5.1. The Bishop shall be the Convenor of every Board of Nomination.
  - 5.2. The Bishop, two Diocesan Nominators and two Parish Nominators shall be present to constitute a quorum.
  - 5.3. Every endeavour will be made to provide continuity of attendance by Diocesan Nominators at meetings of the Board of Nomination for a particular parish.
  - 5.4. At the first meeting of the Board of Nomination the Archdeacon who has oversight of the parish should be invited to attend as a non-voting consultant to the Board.
- 6 Subject to clause 7 and 8, for the appointment of a Deacon or Priest Assistant to serve in a single Ministry Unit the following process will be observed:
  - 6.1. The Ministry or Mission Unit will first of all advise the Bishop
  - 6.2. The Bishop shall call together the Diocesan Board of Nomination, together with the Vicar and any other ordained members of the team who shall be non-voting consultants
  - 6.3. Notwithstanding the above, no appointment may be offered without the approval of the Vicar.
- 7 For the first appointment of ordinands the appointment shall be made by the Bishop in consultation with the Examining Chaplains and the Vicar and the appropriate parish representatives.
- 8 For full time stipendiary clergy appointments to multiple Ministry Unit Teams where the license will be held in common, but excluding Ministry Enablers, the following process will be observed:
  - 8.1. The Bishop shall call together the Diocesan Board of Nomination including parish nominators from all the parishes involved in the cluster.
  - 8.2. Notwithstanding the above, no appointment may be offered without the approval of an appointed Cluster Team Leader.
- 9 In all cases a nomination of appointment requires the majority of the voting members constituting the Board whether present or not.
- 10 Before the nominee is offered the position the Board of Nomination shall be satisfied that the parish concerned can meet the removal costs, the cost of stipend and allowances, housing provisions, pension and insurance arrangements for the expected length of term for the intended appointment.
- 11 The Bishop shall write to the nominee a Letter of Offer.
  - 11.1. If the offer is accepted the due licensing process follows.
  - 11.2. Should the offer be declined the appointment process shall begin again.
- 12 Prior to the appointee taking up the position an orientation or training process appropriate to the appointment shall be arranged by the appointee in

consultation with the Parish and the Diocesan Ministry Adviser, with costs of the process to be paid by the Parish. The particular orientation or training should be agreed upon between the appointee, the Parish and the Diocesan Board of Nomination.

- 13 For Ministry Enablers the Bishop shall be authorised to make an appointment following consultation solely with the Parish Nominators of the parishes concerned.
- 14 For part-time stipendiary clergy appointments the Bishop shall be authorised to make the appointment having first obtained the approval of the Vicar (if any) and the majority of Parish Nominators and any other clergy holding a Bishop's licence in that Ministry Unit.
  - 14.1. The Bishop may at their discretion choose to use a full Board of Nomination process in some instances.
- 15 In other Ministry and Mission Units clergy shall be appointed by the Bishop after consultation with representatives of the Ministry and Mission Unit.

# **The Complaints Procedures of the Diocese of Christchurch Statute**

**Enacted 2020 – Amended 2021**

## **PART 1 – PURPOSE AND INTERPRETATION**

### **1. Title**

The title of this Statute is The Complaints Procedures of the Diocese of Christchurch Statute 2021.

### **2. Purpose**

The purpose of this Statute is to provide the process to be followed by the Diocese of Christchurch when complaints of unsatisfactory conduct are referred to the Bishop of the Diocese of Christchurch, as Licensing Bishop, for resolution under Title D Canon III of the Canons of this Church.

### **3. Interpretation**

- (1) In this Statute, where applicable and unless the context otherwise requires, words have the same meaning as given to them in Title D Canon I.
- (2) In this Statute, unless the context otherwise requires:
  - a. “Church” means the Anglican Church in Aotearoa, New Zealand and Polynesia;
  - b. “Civil Agencies” means the Police, Civil Courts, Human Rights Commission, Employment Tribunal, or any other body have jurisdiction under laws of New Zealand in respect of complaints;
  - c. “Clergy” means all Ordained Ministers;
  - d. “Diocese” means the Diocese of Christchurch;
  - e. “Inter Diocesan Conference” means the governing body of the New Zealand Dioceses;
  - f. “Lay Workers” means any non-ordained person employed by the Diocese or a Local Ministry Unit whether or not they are licensed or unlicensed or paid or unpaid;
  - g. “Ministry Unit” has the same meaning as in the Diocesan Ministry Units Statute 2020;
  - h. “Monitor” means the monitor appointed pursuant to clause 10;
  - i. “Support Person” means those persons appointed in accordance with clause 15.

## **PART TWO - MONITOR**

### **Appointment of Monitor**

- (1) The Bishop shall appoint a Monitor in consultation with Standing Committee.
- (2) The Bishop may appoint more than one Monitor.
- (3) A Monitor is appointed for a term of three years and may be reappointed.
- (4) The Bishop may remove a Monitor at any time.
- (5) A Monitor may resign by giving written notice to the Bishop.

### **4. Functions of the Monitor**

- (1) The functions of the Monitor or Monitors are to:
  - a. process complaints referred to a Monitor by the Bishop in accordance with this Statute;

- b. arrange counselling for the Complainant if appropriate;
- c. monitor complaints dealt with by Civil Agencies;
- d. keep the Bishop informed of complaints;
- e. keep a file in respect of each complaint which shall be confidential to a Monitor and the Bishop;
- f. assist in providing support for:
  - I. any complaint and the complainant's family;
  - II. any respondent and the respondent's family; and
  - III. the Local Ministry Unit;

## **5. Qualifications of the Monitor**

(1) A Monitor must:

- a. have an understanding of the ethos of the Church;
- b. have appropriate training and experience relating to professional or ministry standards;
- c. have appropriate understanding of, and training in, complaints processes.
- d. have appropriate skills to undertake mediation between people in conflict.

(2) A Monitor must undertake regular professional supervision.

(3) On appointment a Monitor must complete the declaration set out at clause C15 of Te Pouhere/the Constitution.

## **6. Remuneration of the Monitor**

(1) A Monitor may be paid such remuneration by way of fees, salary, or wages as decided by the Standing Committee.

(2) A Monitor may be paid such allowances and expenses (including expenses for professional supervision) as are provided for in the Financial Regulations of the Diocese.

## **7. Powers of the Monitor**

(1) A Monitor shall be subject to the authority of the Bishop who may review the Monitor's functions and duties as necessary.

(2) The Monitor shall have all such powers as are reasonably necessary to carry out the Monitor's functions and duties provided that the Bishop may prescribe the powers of the Monitor as necessary.

# **PART THREE – COMPLAINTS**

## **8. Application of this Part**

This Part applies to any complaint of unsatisfactory conduct where the Registrar recommends, pursuant to Title D Canon III clause 23(a), the Bishop resolves the complaint.

## **9. Complaint process**

- (1) On receipt of a written report under clause 22 of Title D Canon III recommending, pursuant to Title D Canon III clause 23(a), that the Bishop resolves a complaint of unsatisfactory conduct, the Bishop shall provide a copy of the report to a Monitor.
- (2) The Bishop shall then either:
  - a. direct that Monitor to conduct a process of reconciliation under clause 18;
  - b. direct that Monitor to conduct an investigation under clause 19; or
  - c. direct the respondent to receive further counselling pursuant to Title D Canon III clause 33.

## **10. Process of reconciliation**

- (1) Where a Monitor is directed to conduct a process of reconciliation, that Monitor may:
  - a. facilitate meetings between the complainant and respondent as that Monitor thinks fit;
  - b. appoint an independent facilitator as that Monitor thinks fit; or
  - c. otherwise conduct the process as that Monitor thinks appropriate.
- (1) A Monitor shall keep the Bishop updated as to the progress of any process of reconciliation.
- (2) Any outcome agreed between the complainant and respondent is subject to the agreement of the Bishop.
- (3) If there is no agreed outcome, the matter is to be referred back to the Bishop who must then direct an investigation under clause 19.
- (4) At the end of any process of reconciliation the Monitor engaged in the process shall:
  - a. record the outcome in the complaints file;
  - b. close the complaints file; and
  - c. notify the Registrar and the Monitoring Committee of the outcome.
- (5) In conducting a process of reconciliation, the Monitor must follow any applicable guidelines issued by the Ministry Standards Commission.

## **11. Process of investigation**

- (1) Where a Monitor is directed to conduct an investigation then:
  - a. the Monitor must provide written notice of that to the complainant and respondent;
  - b. the Monitor must obtain from the complainant an outline of the complaint and supporting evidence;
  - c. the Monitor must put all allegations to the respondent and obtain from the respondent a response to the complaint and supporting evidence;
  - d. the Monitor may make such enquiries of possible witnesses as the Monitor thinks fit; and
  - e. the Monitor must prepare a written report to be provided to the complainant, respondent, the Monitoring Committee, and the Bishop outlining the outcome of the investigation and recommend actions including further training or counselling or admonition.
- (2) In conducting an investigation, a Monitor may have regard to any evidence which the Monitor considers is of probative value.



- (3) In conducting an investigation, a Monitor must follow any guidelines applicable to such an investigation issued by the Ministry Standards Commission.

## **12. Outcomes**

- (1) On receipt of a report of an investigation under clause 19 where unsatisfactory conduct is established the Bishop may:
- a. admonish the respondent pursuant to Title D, Canon III clause 54(a); and/or
  - b. require the respondent to undertake further training or counselling.
- (2) The Bishop is not bound to follow the recommendations of a Monitor and may seek advice from the Registrar or Ministry Standards Commission as to an appropriate outcome.

## **13. Referral to the Registrar**

Where, during the course of handling a complaint under this Statute, the conduct complained of would, if proven, constitutes misconduct then the process under this Statute must immediately cease and the matter be referred to the Registrar in accordance with Title D, Canon III clause 17.

## **PART FOUR – OTHER BUSINESS**

- 14.** The Bishop may refer any other business to the Monitor as the Bishop sees fit including, but not limited to asking the Monitor to act as Bishop's Advisor for Reconciliation in situations of conflict which have not yielded a formal complaint, but which are of concern to the Bishop.
- 15.** The Bishop may appoint Advisors for the purpose of the Bishop or the Monitor being advised on any matter under consideration in respect of ethics, handling of complaints, or mediation of conflict.

*The following material remains important guidance for the conduct of ministry and mission in the Diocese of Christchurch. The importance of the material lies in its potential to offer wisdom and insight which is complementary to the direction and regulation found in Title D, our church's canon on ministry standards.*

## **FROM THE DIOCESAN MISSION STATEMENT:**

"Our mission is God's mission. It is expressed in the words of the Risen Jesus: "As the Father has sent me, so I send you... receive the Holy Spirit". It is focused in Christ who is Lord and Master of all life. He is the hope of a needy world and He offers faith for the future. Like Christ's mission, ours will be marked by costly obedience. In so far as our mission is Christ-like, it involves an inescapable challenge to follow the loving leadership of Christ.

We accept the Anglican Consultative Council's definition of mission and express it as:

1. To proclaim the gospel of the Kingdom.
2. To nurture the community of faith.

3. In love to heal, care and serve all people.
4. To see justice and peace for all.
5. To safeguard the integrity of creation and renew the life of the earth.

This leads us to affirm that:

- Christ is the foundation of our lives and offers a living faith for all people.
- Christ is the centre around Whom all life is gathered.
- Christ is our hope in an uncertain and insecure age, and in Him we have confidence and direction for the future.
- Christ is Lord of the Church and calls us within that fellowship to show unity in that diversity which is traditional to Anglicanism.

Based on the Mission Statement our goals are:-

1. Proclamation - Communicating the Good News of the Kingdom of God.
2. Nurture - Growing in the Christian Faith.
3. Loving Service - Offering healing and care as a channel through which personal faith and corporate service may reach out to the wider world.
4. Justice and Peace for All - Working for social change to make a better world."

Year Book of the Diocese of Christchurch, 1989.

This statement from the Diocesan Year Book indicates that the purpose of Christian Ministry is to serve people at their points of need in the selfless way in which Christ serves. These Ethical Guidelines are offered in support of this service.

### PREAMBLE

- the guidelines are offered for all who minister in the Diocese, not just for the ordained. The term "minister" will be used to include both lay and ordained.
- these guidelines are guides for ethical behaviour between ministers and those they minister to. They are not intended as a statement of Christian moral teaching.
- these guidelines indicate acceptable ethical behaviour. It is recognised that all who minister will at times fail to live up to all aspects of the guidelines. Those who minister and those they minister to, together with all Christians, are called to offer each other reconciliation and forgiveness when appropriate.
- these guidelines deal explicitly with pastoral ministry. However they are applicable wherever there is a ministry relation between two people.
- ministry situations are more complicated than are other helping situations in that ministers do not just meet those they serve in counselling sessions.

Ministers and those they minister to meet regularly in many different settings.

- it is often difficult in ministry to distinguish between “professional” and “personal” relationships. This can make it very difficult to establish appropriate boundaries in ministry relationships.
- ministry covers a wide range of activities - from informal pastoral care schemes to structured counselling situations.
- people sometimes expect information shared informally to be as confidential as information shared in a formal counselling/confessional situation.
- a ministry relationship cannot be “terminated” as can a counselling relationships. Ministers normally have ongoing relationships with those they serve.
- the variety of networks within parishes and the information sharing between them make the ethical questions more complex.
- 

## PRINCIPLES

1. Every human being has infinite worth and a unique value as a child of God, irrespective of origin, ethnicity, sex, age, beliefs, social or economic status, contribution to society or present psychological, physical or spiritual state.
2. Each individual has the God-given right of self-fulfilment and maximum development of their potential to the degree that it does not encroach upon the same rights of others.
3. All activities of ministry regardless of their form, should serve the best interests of those who receive them.
4. Those who minister have the responsibility to devote objective and disciplined knowledge and skill to aid individuals within the church and wider social setting in their progress in the faith and in the development of their God-given potential as human beings.

## 1. RESPONSIBILITIES TO THOSE BEING SERVED:

- 1.1 We maintain the right of the people to whom we minister to a relationship of mutual trust, to privacy and confidentiality and to the responsible use of information. All information divulged by people is the property of those people and their informed consent must be sought if it is to be passed on to any person or organisation. This includes passing on information within the ministry team. When people request us not to discuss them with others, we will honour this request unless others are in danger.
- 1.2 We acknowledge that under the guise of caring and sharing, information which is incorrect or which is not public property is often passed on within the church. We recognise the need to guard against careless talk and to beware of accepting second-hand information at face value.
- 1.3 People should be informed about the limits of confidentiality. Confidentiality is required to be breached when there is a clear danger to the safety of the person or to any other individual or group. Those we minister to will normally be informed beforehand if confidentiality is to be broken. If permission is not given to reveal it, information given in the course of a confession is exempt from this provision, in keeping with the rubrics on pg 750 of A New Zealand Prayer Book, He Karakia Mihinare o Aotearoa and the Evidence Amendment Act 1980, section 31.
- 1.4 We will not abuse our position by taking advantage of those we minister to for purposes of personal, institutional, political or financial gain.
- 1.5 Those we minister to should be free from the possibility of sexual exploitation or sexual harassment of any kind. It is recognised that those exercising ministry are in a position of power relative to those to whom they minister. This power means that sexual relations within any ministry relationship by definition cannot be equal.
- 1.6 We will encourage those to whom we minister to move towards self-determination under God and towards taking appropriate responsibility for their own lives.
- 1.7 We will acknowledge the limits of our competence and refer those to whom we minister to others when this proves necessary or desirable.

## 2. RESPONSIBILITIES TO THE CHURCH:

- 2.1 We recognise our membership of the Body of Christ, i.e. the Church.

- 2.2 We will contribute our unique professional expertise (lay or ordained) to the development of the ministry and policies of the Church of which we are a member.
- 2.3 We will uphold professional standards of practice in ministry and work for their advancement.
- 2.4 We will act to prevent discrimination in access to ministry where this discrimination is based on colour, race, sexual orientation, socio-economic status, age, religious or political belief.
- 2.5 We will be professional in the time we give to the ministry of the Church, guarding against both over-commitment and avoidance of responsibility.

### 3. RESPONSIBILITIES TO OTHER MINISTERS:

- 3.1 We will treat colleagues with respect, consideration, fairness and good faith.
- 3.2 We will recognise the abilities, expertise and views of colleagues in ministry and value the contributions they make.
- 3.3 We will respect the professional confidences of colleagues.
- 3.4 We will seek mediation when important conflicts with colleagues or others require to be resolved. Legal procedures are provided within the Church's structures where this is deemed necessary.
- 3.5 When appropriate we will work and co-operate with colleagues and social service agencies of the Church and Society to serve the best interests of the people to whom we minister.
- 3.6 We will respect the time constraints of those (ordained and lay) who minister in a non-stipendiary capacity.

### 4. RESPONSIBILITIES TO OURSELVES:

- 4.1 We will acknowledge that there are limits to the ministry we can properly provide and that respect for our own health in ministry relationships and appropriate self-care should be upheld.
- 4.2 We recognise our own need for recreation, refreshment and renewal for which at times we will need to call on the support and expertise of other ministers and professionals.
- 4.3 We will use regular professional supervision for review, learning, personal and spiritual growth to maintain a high standard of ministry.

- 4.4 We recognise that our knowledge needs to be continually extended and enhanced. In addition to personal study, we will regularly attend courses, retreats, lectures, seminars and schools of ministry to learn and be encouraged in our ministry.

#### APPENDIX TO THE GUIDELINES

We offer the following guidelines as a further resource. Although Kelsey is speaking specifically of spiritual direction and in-depth counselling, these guidelines are relevant to wider ministry situations as well.

From: Kelsey, M. (1984) <u>Companions on the Inner Way</u> , Crossroad, New York, pp 176, 177.
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- "1. Recognize the incredible power of this experience of transference-love-sexuality.
2. Those who think that they are not vulnerable to this experience are sitting ducks for it. Pride goeth before the fall.
3. Do not enter into deep one-to-one counselling or pastoral relationships unless willing to deal with transference.
4. Recognise that within each of us is the desire to be the "divine" giver of love, and also the deep need to be satisfied by having another provide this love for us.
5. Although touch is at times very healing, important and necessary, it can be very dangerous in the private, continuous, one-to-one relationship and can turn into something quite different than was intended. It is so easy for people to want to give us what we have not consciously recognised that we desired.
6. It is essential that any of us who are in a relationship that involves transference keep a running reflection in our journals of our own honest reactions and feelings.
7. Counsellors need to be quite clear that they come into the counselling situation to give rather than to receive, and when this is not true there is a great need for careful reflection. We need to be as aware as possible of both our conscious and unconscious expectations in regard to those with whom we relate in depth.
8. Every person (seldom do I use the word every) involved in depth counselling or in continuous one-to-one relationships needs to have peers with whom he or she can discuss *all* aspects of these relationships and seek objective guidance. The director requires direction if the blind are not to lead the blind.
9. Once relationships have been established in depth, particularly when the transference is directed toward the counsellor-director, it is simply immoral to break these relationships without a full discussion of the situation with the individual concerned and if possible a totally mutual agreement as to its resolution.
10. Whenever possible, those who are going to be involved in close pastoral relationships need to be provided supervised pastoral experience. It is within this setting that the problems unique to each of us can be handled most creatively. I am grateful that God does not need perfect instruments to further

his kingdom, for then only the unconscious and psychotics would be able to apply.”

COMPANIONS ON THE INNER WAY by Morton T. Kelsey.

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## **THE CLERGY RESIGNATION AND TERMINATION STATUTE**

Enacted 1996; Amended 1998, 2000, 2006

### **A BILL TO ENACT A STATUTE CONCERNING THE RESIGNATION AND TERMINATION OF CLERGY APPOINTMENTS**

WHEREAS the Inter Diocesan Conference in May 1996 adopted Regulations of Common Practice for the dioceses in Tikanga Pakeha of this Church;

AND WHEREAS pursuant to Title A Canon II Clause 5 the Inter Diocesan Conference acting in Synodical Conference approved the following regulations for the Resignation and Termination of Appointments of Ordained Ministers;

AND WHEREAS the Inter Diocesan Conference determined “that the Regulation regarding Resignation and Termination of Appointments of Ordained Ministers be adopted as a Regulation of Common Practice”

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

1. THE Short title of this Statute shall be “The Clergy Resignation and Termination Statute 1996”.
2. THAT the following Statute be enacted:

### **THE CLERGY RESIGNATION AND TERMINATION STATUTE**

1. Any ordained minister licensed to an ecclesiastical office under Title A Canon II section 1 may resign the same by giving not less than three months’ notice in writing to the Bishop having episcopal jurisdiction over the ministry unit for which the licence is issued; provided that less than three months’ notice may be accepted at the Bishop’s discretion.
2. No ordained minister licensed to an ecclesiastical office under Title A Canon II section 1 in any of the Dioceses in New Zealand shall have the appointment to that office terminated or be removed from such office except:
  - 2.1. for an ecclesiastical offence upon the decision of a competent Tribunal as prescribed in Title D; or
  - 2.2. where, in the case of a stipendiary appointment, the stipend in respect of the ministry unit to which the ordained minister was appointed can no longer be sustained, or the office to which the minister was appointed is disestablished; or
  - 2.3. where the ordained minister fails to perform the duties of the office to which the minister was licensed in an effective manner; or
  - 2.4. where the office is that of Deacon/Priest in Charge during a vacancy; or
  - 2.5. where the office is that of Co-Vicar or Co-Pastor, and the provisions of a diocesan regulation require the concurrent termination of such licence



- upon the termination, for whatever cause, of the licence held by any other Co-Vicar or Co-Pastor of that ministry unit; or
  - 2.6. where the licence has stated a specific term of the appointment, and the term has expired and has not been extended or renewed; or
  - 2.7. upon the resignation from that office of the person holding the licence.
- 3. No ordained minister shall have their appointment to office terminated under clause 2.2 hereof unless:
  - 3.1. the Bishop for the time being exercising Episcopal jurisdiction over the minister shall first have given the ordained minister and the ministry unit to which the ordained minister is licensed, written advice about the possibility of termination; and this advice shall have been given at least one month prior to any written notice of termination being given to the ordained minister in accordance with clause 2.2;
  - 3.2. the Bishop for the time being exercising Episcopal jurisdiction over the minister shall have given the ordained minister three months' notice of termination in writing;
  - 3.3. the ministry unit to which the ordained minister is licensed shall have received a copy of such notice of termination;
  - 3.4. the Standing Committee of the Diocese shall have authorised payment of a sum equivalent to three months' stipend of that minister payable upon the termination of the licence; and
  - 3.5. the Bishop shall have provided the ordained minister with written confirmation that the termination of the appointment is due to the inability to fund the stipend for that appointment and has not been by reason of misconduct; and
  - 3.6. the Bishop shall have notified the ordained minister that, should the minister have been unable at the end of three months after the termination of the appointment to have secured another stipendiary office or secular employment, the minister may apply to the Standing Committee of the Diocese for further financial assistance of up to but not more than three months' stipend.
- 4. No ordained minister shall have their appointment to office terminated under clause 2.3 hereof unless the following procedure is followed:
  - 4.1. The Bishop shall have spoken personally to the ordained minister about the issues relating to the performance of the duties of the office causing concern.
  - 4.2. The Bishop shall then detail to the ordained minister in writing the matters of concern giving rise to a possible termination of the appointment, and what possible action if any may be taken by the minister which may remove those concerns, and shall invite from the minister a response in writing within fourteen days.
    - 4.2.1. If the Bishop advises of any action that may be taken that would remove the possibility of termination, then the Bishop shall invite the minister to signify in writing within fourteen days a willingness to undertake such course of action.
    - 4.2.2. If the minister, having undertaken the suggested action, is able to perform the duties of the office in a manner satisfactory to the Bishop, no further action shall be taken.

- 4.3. The minister as part of a response may request the Bishop to arrange for the appointment of a third party, who shall act independently and who shall be appointed by a commission consisting of the Diocesan Church Advocate and an Archdeacon or another senior priest nominated by the minister.
- 4.3.1. The third party shall give an opportunity for the minister, the Bishop and, where the third party considers it appropriate, the ministry unit to be heard either personally or by representation. If the ministry unit is involved, the minister shall be given an opportunity to learn and to respond to what the ministry unit has submitted.
- 4.3.2. Thereafter the third party may suggest to the Bishop any action which may be taken that might prevent the termination of the appointment.
- 4.4. If the minister, having undertaken the suggested action, is able to perform the duties of the office in a manner satisfactory to the Bishop, no further action shall be taken.
- 4.5. If, having considered any written response from the minister under clause 3.2 and any suggestions from the third party under clause 3.3, the Bishop considers that no further action is possible that would justify not proceeding with the termination of appointment, the Bishop shall place all relevant information including any reports or submission given or prepared by any third party before the Standing Committee to seek their sanction of a termination of the appointment.
- 4.6. The minister shall be informed in writing fourteen days prior to the Standing Committee's meeting to consider the question of a sanction, and shall have the right to make a written submission on any matter the minister wishes the Standing Committee to consider. Any such submission shall indicate whether the minister wishes to appear in person to make representations to Standing Committee at that meeting and whether the minister wishes to have an advocate to represent the minister's interests. The minister shall be given copy and full details of any reports or submissions given or prepared by any third party.
- 4.7. The Standing Committee when considering the Bishop's request for a sanction shall ensure that:
- 4.7.1. The minister whose licence is under consideration has been informed in writing by the Bishop of the reasons for the possible termination of the appointment;
- 4.7.2. the Bishop has indicated if there is any possible action which may be taken by the minister which would prevent the termination of the appointment and, if applicable, has sought in writing a response from the minister indicating a willingness to undertake such course of action;
- 4.7.3. if a third party has been appointed, the Bishop has placed before the Standing Committee any advice received from that third party which the Bishop cannot or has not accepted or which when agreed to is considered by the Bishop not to have been satisfactorily undertaken by the minister.
- 4.8. The Standing Committee, after hearing any submissions which may be made by the minister or the minister's advocate, shall either give or withhold its sanction for the termination of the appointment.

- 4.9. If the Standing Committee considers the minister has undertaken the action suggested by the Bishop in a satisfactory manner, it shall not give its sanction to the Bishop's request.
- 4.10. If the Standing Committee sanctions the termination of the appointment, the Bishop shall advise the minister in writing forthwith of the decision in the form set out in the Schedule hereto. The Bishop shall advise the date upon which the appointment and any related stipend terminate, which shall be three months from the date of the notice. The appointment may be terminated forthwith on the payment of three months' stipend in lieu of notice.
- 4.11. Should the minister have been unable at the end of three months after the termination of the appointment to have secured another stipendiary office or secular employment, the minister may apply to the Standing Committee of the Diocese for further financial assistance of up to but not more than three months' stipend.
5. The Diocesan Synod may enact regulations to make further provisions for the care of clergy whose appointment to office has been terminated for whom no stipendiary office exists immediately or in the foreseeable future, in addition to or in substitution for the provisions hereof, where such provisions are deemed insufficient or inappropriate.
6. Where the licence of any ordained minister specifies the term of the appointment and the date of its termination, then, notwithstanding anything else contained in these regulations, that date shall be the date of the termination of the appointment, and the licence shall cease to be effective from that date unless it is extended or renewed.

## SCHEDULE

DIOCESE OF \_\_\_\_\_

### *NOTICE OF TERMINATION OF APPOINTMENT TO THE OFFICE OF*

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To:            1 Clerk in Holy Orders
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(Address)

WHEREAS I, \_\_\_\_\_, Bishop of \_\_\_\_\_,  
having caused due enquiry to be made pursuant to the provisions of the Regulations in  
force in this Diocese governing the termination of appointment to the office of  
\_\_\_\_\_

AND having conferred with and advised you, as required by the Regulations, of matters  
of concern

AND having obtained the sanction of the Standing Committee of the Diocese pursuant  
to the Regulations

HEREBY GIVE YOU NOTICE that your appointment to the office of \_\_\_\_\_  
is terminated with effect from \_\_\_\_\_

You are entitled to stipend and allowance in accordance with the Regulation, a copy of  
which are attached.

GIVEN under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_

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Bishop of \_\_\_\_\_”

The termination of this Licence has not been by reason of any misconduct.

3. THIS Statute shall come into effect on the passing of the same.

# **GUIDELINES FOR THE ORGANISATION OF VESTRIES**

**January, 2023**

## **INTRODUCTION**

In the last few years many of our Diocesan clergy will have completed the governance training course organised by Diocesan Manager Edwin and delivered by the Institute of Directors. The intention of this short paper is to apply the principles of this course to the running of Vestry and to remind clergy to use a 'best practice' Vestry Agenda, develop a Vestry Annual Work Plan, use an Action Register and develop a way of recording Policy Decisions so they can be referred to in the future.

The model agenda below ensures that Vestry's best time and energy is used on strategic matters especially those that relate to the parish's Mission Action Plan.

These guidelines should be read in conjunction with E13-17 of the Diocesan Handbook. In particular these guidelines seek to contribute to "the good governance and efficient running of the parish" (E13, paragraph 11).

The normal expectation would be that the agenda, supporting papers and updated Action Register would be sent out to Vestry members about 5 days before the meeting so that members have time to read and consider the material.

## **MODEL VESTRY AGENDA**

1. Confirmation of quorum
2. Acceptance of apologies
3. Declaration of any new interests
4. Confirmation of minutes from the previous meeting
5. Action Register
6. Progress Report on the Mission Action Plan
7. Important Decisions
8. Vicar's Report
9. Ministry Reports – this list will vary from parish to parish
  - a. Worship
  - b. Prayer Ministry
  - c. Pastoral Care
  - d. Outreach
  - e. Children, Youth and Young Adults
  - f. Communications
  - g. Others
10. Property/Maintenance Report
11. Financial Report
12. Health and Safety
13. Next Meeting Date and Agenda Items

Note that Inwards and Outwards Correspondence are not normally included as separate agenda items today but may be included at the appropriate part of the Agenda.

## **ANNUAL WORK PLAN**

It is recommended that Vestries have an Annual Work Plan that lays out the meetings of Vestry through the months of the year and the topics that need to be addressed in particular months. For example, the Treasurer would normally present a draft budget to Vestry in about October of each year. Another example is Health and Safety which is a standing item on the Agenda but the Health and Safety Champion would normally submit a 3 monthly report. The Safeguarding Officer would also submit a report every 3 months. Other items that would need to be programmed include the appointment of Nominators, Annual Review of Finances, Insurance, Annual Fundraising Plan, Philanthropic Trust deadlines and Staff Appraisals.

## **ACTION REGISTER**

It is important that an Action Register or Task List be written up following each Vestry meeting. This would involve listing the actions that were decided upon, along with the person responsible and the estimated date of completion. To streamline the Vestry meeting, the Action Register would normally be updated and sent out to members of Vestry along with the Agenda and other papers prior to each Vestry meeting. This would then only need to be referred to if some actions have not been completed.

## **POLICY DECISIONS**

Vestries need to agree on a method of recording all policy decisions made, in a central register, so that these can be referred to in the future. A useful method is to cut and paste decisions made into a searchable spreadsheet.

## **MINUTES SHOULD INCLUDE THE FOLLOWING**

1. Name of the Parish
2. Meeting day, date and venue
3. Names of those in attendance
4. Apologies
5. Names of those who arrived or left during the meeting and the time they did so
6. The time that the meeting began and ended
7. The Agenda and other papers that Vestry members received either before or during the meeting
8. A summary of the discussions including the various points that were considered as well as various opposing views
9. Accurate wording of Motions
10. A record of any conflict of interest existing or raised during the meeting, what the conflict was and how Vestry handled the situation – eg the Vestry member spoke but did not vote or left the meeting during the discussion and did not vote.

## **THE MINUTES**

1. Minutes are meant to be brief and not verbatim.
2. Specific comments should not normally be attributed to individual Vestry members
3. Minutes should be written up and sent to the Vicar (or the Chair if the Vicar is not the Chair) as soon as possible after the meeting for checking – usually within 5 days.
4. After corrections are made, the Minutes are distributed to Vestry members
5. The Action Register is also updated and sent out at the same time.