

# **SECTION D**

## Cathedral

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## **The Cathedral Chapter Statute 2016**

### **1. Commencement**

- (1) This Statute comes into force on passing.

### **2. Purpose**

- (1) The purpose of this statute is to repeal and replace the Cathedral Statute to update the process for appointing the Chapter, clarify the purposes and objects of the Chapter and better define its powers as well as to repeal the Dean and Chapter Estate Statute and the Dean and Chapter Estate Income Augmentation Statute.

### **3. Repeal**

- (1) The Cathedral Statute 2002, the Dean and Chapter Estate Statute and the Dean and Chapter Estate Income Augmentation Statute are repealed.

### **4. Objects of the Cathedral and the Chapter**

- (1) The Cathedral exists to:
  - (a) proclaim the Good News of Jesus Christ and propagate the Gospel throughout the Diocese;
  - (b) be the mother Church of the Diocese and the seat of the Bishop; and
  - (c) be a visible witness to the Risen Christ within the Diocese of Christchurch.
- (2) The Chapter exists to:
  - (a) ensure the provision of daily services with an excellent standard of worship and teaching within the cathedral building;
  - (b) appoint, with the Bishop, the Dean and senior staff of the Cathedral in accordance with this Statute and ensure appropriate employment practices are followed;
  - (c) work with the Church Property Trustees to ensure the upkeep and maintenance of the cathedral building and precinct;
  - (d) work with the Church Property Trustees on any development of the cathedral precinct;
  - (e) furnish the interior of the cathedral building;
  - (f) act as faithful governors of the Cathedral;
  - (g) act as representative to the Diocese of the Cathedral congregation and to the Cathedral congregation of the Diocese;
  - (h) co-operate with the Bishop and the Diocese in the promotion of works of a Diocesan character; and
  - (i) undertake and approve appointments to The Cathedral Grammar School Board pursuant to that Board's constitution

## **5. The Cathedral Chapter**

- (1) There will be a Cathedral Chapter which acts as the governing body of the Cathedral comprising:
  - (a) the Bishop;
  - (b) the Dean;
  - (c) the Chancellor of the Diocese;
  - (d) four Clerical Canons appointed in accordance with clause 6;
  - (e) two Congregational Lay Canons appointed in accordance with clause 7; and
  - (f) two Diocesan Lay Canons appointed in accordance with clause 8.
- (2) The Associate Dean (or equivalent) may attend Chapter meetings with full speaking rights.
- (3) The Chapter may appoint a member of the Cathedral staff to act as its secretary in which case that person may attend Chapter meetings.
- (4) Each member of the Chapter will make such declarations as are required by the Constitution/Te Pouhere, Canons and Statutes of the Anglican Church in Aotearoa, New Zealand and Polynesia and the Diocese of Christchurch.

## **6. Appointment of Clerical Canons**

- (1) The Clerical Canons will be appointed by the Standing Committee of the Diocese on the recommendation of the Chapter and with the agreement of the Bishop.
- (2) Clerical Canons are appointed for a term of three (3) years and may serve up to three (3) consecutive terms after which that Clerical Canon will not be eligible for reappointment until a period of three (3) years has passed.
- (3) Where a person appointed as a Clerical Canon vacates office in accordance with clause 9 part way through their term then the Standing Committee will fill that vacancy and the person appointed will hold office for the remainder of the term of the Clerical Canon they are replacing.

## **7. Appointment of Congregational Lay Canons**

- (1) The Congregational Lay Canons will be elected by the Annual Meeting of the Cathedral congregation by secret ballot. Nominations for the position must be provided to the Dean at least two weeks prior to the Annual Meeting and must be advertised to the congregation

- (2) The Cathedral congregation are the people recognised by the Chapter as Cathedral Regulars.
- (3) Congregational Lay Canons are elected for a term of three (3) years and may serve up to three (3) consecutive terms after which that Congregational Lay Canon will not be eligible for re-election until a period of three (3) years has passed.
- (4) Where a person elected as a Congregational Lay Canon vacates office in accordance with clause 9 part way through their term then the Chapter will fill that vacancy and the person appointed will hold office for the remainder of the term of the Congregational Lay Canon they are replacing.

#### **8. Appointment of Diocesan Lay Canons**

- (1) The Diocesan Lay Canons will be appointed by the Standing Committee of the Diocese on the recommendation of the Chapter and with the agreement of the Bishop.
- (2) Diocesan Lay Canons are appointed for a term of three (3) years and may serve up to three (3) consecutive terms after which that Diocesan Lay Canon will not be eligible for reappointment until a period of three (3) years has passed.
- (3) Where a person appointed as a Diocesan Lay Canon vacates office in accordance with clause 9 part way through their term then the Standing Committee will fill that vacancy and the person appointed will hold office for the remainder of the term of the Diocesan Lay Canon they are replacing.

#### **9. Executive Canons**

- (1) Two of the lay canons shall be executive canons for the Cathedral.
- (2) One executive canon will be appointed by the Dean and the other will be elected annually by the lay canons, prior to 30 April.
- (3) The purpose of the executive canons is, through the grace of God, to:
  - a. support the Dean on behalf of Chapter between meetings of Chapter;
  - b. support the Dean and Chapter in fulfilling all of their statutory requirements;
  - c. to be signatories to all contracts and deeds executed on behalf of Chapter;
  - d. be spokespersons for the Dean and Chapter to the Cathedral Regulars;

- e. be spokespersons for the Cathedral Regulars in all matters except those for which the Lay Synod Representatives are responsible;
- f. attend the Bishop, or the Vicar-General, or the Archdeacon as required for visitation purposes; and
- g. inform the Bishop should the Dean be prevented by death, illness or accident from officiating.

**10. Vacation of office**

- (1) A member of the Chapter ceases to be a member on:
  - (a) the election of their successor pursuant to clauses 6,7 or 8;
  - (b) the provision of written notice of their resignation from the Chapter, or of the office by virtue of which they are members of the Chapter, to the secretary of the Chapter;
  - (c) their death;
  - (d) their moving out of the Diocese;
  - (e) their removal from office by virtue of Title D Canon I; or
  - (f) they become disqualified from acting as officers of a charity pursuant to the Charities Act 2005.

**11. Powers of the Chapter**

- (1) The Chapter has, subject to the Constitution/Te Pouhere and canons of the Anglican Church or Aotearoa, New Zealand and Polynesia and Diocesan statutes and guidelines, all the powers of a natural person including without limiting the generality of the foregoing:
  - (a) the power to employ staff;
  - (b) the power to raise funds;
  - (c) the power to operate bank accounts;
  - (d) the power to set its own balance date;
  - (e) the power to contract;
  - (f) the power to invest funds in accordance with Diocesan requirements;
  - (g) the power to borrow money;
  - (h) the power to acquire property;
  - (i) the power to sell property;
  - (j) the power to lease property;
  - (k) the power to gift property;

- (l) the power to co-opt members to the Chapter for specific purposes with such co-opted members not being Canons;
  - (m) the power to form sub-committees and to co-opt members to those committees; and
  - (n) the power to make by-laws not inconsistent with this Statute to govern its meetings, the business of the Chapter and the operation of the Cathedral.
- (2) Each contract or deed entered into on behalf of the Chapter must be signed by the Dean and two other members of the Chapter.

**12. Appointment of an auditor**

- (1) The Chapter must appoint an auditor, who must be a member of Chartered Accountants Australia and New Zealand, but who may not be a member of the Chapter nor a regular member of the Cathedral congregation.
- (2) The Chapter's accounts must be audited each year.

**13. Meetings of the Chapter**

- (1) Chapter must meet at least six times a year at such places, dates and times appointed by the Dean.
- (2) Chapter must meet where:
  - (a) a request for a meeting is received from at least four (4) members of the Chapter; or
  - (b) the Bishop requests a meeting. At least three (3) days' notice of each meeting must be given including meetings called pursuant to clause 13(2).
- (3) A quorum for a meeting is six (6) members of Chapter at least two of whom must be Clerical Canons and at least two of whom must be lay Canons (either Congregational or Diocesan).
- (4) The Dean will chair meetings of the Chapter unless the Bishop chooses to do so. In the Dean's absence the meeting will select its own chair.
- (5) Resolutions of the Chapter must be agreed to by a majority of those present.
- (6) Chapter may pass resolutions by e-mail vote in which case agreement of a majority of members of the Chapter is required.
- (7) At the commencement of each meeting members must declare any interest they have, financial or non-financial and direct or indirect, in any matter on the agenda for the meeting at which point:
  - (a) the declaration will be recorded in the minutes;
  - (b) the member will not be able to vote on the matter in respect of which the declaration has been made.

- (8) The Chapter will maintain records of its meetings and decisions.
- (9) Notices under this Statute may be given by way of e-mail to a known e-mail address of the recipient.

#### **14. The Dean and Associate Dean**

- (1) The Dean will be appointed by the Bishop with the agreement of the Chapter and after consultation with the Standing Committee.
- (2) When a Dean comes to be appointed a sub-committee comprising:
  - (a) the Bishop; and
  - (b) three other members of Chapter including at least one Clerical Canon and one Lay Canonwill be responsible for arranging the advertising of the position, short-listing and interviewing candidates.
- (3) The Dean is the chief pastor of the Cathedral and is responsible for:
  - (a) preaching and teaching;
  - (b) subject to clause 15 the ordering and control of services and the layout of the interior of the Cathedral;
  - (c) appointment and removal of Cathedral staff in consultation with the Chapter provided that the appointment and removal of clergy staff must be made jointly with the Bishop and with the agreement of the Chapter;
  - (d) management of Cathedral staff;
  - (e) ensuring worthy and adequate music is sung in the Cathedral;
  - (f) the appointment and dismissal of members of the Choir in consultation with the Director of Music and, where the Choir member is a pupil at The Cathedral Grammar School, the Head of that School; and
  - (g) reporting to each meeting of the Chapter on the life and activities of the Cathedral.
- (4) An Associate Dean, who must be a priest or a bishop, may be appointed by the Bishop on the recommendation of the Dean and with the agreement of the Chapter and after consultation with the Standing Committee.
- (5) The Associate Dean will report to the Dean and the Associate's Dean role and responsibilities will be as agreed with the Dean.
- (6) The Bishop may, with the agreement of Chapter and after consultation with Standing Committee, appoint a priest or bishop to fill the role of the Dean during any vacancy or extended period of absence of the Dean in that office and such person shall be called the Acting Dean with the same powers, functions and responsibilities as the Dean. For the sake of clarity, references to the Dean in any Diocesan Statute, Regulation, Resolution,

Standing Order, Policy, Guideline or Instruction shall be read so as to include a reference to an Acting Dean.

(7)

**15. The role of the Bishop**

- (1) The Bishop may, as and when the Bishop thinks fit, use the Cathedral for any purpose in fulfilment of the office of Bishop or for any Diocesan purpose in which situations the Bishop is responsible for the ordering and control of services and the layout of the interior of the Cathedral.
- (2) The Bishop's seat will be placed in a position as determined by the Bishop or, when the Bishop is not present, in an appropriate place as determined by the Dean.

**16. Transitional Provisions**

- (1) At the first meeting after the commencement of this Statute the Chapter will finalise when the terms of office of existing Chapter members will finish to ensure the end of terms are appropriately staggered and, where there has been a reduction in the number of members, which members of the Chapter will cease to hold office.
- (2) Any Chapter member appointed or elected to the Chapter pursuant to the Cathedral Statute is subject to any term limits imposed by that Statute.