

SECTION K

Miscellaneous Statutes

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**BACKGROUND CHECKS FOR THOSE IN POSITIONS OF RESPONSIBILITY
STATUTE 2015**

Enacted 2015

1 Title

This Statute is the Background Checks for Those in Positions of Responsibility Statute 2015.

2 Commencement

This Statute comes into effect on its passing.

3 Purpose

The purpose of this statute is codify all Diocesan policies relating to the need for Police checks (or for those under the age of 18 appropriate character references) to be obtained for individuals who are appointed or elected to positions of responsibility in order to ensure the safety and wellbeing of all, especially the young and the vulnerable in the Diocese, are not compromised and to ensure appropriate management of finances.

4 Requirements for Police Checks

(1) Police checks (or their equivalent and for those under the age of 18 appropriate character references) of individuals are required to be obtained when an individual is appointed or elected to an office or a position where that individual has:

- (a) financial responsibilities;
- (b) access to confidential or privileged information,
- (c) responsibilities for working with the vulnerable,
- (d) responsibilities for working with children and young people under the age of 18.

(2) Without limiting the generality of the above the requirement for police checks extends to:

- (a) clergy who are to be appointed to a position that requires the holding of any form of licence in the Diocese; and
- (b) lay people who are to be appointed to a position that requires them to hold a Lay Minister's Licence (or equivalent); and
- (c) individuals to be appointed to staff positions in parishes that administer parish business; and
- (d) parish wardens and parish treasurers; and
- (e) persons who are not currently a member of a relevant professional body who are contracted to audit or review parish accounts; and
- (f) individuals appointed to work with the vulnerable; and
- (g) individuals to be appointed as Children and Young Person Safety Officers; and
- (h) individuals to be appointed to positions that require them to supervise or interact one-on-one with children and young people including those appointed to Youth Ministry positions.

5 Treatment of Previous Policies

All provisions of Diocesan policies and guidelines currently dealing with requirements for Police checks (or their equivalent) are to be read subject to this Statute.

THE CHANCELLOR AND LEGAL ADVISERS STATUTE 2018.

Enacted 2018

1. Purpose

The purpose of this Statute is to define the roles of the Chancellor of the Diocese, the Vice-Chancellor of the Diocese, and Legal Advisers, and to establish an ecclesiastic jurisprudence for the Diocese.

2. Interpretation

In this Statute, unless the context otherwise requires,:

advisory opinion means any opinion given pursuant to clause 9;

Chancellor means the person appointed pursuant to clause 5;

Diocese means the Anglican Diocese of Christchurch;

Diocesan Manager means the person appointed by the Standing Committee to act as the primary administrative officer of the Diocese;

Diocesan Statutes means Statutes, Regulations and Guidelines of the Diocese of Christchurch as enacted by the Synod;

Legal Adviser means a person appointed pursuant to clause 8;

President means the person acting as President of the Synod in accordance with the Standing Orders;

ruling means any formal ruling given pursuant to clause 7;

Standing Orders means the Standing Orders of the Synod;

Vice-Chancellor means the person appointed pursuant to clause 6

3. The Chancellor of the Diocese

- (1) The Bishop must appoint a Chancellor of the Diocese to serve as the principal legal adviser to the Bishop, the Diocese and the Synod.
- (2) Any person appointed as Chancellor of the Diocese must meet the qualifications set out in Title D, Canon IV, clause 2.
- (3) The Chancellor will have the functions set out in this Statute, the Diocesan Statutes and in Title D, Canon IV and will otherwise exercise such traditional roles as are part of the office of Chancellor in this Church not inconsistent with Title D or this Statute.
- (4) Any person appointed as Chancellor may be removed from office at any time by the Bishop.
- (5) Any person appointed as Chancellor must resign their office on the installation of a new bishop of the Diocese

4. The Vice-Chancellor of the Diocese

- (1) The Bishop may appoint a Vice-Chancellor of the Diocese to act as deputy to the Chancellor.
- (2) Any person appointed as Vice-Chancellor of the Diocese need not meet the qualifications set out in Title D, Canon IV, clause 2.

- (3) Where a person is appointed as Vice-Chancellor who meets the qualifications set out in Title D, Canon IV, clause 2 then that person may carry out all the functions of the Chancellor in the absence of the Chancellor.
- (4) The Vice-Chancellor will have the functions set out in this Statute and has no functions pursuant to Title D, Canon IV.
- (5) Any person appointed as Vice-Chancellor may be removed from office at any time by the Bishop.
- (6) Any person appointed as Vice-Chancellor must resign their office on the installation of a new bishop of the Diocese.

5. Rulings by the Chancellor

- (1) At the request of the Bishop or the Standing Committee the Chancellor may provide rulings on the interpretation, meaning or effect of any of the Diocesan Statutes.
- (2) At the request of any member of the Synod the Chancellor may, during any session of the Synod, provide rulings on any question arising under the Standing Orders.
- (3) Any ruling given by the Chancellor pursuant to clause 7(1) must be in a formal written document that contains reasons for the ruling and must be made in accordance with the laws of New Zealand and ecclesiastical law.
- (3) Any ruling given by the Chancellor pursuant to clause 7(2) may be given orally during the session of the Synod with a formal written document containing reasons to be provided later and any such ruling must be made in accordance with the laws of New Zealand and ecclesiastical law.
- (4) The Diocesan Manager must keep a database of all rulings which must be accessible to members of Synod on request.
- (5) Any ruling given by the Chancellor is binding on all members of the Diocese, any person subject to any of the Diocesan Statutes and the Synod unless:
 - (a) it is altered by a duly adopted Diocesan Statute; or
 - (b) it is superseded by a further ruling.
- (6) Before giving a ruling the Chancellor may consult with the Vice-Chancellor.
- (7) Any ruling altered or superseded in accordance with clause 7(5) remains in the database of rulings but that it is no longer of effect must be noted.

6. Legal Advisers

- (1) The Bishop may appoint Legal Advisers.
- (2) Any person appointed as a Legal Adviser must meet the qualifications set out in Title D, Canon IV, clause 2.
- (3) Any Legal Adviser has the functions set out in this Statute, the Diocesan Statutes and in Title D, Canon IV.
- (4) Any person appointed as a Legal Adviser may be removed from office at any time by the Bishop.
- (5) Any person appointed as a Legal Adviser must resign their office on the installation of a new bishop of the Diocese.

7. Advisory opinions

- (1) At the request of the Bishop or the Standing Committee the Chancellor or Vice-Chancellor or any other Legal Adviser may provide to the Bishop, Standing Committee or the Synod advisory opinions on any legal issue that concerns the Diocese or associated entities.
- (2) The Bishop will direct who advisory opinions are to be provided to and they are to be confidential and privileged to the persons to whom they are provided.