

THE FACULTIES STATUTE 2010

NOTE: This Statute replaces the original Statute adopted in 1942.

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

1. **SHORT TITLE**

The short title of this Statute shall be "**THE FACULTIES STATUTE 2010**".

2. **DEFINITIONS**

"Committee" shall mean the Committee appointed pursuant to clause 5.

"Ornaments" shall include articles of embellishment or decoration, and articles used in the performance of worship as determined by the Bishop from time to time.

"Church" shall mean and include any building or part of a building used or intended to be used regularly and exclusively for the holding of public worship.

"Vicarage" shall include any dwelling held in the name of the General Trust Board or other trustee(s) for the purpose of providing accommodation for the clergy.

3. **AUTHORITY BY ISSUE OF FACULTY**

3.1 A Faculty must be issued under this Statute before any of the following occurs:

3.1.1 The erection, completion, alteration or removal of any church or hall or vicarage or other building located on the same site or complex as the church, or

3.1.2 Any alteration by way of addition, diminution or otherwise in or to the fabric, furniture, lighting installation, monuments or ornaments of any church, or

3.1.3 The erection or placing in any church of any article that is required or ought to be dedicated or consecrated.

3.1.4 In any new church, a Faculty must be obtained for all furnishings, installations, monuments and ornaments that are to be placed in it, whether new or transferred from a building previously in use.

PROVIDED THAT the Bishop may waive this requirement if of the opinion that the subject matter in such a case is of minor importance.

3.2 The work contemplated must not be commenced until the Faculty has been issued.

3.3 The Diocesan Secretary shall place all plans and specifications submitted for approval pursuant to the provisions of clause 56 of the Parish Statute 1986 before the Committee and where appropriate indicate to the ministry unit that the application shall be considered under this Statute and shall be accompanied by a Petition for a Faculty. The Committee shall examine these documents and make such recommendations as it thinks fit to the Diocesan Council.

3.4 The services of a registered architect shall be engaged in relation to the erection of or alteration to any building unless the Committee is satisfied that other arrangements to the Committee's satisfaction have been made.

4. **MAINTENANCE**

A Faculty shall not be required for necessary maintenance to church buildings. Any doubt as to whether the proposed work consists of necessary maintenance shall be decided by the Bishop on the application of the Vicar and Churchwardens. However, a ministry unit may seek the guidance of the Committee on any such matter.

5. **ADVISORY COMMITTEE**

The Bishop shall appoint a Committee to be known as "The Bishop's Advisory Committee on Faculties and Buildings".

6. PROCEDURE

- 6.1 Proceedings for the issue of a Faculty shall be commenced by a Petition to the Bishop.
- 6.2 The Petition shall bear the following endorsements:
 - 6.2.1 The consent of the Vicar;
 - 6.2.2 The consent of the Churchwardens where the application is for any matter provided for in Title F Canon III Clause 15 of the Canons of General Synod; and
 - 6.2.3 A resolution of the Vestry of the Parish.
- PROVIDED THAT** in the case of a Local Shared Ministry Unit the resolution of the Council shall be required.
- 6.3 The Petition shall be accompanied by:
 - 6.3.1 A full description and plan or sketch of the work or article concerned, and the wording of any inscription and, in the case of any ornament, decoration or utensil or musical instrument or sound system an exact description of the place where such item is to be placed in the existing church building and, if movable, the place where it will be kept when not in use.
 - 6.3.2 The consent of the General Trust Board or other trustee(s) in whom the land shall be vested, in the case of any alteration of an important nature affecting the stability and general plan of the church, or any new arrangements of seats or erection of ornaments as provided in the above-mentioned Title F Canon III Clause 15;
 - 6.3.3 A statement showing how the cost has been or will be provided; and
 - 6.3.4 A report by the Archdeacon on the proposals contained in the Petition.
- 6.4 The Committee shall consider the Petition and make a recommendation to the Bishop. The Bishop shall not be obliged to adopt any recommendation made by the Committee.
- 6.5 The Bishop may issue a Faculty upon such terms and conditions as the Bishop thinks fit.
- 6.6 A record of Faculties issued shall be recorded each year in the Acts of the Bishop.

7. FORMS AND REGULATIONS

- 7.1 The Bishop shall from time to time authorise the form of the Petition and Faculty referred to in clause 6.
- 7.2 The Diocesan Council may make such regulations as may be necessary for carrying out the provisions of this Statute.
- 7.3 The Committee may from time to time produce handbooks, guidelines or other explanatory publications related to its work.