

## PARISHES STATUTE 2006

### Analysis

<p>1 Short Title</p> <p>2 Interpretation</p> <p><b>PART I - Parishes and Mission Districts</b></p> <p>3 Existing parishes</p> <p>4 Powers of Synod in respect of parishes and mission units</p> <p>5 Constitution of new parishes</p> <p>6 Other ministry and Mission Units</p> <p>7 Continuation of a Parish</p> <p>8 Parishes receiving Financial Assistance</p> <p>9 Alteration of boundaries</p> <p>10 Abolition of parishes or mission units</p> <p>10A When intervention may be necessary</p> <p>11 Interpretation of "Financial Assistance"</p> <p><b>PART II – Parish Electoral Roll</b></p> <p>12 Purpose of parish electoral roll</p> <p>13 Eligibility to be enrolled</p> <p>14 Compiling and maintaining the parish electoral roll</p> <p>15 Revision of parish electoral roll</p> <p>16 Appeal</p> <p><b>PART III - Annual General Meetings, elections and special general meetings</b></p> <p>17 Annual general meeting</p> <p>18 Purpose and business of annual general meeting</p> <p>19 Number of elected members of Vestry</p> <p>20 Notice of annual general</p>	<p>21 Nomination for office</p> <p>22 Eligibility for office</p> <p>23 Tenure of office</p> <p>24 Declaration</p> <p>25 Vicar to chair annual general meeting</p> <p>26 Eligibility to speak and vote at annual general meeting</p> <p>27 Appointment of Vicar's Churchwarden</p> <p>28 Election procedure</p> <p>29 Conduct of Ballot</p> <p>30 Declaration of results of ballot</p> <p>31 Lay synod representatives</p> <p>32 Resignation from office</p> <p>33 Vacancy in office of Vicar's Churchwarden</p> <p>34 Vacancy in office of people's churchwarden</p> <p>35 Vacancy in Vestry</p> <p>36 Vacancy in office of auditor</p> <p>37 Special general meetings of parishioners called</p> <p>38 Procedure for special general meetings</p> <p><b>PART IV – Vestries</b></p> <p>39 Membership of Vestry</p> <p>40 Meetings of Vestry</p> <p>41 Chairing of Vestry</p> <p>42 Persons with right to attend Vestry meetings</p> <p>43 Quorum for Vestry</p> <p>44 Election of Parochial Nominators</p> <p>45 Primary duties of Vestry</p> <p>46 Further duties in respect of property</p> <p>47 Keeping of minutes</p> <p>48 Collections</p>
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- meeting
- 49 Contributions for objects outside parish
- 50 Vestry bound by acts of predecessors
- PART V – Financial Matters**
- 51 Parish accounts
- 52 Parish bank account
- 53 Stipends and salaries have priority
- 54 Authorisation of payments
- 55 Incurring financial liability, borrowing, and mortgaging
- PART VI - Churchwardens, Vicar, and Staff**
- 56 Duties of Churchwardens
- 57 Church, etc, at disposal of Vicar
- 58 Forms of service
- 59 Choir and music under direction of Vicar
- 60 Vicar to maintain registers
- 61 Appointment of ordained staff
- 62 Appointment and dismissal of voluntary staff
- 63 Stipendiary lay staff
- 64 Occupants of parish houses liable for damage
- PART VII - Local Committees**
- 65 Constitution of local committees
- 66 Powers and responsibilities of local committees
- 67 Parish to submit aggregated accounts
- 68 Election of representatives of local committees to Vestry
- PART VIII – Miscellaneous Matters**
- 69 Effect of non-compliance
- 70 Disputes procedures
- 71 Repeal

**An Act to provide for the constitution and regulation of parishes and mission districts, and for defining the powers and duties of parish officers**

**BE IT RESOLVED** by the Bishop, Clergy, and Laity of the Diocese of Nelson, in Synod assembled as follows:

**1 Short Title**

This Act may be cited as the Parishes Act 2006.

**2 Interpretation**

In this Act—

**Public Notice** means a notice given—

- (a) orally at a worship service or other meeting of a congregation; and
- (b) in writing placed on a public noticeboard within the church or in a service sheet or other publication given or made available to persons coming into the church

**Vicar** means a clergy person licensed by the Bishop as a Vicar, co-Vicar, priest-in-charge, dean, rural dean, or pastor

**Vicar's Churchwarden** means—

- (a) the churchwarden appointed by the Vicar, as required by section 12; and
- (b) in a parish where there is no Vicar, the Bishop's churchwarden."

**2010 PART I**

**PARISHES**

**3 Existing parishes**

- (1) The parishes of the Diocese are named in Part I of the Schedule to this Act.
- (2) Other ministry or mission units of the Diocese are named in Part II of that Schedule.
- (3) Unless changed in accordance with the provisions of section 8 of this Act, the boundaries of the various parishes, as they were defined immediately before commencement of this Act, shall continue to be the boundaries of those parishes.
- (4) *Deleted.*

#### **4 Powers of Synod in respect of Parishes and Mission Units**

- (1) Synod may from time to time, by resolution, do all or any of the following things:
  - (a) constitute a new parish in accordance with section 5 of this Act:
  - (b) constitute a new mission unit in accordance with section 6 of this statute
  - (c) *Deleted*
  - (d) alter the boundaries of any parish in accordance with section 9 of this Statute:
  - (e) abolish any parish in accordance with section 10 of this Statute.
- (2) Before any proposal is considered by Synod that would have the effect of altering the boundaries of any existing parish, the proposal shall be considered and reported on by Standing Committee after consultation with each Vestry concerned.
- (3) Before any change is made in the boundaries of any existing parish, 1 month's notice of the proposed alteration shall be sent to the Vestry of each affected parish, and any representations made by any such parish within the period of that notice shall be considered by Synod or Standing Committee (as the case may be) before the alteration is approved.

#### **5 Constitution of new parishes**

- (1) Any members of the Church living in a defined geographical area may from time to time apply to Synod, through the Bishop, to have that area constituted as a new parish, notwithstanding that the whole or any part of the area already forms part of any existing parish.
- (2) If Synod agrees to the application, it shall define the boundaries of the new parish.
- (3) On the constitution of a new parish, the Bishop shall forthwith appoint a qualified person to be a Churchwarden of that parish, who shall hold office until a Vicar is appointed and appoints a Churchwarden of his or her choosing.

#### **6 Other Ministry and Mission Units**

- (1) Other ministry and mission units, as agreed by Synod or Standing Committee may be established to further the mission of the Church
- (2) Every ministry or mission units shall have a form of administration approved in each case by Standing Committee as appropriate to the needs of the mission, and generally complying with the following guidelines:

- (a) there shall be a committee to be appointed in such manner as Standing Committee shall specify to assist in the administration and work of the mission with such duties and responsibilities as shall be assigned to it by Standing Committee:
- (b) the committee shall consist of not fewer than three nor more than ten church members, being persons who, if the unit were a parish, would be entitled to vote at parish meetings and for the election of lay representation on Synod:

## **7 Continuation of a Parish**

- (1) Once constituted any Parish is expected to fulfil each of the following requirements
  - a. To have defined geographical boundaries which accurately represent the area within which it has its primary focus
  - b. To have provided within its boundaries a building or buildings suitable for its needs of divine worship and compliant with statutory requirements related to health and safety.
  - c. To have provided a suitable residence where necessary for the Vicar or other responsible minister in charge or is able to make payment of a housing allowance (in accordance with Diocesan policy) in lieu thereof.
  - d. To demonstrate its ability to comply with the financial requirements and other requirements for the time being in force in the Diocese which are applicable to the exercise of the rights and privileges of a parish, as evidenced by a budget for the current year and the year thereafter. It is the expectation of the Diocese that each Parish ought to be financially self sustaining.
  - e. To demonstrate that it has a duly elected and appointed Vestry which meets on a regular basis and is able to discharge its responsibilities as described in the Parish Statute; provided that in the case of a Parish receiving financial assistance, it has been able to comply with the administrative requirements as determined by the Bishop.
  - f. To demonstrate that it is able to provide worship, pastoral care, outreach, stewardship and other expressions of pastoral life appropriate to a church of its size and characteristics.

## **8 Parishes receiving Financial Assistance**

- (1) Where a Parish is unable to sustain its ministry from its own resources it may receive Financial Assistance from the Synod on such terms and conditions as Synod or Standing Committee may from time to time determine.
- (2) Any Parish receiving Financial Assistance shall be under the control of the Bishop.
- (3) Any Parish receiving Financial Assistance shall work with the Bishop and the Bishop's Ministry team in formulating and implementing a Parish Ministry Plan to aid the Parish moving forward to self sustainability, if it is possible to achieve that goal.
- (4) Standing Committee may in substitution of the parish governance provisions of this Statute approve for each Parish receiving Financial Assistance an alternative form of administration that is most appropriate to the needs of that Parish, and could comply with the following guidelines
  - (a) there be a committee to be appointed in such manner as Standing Committee shall specify to assist in the administration and work of the Parish with such duties and responsibilities as shall be assigned to it by Standing Committee:
  - (b) one member of the committee, either appointed by the Bishop or elected by the committee, to be the Warden of the Parish, to act as chairperson in the absence of a Vicar, and to perform such other duties as may be assigned to the Warden by Standing Committee:
  - (c) the committee when required by Standing Committee render a report of its financial position.
- (5) The nomination of any Vicar for a Parish receiving Financial Assistance shall be pursuant to the provisions of section 2.2 of the Appointment and Termination Act 1996.

## **9 Alteration of boundaries**

Synod may from time to time alter the boundaries of any parish by excluding any area that is presently within the parish or by including any area that is presently outside the parish

## **10 Abolition of Parishes or Mission Units**

- (1) Where Synod is satisfied that a parish is no longer viable as a separate entity, it may abolish the parish or mission unit and incorporate the whole or any part of the area of the parish in any other parish.
- (2) Where Standing Committee is satisfied that a Ministry or Mission Unit is no longer desirable or required, it may abolish the said Ministry or Mission Unit and give the necessary directions as to the disposition of any assets

### **10A When intervention may be necessary**

- (1) If, in the opinion of the Bishop, any aspect of the operation of a parish causes concern, the Bishop, after consultation with Standing Committee, may intervene in parish affairs in whatever way, in the opinion of the Bishop, is appropriate.
- (2) Without limiting any of the Bishops powers in clause (1) the Bishop in intervening may appoint a Bishop's Commissioner to undertake specified roles within the Parish. Such roles could include
  - a. Advisor of Vicar or Parish
  - b. Acting as Vicar or as a Co-Vicar
  - c. Being an additional Warden or Vestry member
  - d. Replacing the Warden(s) or Vestry
  - e. Being the sole governor of the Parish.
- (3) The goal of such intervention is to address the identified issues and to return the Parish to normal governance as soon as practically appropriate.

## **11 Interpretation of 'Financial Assistance'**

For the purposes of determining what is Financial Assistance, that assistance given by the Diocese to a parish for the purpose of supporting a candidate for ordination or for training a clergyperson in the first two years of ministry following ordination as a Deacon, shall not be deemed to be grant-for-mission assistance, nor would grants received from specific Funds or Trusts for specific projects or purposes be deemed to be Financial Assistance.

If any doubt arises as to whether or not a Parish is receiving Financial Assistance, Standing Committee, whose decision shall be final, shall determine the matter

## **PART II**

### **PARISH ELECTORAL ROLL**

#### **12 Purpose of parish electoral roll**

- (1) The principal purpose of the parish electoral roll is to provide evidence that a person is entitled—
  - (a) to speak and vote on any matter properly dealt with at an annual general meeting or special general meeting of the parish;
  - (b) to be appointed as the Vicar's Churchwarden;
  - (c) to stand for an office listed in **section 18(2)(e)**.
- (2) The parish electoral roll must be available for inspection on request by any person on the roll.

#### **13 Eligibility to be enrolled**

- (1) A person is entitled to be enrolled on the parish electoral roll if the following conditions are satisfied:
  - (a) the person is baptised; and
  - (b) the person, whether resident in the parish or not, has for at least 4 months participated in the worship and life of the parish or is known by the Vicar and churchwardens to be qualified for enrolment; and
  - (c) the person signs the declaration set out in **subsection (2)**.
- (2) The form of declaration referred to in **subsection (1)** is as follows:  
"I ... declare that I have been baptised and wish to be on the electoral roll of the [name] parish."
- (3) No person may be enrolled on more than 1 parish electoral roll at the same time.

#### **14 Compiling and maintaining the parish electoral roll**

- (1) The Vicar and churchwardens must compile and maintain the parish electoral roll.
- (2) The parish electoral roll must consist of the name of each person who has satisfied the conditions set out in **section 13**.
- (3) The parish electoral roll must not be used except for the purposes of this Act or other Act of the Diocesan Synod.

- (4) This section does not prevent the Vicar and churchwardens from compiling, as they think fit, other information for the purposes of the parish community.

**15 Revision of parish electoral roll**

- (1) The Vicar and churchwardens must keep the parish electoral roll current by revising it as necessary, and at least once a year, not later than 1 month before the date set for the annual general meeting, to ensure that—
- (a) the names of parishioners are correctly recorded on the parish electoral roll; and
  - (b) the names are removed from the parish electoral roll—
    - (i) of persons who have died;
    - (ii) of persons who have requested their names to be removed from the parish electoral roll;
    - (iii) of persons with whom contact has been lost.
- (2) Before the Vicar and churchwardens remove the name of a person from the parish electoral roll, they must refer the matter for the approval of the Vestry.

**16 Appeal**

A person may appeal to the Standing Committee against any decision relating to that person's eligibility to be on the parish electoral roll."

**PART III**

**ANNUAL GENERAL MEETINGS, ELECTIONS AND SPECIAL GENERAL MEETINGS**

*Preliminary provisions about annual general meeting*

**17 Annual general meeting**

- (1) The Vicar must call an annual general meeting of the members of the parish not later than 30 April in each year.
- (2) If there is no Vicar, or if, for any reason, the Vicar is unable to act, the annual general meeting must be called by—
- (a) the Vicar's Churchwarden; or
  - (b) if there is no Vicar's Churchwarden or if for any reason the Vicar's Churchwarden is unable or unwilling to act, the people's churchwarden.

- (3) Despite **subsections (1) and (2)**, the Bishop, at his or her discretion, or the Bishop's nominee, may call an annual general meeting of a parish.

### **18 Purposes and business of annual general meeting**

- 2009 (1) The purposes of the annual general meeting of the parish are—
- (a) to review the spiritual life and the management of the parish; and
  - (b) to enable the business of the parish to be carried out through the democratic election of office holders; and
  - (c) to receive and adopt the accounts of the parish for the previous financial year.
- (2) The business of the annual general meeting must include the following matters:
- (a) the minutes of the annual general meeting and of any special general meetings of the previous financial year must be confirmed; and
  - (b) the receipt and consideration of—
    - (i) the Vicar's annual report; and
    - (ii) the churchwardens' annual report; and
    - (iii) if appropriate, other reports of parish activities; and
  - 2009 (c) the receipt and adoption of the annual accounts; and
  - (d) the appointment of the Vicar's Churchwarden;
  - (e) the election of—
    - (i) the people's churchwarden; and
    - (ii) the members of the Vestry required by **section 19** to be elected; and
    - (iii) in every third year, the lay synod representatives required.
  - 2009 (f) the appointment of an auditor if required. An auditor is required if the Parish's accounts are not being processed and prepared by the Anglican Centre.
- (3) The right of adjournment is not in the chairperson, nor in the Churchwardens or Vestry, but in the whole assembly, and the question of adjournment must be decided by a majority of votes.

### **19 Number of elected members of Vestry**

The annual general meeting must elect not fewer than 3, and not more than 10, persons to be members of the Vestry.

## **20 Notice of annual general meeting**

Public Notice must be given at each worship service on not fewer than 3 Sundays before the date set for the annual general meeting—

- (a) stating the venue, date, and time of the meeting; and
- (b) inviting—
  - (i) nomination of candidates for office holders in accordance with **sections 21, 22, and 23**; and
  - (ii) notice of any items of general business.

## **21 Nominations for office**

- (1) Nominations must be invited for candidates for—
  - (a) the office of people's churchwarden; and
  - (b) members of the Vestry; and
- (2) Nominations must be made in the form provided for the purpose, which must require that each candidate—
  - (a) be nominated and seconded by persons on the electoral roll; and
  - (b) clearly indicates his or her consent to be nominated.
- (3) Nominations must be received not later than 8 days before the date of the annual general meeting.
- (4) Public Notice must be given of the persons nominated for office not later than 1 Sunday before the date set for the annual general meeting.

## **22 Eligibility for office**

Any lay person who is on the parish electoral roll (except a person who is a paid member of the staff of the parish for more than 9 hours each week) may be appointed to or nominated for, and hold, an office referred to in **section 18(2)(d) and (e)**.

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## **23 Tenure of office**

A person elected to office as the people's churchwarden or as a member of the Vestry—

- (a) holds that office until the next annual general meeting; and
- (b) may be re-elected or re-appointed, as the case may be, to the same office.

## **24 Declaration**

The Chairperson of the Annual Meeting shall require every Churchwarden and Vestry member, before entering on office to make and subscribe to the Declaration of Acknowledgement of the

authority of General Synod as required by Title B Canon xxi. . The Declarations so signed shall at once be forwarded to the Diocesan Secretary.

*Procedure for annual general meeting*

**25 Vicar to chair annual general meeting**

- (1) The Vicar is the chairperson of the annual general meeting.
- (2) However, if there is no Vicar, or if, for any reason, the Vicar is unable or unwilling to act, the meeting must be chaired by—
  - (a) the Vicar's Churchwarden; or
  - (b) if there is no Vicar's Churchwarden or if for any reason the Vicar's Churchwarden is unable or unwilling to act, the people's churchwarden; or
  - (c) the chairperson of Vestry.
- (3) Despite **subsections (1) and (2)**, the Bishop or the Bishop's nominee may chair the annual general meeting of any parish.
- (4) The chairperson has a deliberative and a casting vote.
- (5) Unless expressly provided otherwise in this Act or in another Act of the Diocesan Synod, the chairperson may regulate the procedure of the annual general meeting.

**26 Eligibility to speak and vote at annual general meeting**

- (1) Every person on the parish electoral roll is entitled to speak and vote on any matter properly dealt with at the annual general meeting.
- (2) A person not on the parish electoral roll may, with the leave of the meeting, speak on any matter properly dealt with at the annual general meeting, but is not entitled to vote on any matter.

**27 Appointment of Vicar's Churchwarden**

Before the election of office holders is conducted at the annual general meeting, the chairperson must announce the person appointed by the Vicar (or if there is no Vicar, by the Bishop or the Vicar-General) to be the Vicar's Churchwarden (or the Bishop's churchwarden).

*Election of people's churchwarden and members of Vestry*

**28 Election procedure**

- (1) Despite **section 21**, the chairperson may, with the leave of the meeting, accept from the floor further nominations of candidates for the Vestry.
- (2) If the number of candidates nominated under **section 21 or subsection (1)** for the offices of people's churchwarden, members of the Vestry, and Synod Representatives (when required)—
  - (a) does not exceed the number required to be elected, the chairperson must declare each of the candidates to be elected; or
  - (b) does exceed the number required to be elected, the chairperson must proceed to conduct a ballot to elect the required office holders.

**29 Conduct of ballot**

- (1) Before a ballot is conducted, 2 scrutineers who are not candidates for election must be—
  - (a) nominated by the chairperson; and
  - (b) approved by the meeting.
- (2) The role of the scrutineers is to distribute, collect, and count the voting papers and to certify to the chairperson the number of votes cast for each candidate.
- (3) A ballot paper is counted as valid only if votes are cast—
  - (a) by a person who is on the parish electoral roll; and
  - (b) for not more candidates than the number required to be elected; and
  - (c) in accordance with the procedure directed by the chairperson.
- (4) The scrutineers must exclude any voting papers on which votes have been cast for more candidates than the number required to be elected.
- (5) The scrutineers must deliver the voting papers to the chairperson to be destroyed.
- (6) Voting by proxy is not permitted.

### **30 Declaration of results of ballot**

- (1) If the result of the ballot is decisive, the chairperson must declare the name of each person elected.
- (2) If 2 or more candidates receive the same number of votes, the chairperson must conduct a further ballot among those candidates in accordance with **section 29**.
- (3) If the second ballot is not decisive—
  - (a) the matter may be determined by lot; or
  - (b) the vacancy may be filled in accordance with the relevant provisions of **sections 34 to 36**.

#### *Election of lay synod representatives*

### **31 Lay synod representatives**

- (1) As required by section 14 of the Diocesan Structures Statute 2005, in every third year the parish must, by 30 April, elect the required number of lay synod representatives for the parish.

### **32 Resignation from office**

- (1) A person holding office as a churchwarden, member of the Vestry, or auditor may resign from office at any time by giving written notice to the Vicar or, if there is no Vicar, to a churchwarden, or if there is neither a Vicar nor a churchwarden, to the Bishop or the Vicar-General.
- (2) A person holding office as a Synod Representative may resign from office at any time by giving written notice to the Bishop.
- (3) When a notice is received, the office to which it relates becomes vacant—
  - (a) from the date on which the notice becomes effective; or
  - (b) if no effective date is stated in the notice, immediately.

### **33 Vacancy in office of Vicar's Churchwarden**

- (1) If the office of Vicar's Churchwarden becomes vacant through death, resignation, removal, or for any other reason, the Vicar must, as soon as practicable,—
  - (a) appoint another person to that office; and
  - (b) give Public Notice of that appointment.
- (2) If there is no Vicar and a vacancy arises in the office of Bishop's churchwarden, the Bishop or Vicar-General must make the necessary appointment and give Public Notice of that appointment.

**34 Vacancy in office of people's churchwarden**

If the office of people's churchwarden becomes vacant through death, resignation, removal, or for any other reason, a special general meeting of parishioners must be held as soon as practicable to elect another person to that office.

**35 Vacancy in Vestry**

If a vacancy arises on the Vestry through the death, resignation, or removal of an elected member of the Vestry, or for any other reason, —

- (a) the position may remain vacant unless it is necessary to fill the office in order to provide a quorum for the Vestry, as required by **section 43**.
- (b) the position may be filled—
  - (i) by an appointment made by the Vestry.

**36 Vacancy in office of auditor**

If the position of auditor becomes vacant through death, resignation, removal, or for any other reason, the Vestry must, if an auditor is required as soon as practicable, appoint another qualified person to that position.

*Special general meetings of parish*

**37 Special general meetings of parishioners called**

- (1) A special general meeting may be called for any purpose in accordance with **section 17**.
- (2) A request may be made for a special general meeting of the parish by notice in writing to the Vicar or churchwardens, signed by not fewer than 20 members or 20% of the members of the parish roll which ever is less.
- (3) If a request is received under **subsection (2)**, the Vicar or churchwardens, as the case may be, must hold a meeting not later than 28 days after the notice is received.
- (4) A special General meeting may be called for any purpose by the Bishop or the Vicar.

**38 Procedure for special general meetings**

- (1) Public Notice must be given in accordance with **section 20** of a meeting called or requested under **section 37**.

- (2) The notice must state the purpose for which the meeting is called.
- (3) No business except what is stated in the notice may be raised or transacted at a meeting called under **section 37**.
- (4) **Sections 25 to 26** apply to a meeting called under **section 37**, and, if a vote is required in relation to a matter properly before the meeting, the provisions of **sections 28 to 30** apply with any necessary modifications.
- (5) The right of adjournment is not in the chairperson, nor in the Churchwardens or Vestry, but in the whole assembly, and the question of adjournment must be decided by a majority of votes.

## **PART IV**

### **VESTRIES**

#### **39 Membership of Vestry**

- (1) A Vestry consists of the Vicar of the parish [or an alternate as provided for by Section 39 (3)], the churchwardens, Lay Synod Representatives and the lay members elected at an annual general meeting of parishioners.
- (2) The persons referred to in subsection (1) have the right to speak and vote at Vestry meetings.
- (3) The Bishop of Nelson may permit the Vicar to be represented on the Vestry by another clergy person, provided that this is with the concurrence of the Vicar and churchwardens.

#### **40 Meetings of Vestry**

- (1) Meetings of Vestry shall be held at least quarterly, and at such time and place as the Vestry may determine.
- (2) A special meeting of Vestry may be called at such time as the Vicar or the Churchwardens may determine, or upon a requisition in writing signed by a majority of the members of Vestry.
- (3) A special meeting may be called any purpose by the Bishop.

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#### **41 Chairing of Vestry**

- (1) Subject to the provisions of this section and section 39, the Vicar shall chair all meetings of Vestry.
- (2) If for any reason the Vicar is unable to attend any meeting of Vestry, and while there is no Vicar, the Vicar's Churchwarden (or if for any reason the Vicar's Churchwarden is unable to act, and while there is no Vicar's Churchwarden, the People's Churchwarden) shall chair the meetings of Vestry.
- (3) If the Vicar so desires, Vestry may elect one of its members to chair its meetings for the whole or part of its term of office.
- (4) The person chairing any meeting of Vestry shall have a casting as well as a deliberative vote.

#### **42 Persons with right to attend Vestry meetings**

Any person may attend Vestry meetings at the invitation of the Vestry, and have the right to speak but not to vote.

#### **43 Quorum for Vestry**

- (1) No business shall be transacted at a meeting of Vestry unless a quorum is present.
- (2) Vestry may determine its own quorum, but it shall be no fewer than one-third of its members with a minimum of four, and shall include the Vicar or at least one of the Churchwardens.
- (3) Vestry may, with the express consent of the Vicar and the Churchwardens, delegate to a member of Vestry or a subcommittee of Vestry the power to deal with any particular item of business or to be responsible for any particular aspect of parish life, with power to co-opt additional parishioners who are not members of Vestry; and in such a case the subcommittee may conduct the business committed to it even though the Vicar or a Churchwarden is not present or is not a member of the subcommittee.

#### **44 Election of Parochial Nominators**

At a meeting held not later than two (2) months after the annual general meeting at which it was elected, Vestry shall elect four (4) persons, who are qualified to be members of Vestry, to be the Parochial Nominators for the parish or Mission District as the case may be.

#### **45 Primary duties of Vestry**

- (1) The primary duties of the Vestry are —
  - (a) to promote the worship of Almighty God and to provide all things necessary for the ordering of public worship; and
  - (b) to foster the spiritual growth and wellbeing of the parishioners, to bring before the parishioners the claims on them of the mission of the church in their community and in the world at large, and generally to promote the extension of Christ's Kingdom; and
  - (c) to encourage all members of the parish to grow in the faith and service of Christ by the power of his Spirit, and in particular to see that Christian education is provided for persons of all age groups; and
  - (d) to be responsible for the overall good management of the parish, to administer and undertake the business affairs of the parish, and to provide and care for the buildings, furnishings, and equipment needed for the good working of the parish.
  - (e) to determine the establishment of any paid position within the parish.
- (2) Subsection (1) does not limit the responsibility of the Vicar, under the authority of the Bishop, for the pastoral care of the parish, for Christian education in the parish, and for the spiritual wellbeing of the parishioners.

#### **46 Further duties in respect of property**

Vestry shall have the following further duties:

- (a) to plan, authorise, and execute all capital works, alterations, and improvements that may be necessary or desirable for the proper functioning of the parish buildings, subject always to the provisions of the Diocesan Properties and Faculties Act 2006:
- (b) to provide a Vicarage in the parish free of charge to the Vicar, and free accommodation to other full-time Assistant Clergy who are paid from parish funds, or, instead of accommodation, to provide an allowance approved by Standing Committee:
- (c) to cause to be inspected at least once in each year the Church, the vicarage, and all other buildings and property for which Vestry is responsible and ensure that all necessary repairs and maintenance are carried out.

**47 Keeping of minutes**

Vestry shall ensure that full minutes of all its meetings, and of all annual and special general meetings of parishioners, are kept.

**48 Collections**

Vestry shall ensure that all collections at services within the parish are fully recorded, safely kept, and promptly banked.

**49 Contributions for objects outside parish**

(1) Vestry may at its discretion pay money from parish funds for religious, charitable, or educational objects outside the parish and authorise collections to be made for any such purposes.

(2) All special offerings and collections shall be paid to the object specified within 2 months after their receipt.

**50 Vestry bound by acts of predecessors**

All contracts and undertakings that have been duly and lawfully entered into by Vestry shall according to their tenor be binding upon their successors in office from year to year.

**PART V**

**FINANCIAL MATTERS**

**51 Parish accounts**

(1) Vestry shall ensure that full and complete accounts of the receipts and payments of the parish are kept, and that a statement of accounts is tabled at its meeting at least quarterly.

(2) The parish accounts shall be closed every year on the 31st day of December.

(3) Except where The Annual Accounts are prepared and completed by the Anglican Centre the accounts shall be forwarded to the Diocesan Secretary by the 31st day of March next following.

2009 (4) A copy of the parish accounts [where applicable independently reviewed in accordance with subsection (5) of this section], together with a list of the monetary assets and liabilities of the parish, and any parish trust accounts shall be submitted to the annual general meeting of the parishioners and thereafter to the Diocesan Secretary.

- 2009 (5) Where the Parish accounts are not processed and prepared by the Anglican Centre the annual accounts shall be independently reviewed by the duly appointed auditor.
- 2009 (6) Where the Parish accounts are processed and prepared by the Anglican centre the annual accounts shall be independently reviewed by the Diocesan Auditors as part of the Anglican Centre's audit.

## **52 Parish bank account**

- (1) A bank account shall be opened in the name of the parish into which all parish money shall be paid and from which all payments on account of the parish shall be made.
- (2) Except where the Anglican Centre administers and operates the Parish Accounts, subject to subsection (3) of this section, any bank accounts of the parish shall be operated upon by any 2 members of Vestry appointed for that purpose by Vestry.
- (3) If Vestry appoints or employs a parish treasurer, the treasurer may be appointed one of the signatories to operate the parish bank account even though he or she is not a member of Vestry.

## **53 Stipends and salaries have priority**

The payment of stipends and salaries to the clergy and lay staff of the parish shall be a first charge upon the revenue of the parish.

## **54 Authorisation of payments**

- (1) The payment of the Diocesan assessments and levies, the salaries and allowances, and the rates and insurance premiums may be made from parish funds without formal authorisation by the Vestry.
- (2) Subject to subsections (1) and (3) of this section, no payment from parish funds shall be made unless the payment has been approved by a majority of the members of Vestry present at a meeting of Vestry.
- (3) Vestry may delegate to the treasurer the right to make such routine payments as it may from time to time determine; but all such routine payments must be re-authorised by each incoming Vestry.

## **55 Incurring financial liability, borrowing and mortgaging**

Where it is proposed -

- (a) to enter into any contract or to undertake any work that involves any financial liability; or
- (b) to acquire land or undertake work that necessitates borrowing; or
- (c) to grant a mortgage or other security over parochial property, - Vestry shall comply with the provisions of **section 6** or **section 7** or **section 8** or **section 9** (as the case may require) of the Diocesan Properties and Faculties Act 2006.

## **PART VI**

### **CHURCHWARDENS, VICAR, AND STAFF**

#### **56 Duties of Churchwardens**

The duties of the Churchwardens shall be as follows:

- (a) to be the lay leaders of the parish:
- (b) to be the spokespersons for Vestry to the parishioners:
- (c) to be the spokespersons for the parishioners in all matters except those for which the lay representatives on Synod or the Parochial Nominators are responsible:
- (d) to be responsible for the operation of the parish during an interregnum or during the illness or incapacity of the Vicar:
- (e) to have concern for the physical wellbeing of the Vicar and staff and to ensure that they each take their annual leave entitlements:
- (f) to ensure that the decisions of Vestry are carried out:
- (g) to be signatories to all contracts and deeds executed in the name of Vestry:
- (h) to inform the Bishop whenever the Vicar is prevented by illness or other disabling cause from officiating at the Sunday Services.

#### **57 Church, Vicarage and Parish Buildings, at disposal of Vicar**

The Church, vicarage and parish buildings and all things necessary for the ordering of public worship shall be at the disposal of the Vicar, or of any other person acting on the Vicar's behalf.

**58 Forms of service**

- (1) Where alternative forms of service for the Holy Communion or Sunday Worship are permitted, the form to be used from time to time shall be decided by the Vicar after consultation with Vestry.
- (2) No form of service shall be used in the parish without the Vicar's approval.

**59 Choir and music under direction of Vicar**

The formation and management of the choir, and the selection of church music, shall be subject to the control and direction of the Vicar.

**60 Vicar to maintain registers**

- 1) The Vicar shall maintain up-to-date, in good order and legible form, register of services, registers of baptism, confirmation and admissions to Holy Communion, marriages, and funerals for the parish or for each part of the parish.
- 2) When complete the registers shall be forwarded to the Diocesan Secretary.

**61 Appointment of ordained staff**

No ordained staff (other than the Vicar) shall be employed in the parish without the prior approval of Vestry.

**62 Appointment and dismissal of voluntary staff**

The Vicar shall have the right to appoint and dismiss all voluntary Church workers or to grant them leave of absence, with the exception of any whose appointment or election is governed by any Canon of General Synod or by any Act of the Diocesan Synod.

**63 Stipendiary lay staff**

- (1) Stipendiary lay staff may be appointed by the Vicar and Churchwardens with the approval of Vestry.

2008

PROVIDED that before any employment commences the Employment Agreement required to be entered into between the proposed employee and the Parish has the prior approval of the Diocesan Secretary as to content and form.

- (2) The Vicar and Churchwardens shall have power to suspend the lay staff of the Parish, but any such suspension shall be at once notified by them to the other members of Vestry.

- (3) No stipendiary lay staff of the Parish shall be dismissed without the approval of two-thirds of members present at a duly constituted meeting of Vestry, and in the case of stipendiary lay staff who hold a licence or letter of authority from the Bishop, without the prior consent of the Bishop.
- (4) The Vicar shall have power to grant leave of absence from work to any stipendiary lay staff, but leave of absence for a term exceeding one month shall not be granted except with the approval of Vestry, and no payment from parish funds shall be offered or made to any replacement without the authority of Vestry.

**64 Occupants of parish houses liable for damage**

The Vicar and any other clergy or lay staff provided by the parish with housing shall be responsible for all damage arising from his or her occupancy of the house other than fair wear and tear.

**PART VII**

**LOCAL COMMITTEES**

**65 Constitution of local committees**

- (1) Where, within a parish, -
  - (a) there is more than one district community, or there is an area that is likely to be constituted as a separate parish in the future; and
  - (b) divine services are held regularly within that community or area, -

the annual general meeting of parishioners may resolve to set up a local committee for that community or area with such boundaries as Vestry may determine.

- (2) Every such local committee shall consist of not less than three (3) nor more than ten (10) members of the Church elected by and from those who reside in the community or area.
- (3) Every Church committee of a sub-district of a parish, established at the date of the passing of this statute, shall be deemed to have been duly constituted under the provisions of this section.

**66 Powers and responsibilities of local committees**

- (1) A local committee shall have all such powers and responsibilities as may be delegated from time to time to it by Vestry.
- (2) Where Vestry delegates to the local committee responsibility for local funds, the local committee shall appoint a treasurer who shall keep the local accounts, and shall remit to Vestry monthly, quarterly, or annually, as required by the Vestry, any payments to parish funds; and at the conclusion of each financial year shall render to Vestry a full statement of the receipts and payments, assets and liabilities of the committee.

**67 Parish to submit aggregated accounts**

In any parish where there are local committees, Vestry shall include in the accounts submitted to the Diocesan Office all receipts and payments, assets and liabilities, aggregated for the whole parish.

**68 Election of representatives of local committees to Vestry**

- (1) In any parish where there are one or more local committees, the annual general meeting of parishioners may elect one or more representatives of each local committee to the Vestry, provided that the total number of members of Vestry does not exceed fifteen.
- (2) In such a case, the election of members of Vestry shall be held in the following manner:
  - (a) at the annual general meeting of parishioners, there shall be separate elections for members of Vestry to represent each local committee:
  - (b) the separate elections shall be held in such order as the chairperson shall decide:
  - (c) each nominee shall be a member of the congregation represented by the local committee, and otherwise qualified to be a member of Vestry:
  - (d) the decision of the chairperson as to whether any person is or is not a member of a particular congregation shall be final:
  - (e) all those present at the meeting eligible to vote shall be entitled to nominate and vote in the election of all members of Vestry:
  - (e) after the election of representatives of the local committees, the meeting shall elect the remainder of the members of Vestry.

## **PART VIII**

### **MISCELLANEOUS MATTERS**

#### *Presumption and saving of decisions*

#### **69 Effect of non-compliance**

The validity of a decision made under this Act is not affected by the failure of any person to comply with a procedural requirement of this Act.

#### **70 Disputes procedures**

- (1)** In the case of any dispute as to the meaning of any part of this statute such dispute shall be referred to the Bishop and Standing Committee of the Diocese to resolve.
- (2)** All questions which may arise between the Trustees and the Vicar or the officers of any Parish or Mission District shall be decided by the Bishop and the Standing Committee.
- (3)** All questions which may arise between the Vicar and Vestry or between the Vestry and Parishioners shall be referred to the Bishop for his decision.

#### **71 Repeal**

The Parish and Mission Districts Act 1960 is hereby repealed.

2016

**SCHEDULE  
PARISHES AND MISSION UNITS**

**PART I – PARISHES**

1. All Saints'	11.1862
2. Atawhai-Hira	10.2003
3. Awatere	08.2010
4. Blenheim	09.1964
5. Blenheim South	06.1989
6. Buller	10.1993
7. Christ Church	03.1863
8. Cobden-Runanga	08.2010
9. Golden Bay	08.2010
10. Greymouth	04.1879
11. Havelock	08.2010
12. Motueka	09.1962
13. Kaikoura	08.2010
14. Picton	12.1879
15. Reefton	08.2010
16. Richmond	04.1986
17. Spring Creek	04.1986
18. Stoke	06.1977
19. Tahunanui	04.1986
20. Victory	10.1995
21. Waimea	04.1986
22. Wairau Valley	04.1986
23. Wakefield & Districts	01.2016

**PART II – Ministry or Mission Units**

1. Mapua [Hills Community Church]