

## **LICENSED MINISTRY STATUTE 2021**

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

1. The short title of this statute shall be **“LICENSED MINISTRY STATUTE 2021”**.

### **PART 1: GENERAL PROVISIONS**

#### **Authority to Minister**

2. Baptism is the source of all Christian ministry. All the baptised are called to continue Jesus' servant ministry in the world by witnessing to God's reconciling love, to bring in the Kingdom of God, to build up the body of Christ, and to glorify God's holy name.
3. Notwithstanding clause 2, those who offer a public or representative ministry on behalf of the Church may do so only with the authority of the Bishop. This is expressed through the issuing of documents which give authority to minister in accordance with this statute, being:
  - a. a Lay Licence, in accordance with Part 2; or
  - b. a Licence or Permission to Officiate, in accordance with Part 3.
4. This statute should be read in conjunction with the Constitution Te Pouhere and Canons of the General Synod Te Hīnota Whānui. In particular, the provisions of this statute are subject to:
  - a. Title A Canon II
  - b. Title D
  - c. Title G Canon XIII

#### **Requirements**

5. Before documents are issued to any person under this statute, the Bishop shall determine that the person is fit for the office and that such training and preparation as may have been required by the Bishop has been undertaken.
6. Before documents are issued under this statute, the person to whom they will be issued shall have:
  - a. signed all Declarations required by the Constitution Te Pouhere and Canons of the General Synod Te Hīnota Whānui; and
  - b. fulfilled all requirements in relation to licensing set out in policy by the Diocesan Council in consultation with the Bishop.
7. The Diocesan Council may from time to time, in consultation with the Bishop, set out ongoing requirements for people who have been granted such authority to minister.

#### **Forms**

8. All documents authorising ministry under this statute shall be issued in the form determined by the Bishop in accordance with the Constitution Te Pouhere and Canons of the General Synod Te Hīnota Whānui.

### **PART 2: LICENSED LAY MINISTERS**

9. All baptised people fulfil a vocation to ministry in the name of Christ. In most cases such ministry is exercised under the authority of the vicar. However, the authority of the Bishop, by way of a Lay Licence, is required for any lay person who:
  - a. preaches more than three times per year;
  - b. in the absence of such an authorised person, officiates at an act of worship such as a Liturgy of the Word; or
  - c. is engaged in ministry that is offered beyond the bounds of a worshipping community in a way that is representative of the Church to the wider community.

10. No person may be issued with a Lay Licence unless they are baptised.
11. The Bishop may authorise lay ministry by issuing either:
  - a. a Local Lay Licence, in accordance with clauses 14 – 16; or
  - b. a Diocesan Lay Licence, in accordance with clauses 17 – 18.
12. All Lay Licences shall specify the nature of the ministry being authorised.
13. Any Licence of any Lay Minister may be suspended or withdrawn by the Bishop at any time, after due enquiry, at the Bishop's discretion.

#### **Local Lay Licence**

14. A Local Lay Licence:
  - a. shall be issued only with respect to that named parish;
  - b. shall be issued for such period and upon such conditions as the Bishop shall determine; and
  - c. may be renewed by the Bishop after a recommendation from the Diocesan Ministry Educator.
15. Applications for a Local Lay Licence shall be made by the vicar, with the support of the vestry using the form current in the Diocese.
16. Local Lay Ministers shall carry out their duties under the direction of the vicar.

#### **Diocesan Lay Licence**

17. A Diocesan Lay Licence may be issued to a lay person:
  - a. where the Bishop determines that that person is responsible for a ministry that is not limited to a specific parish; or
  - b. who is the Chief Executive Officer (however designated by the organisation) of each of the following organisations:
    - i. Auckland City Mission
    - ii. Selwyn Foundation
    - iii. Anglican Trust for Women and Children
    - iv. Vaughan Park Retreat Centre.
18. A Diocesan Lay Licence shall:
  - a. authorise a lay person to exercise duties within any parish of the Diocese only with the consent of the vicar thereof; and
  - b. remain current only so long as the lay person qualifies under clause 17.

### **PART 3: ORDAINED MINISTERS**

19. A deacon, priest or bishop may exercise ministry as a deacon, priest or bishop within the diocese only if they have first received from the Bishop:
  - a. a Licence, in accordance with '3A: Licences'; or
  - b. a Permission to Officiate, in accordance with '3B: Permissions to Officiate'.
20. No person may be issued with a Licence or Permission to Officiate unless they have been ordained in accordance with Title G Canon XIII.

#### **3A: LICENCES**

21. A deacon, priest or bishop shall only be appointed to a position of responsibility and ministry within any parish, or to any Ecclesiastical Office, having first received a licence for that position from the Bishop.
22. The licence shall grant to the deacon, priest or bishop the rights and responsibilities of the Office to which they are licensed.

23. Any person holding a licence shall also be entitled to exercise the functions of a deacon or priest in any parish within the Diocese, with the permission of the vicar.
24. The Bishop may withhold the rights granted by clause 23 and issue a licence that restricts a person to exercise ministry only in a specific parish unless further approval from the Bishop is granted.
25. The Bishop, or any person duly authorised and acting on the Bishop's behalf, shall make arrangements for the issue of an appropriate licence and shall institute the appointee to the ecclesiastical office where the ministry is to be exercised.

#### **Ecclesiastical Offices**

26. A licence may be issued for the following Ecclesiastical Offices:
  - a. to authorise the office of the ordained minister with responsibility for a parish.
    - i. Dean
    - ii. Vicar
    - iii. Priest in Charge
    - iv. Chaplain
    - v. any other office defined from time to time by the Bishop
  - b. to authorise the office of other ministers in a parish:
    - i. Priest Associate or Deacon Associate
    - ii. Priest Assistant or Deacon Assistant
    - iii. Assistant Chaplain
    - iv. any other office defined from time to time by the Bishop.
  - c. to authorise an office of ministry determined by the Bishop, in accordance with structures agreed by a covenant under clause 5 of the Parish Statute 2024.
27. An office authorised in clause 26a may be shared by two or more people, in which case clause 51 shall apply.

#### **Offices other than Ecclesiastical Offices**

28. The Bishop may appoint a person to the office of:
  - a. Vicar-General
  - b. Deputy Vicar-General
  - c. Archdeacon
  - d. Diocesan Ministry Educator
  - e. Ministry Enabler
  - f. Bishop's Commissary
  - g. any other office defined from time to time by the Bishop.
29. All appointments made pursuant to clause 28 shall be terminable by the Bishop at any time. Where the appointment is associated with a stipend, such termination shall be made applying the principles of clause 48.

## **Appointment of Ordained Ministers**

### **Certificate of Means**

30. Prior to the appointment of any stipended minister, the Diocesan Secretary shall assess the ability of the parish to fund (for a period of not less than twelve months) the stipend, allowances, pension and other payments associated with the possible new appointment, and the provision of adequate housing. The vestry shall, on request, provide all and any evidence relating to this assessment.
31. The Diocesan Secretary, if satisfied with the evidence, shall issue a Certificate of Means to that effect to the Bishop. No appointment shall be made until the Certificate of Means has been received. Should the Diocesan Secretary decline to issue a Certificate of Means, the matter shall be referred to the Bishop, who may refer it to the Diocesan Council for consideration.
32. The Diocesan Secretary shall also arrange for the inspection of any vicarage or other clergy housing before and after any necessary work is done, and before and after any tenancy, and shall report to the Churchwardens accordingly.

### **Process**

33. The Diocesan Council shall, in consultation with the Bishop, set a policy for the appointment of ordained ministers to licensed ministry. The processes outlined in this policy must include:
  - a. consultation with the parish to consider mission and ministry and set priorities for the future; and
  - b. representation of the parish in the process of making the appointment.
34. In addition to the provisions of clause 33 where the appointment is for a full-time office authorised under clause 26a, the parish shall have the right to appoint representatives to a nomination committee. In this event, the Bishop shall also have the right to appoint Diocesan Nominators, selected from the Pool of Diocesan Nominators elected in clauses 53 – 54.
35. Where the appointment is for an office authorised under clause 26b, whether stipendiary or non-stipendiary, no person shall be appointed and licensed to a position of pastoral responsibility and ministry in a parish without the agreement of the vestry and the vicar.
36. Appointments to Co-operating Ventures shall be made in accordance with the rules determined by an appropriate ecumenical body and agreed to by this church. Where an appointment is to be made by the Anglican Church, the provisions of this statute shall apply.
37. By agreement of the Bishop and the vestry of the parish, any process established for making an appointment may be varied.

### **Letter of Offer**

38. Prior to issuing any licence, the Bishop shall, in accordance with Title A Canon II, make a Letter of Offer inviting the person to consider the position.
39. The Letter of Offer is not an offer of employment, but rather an offer of a licensed appointment within the Church.
40. The appointee shall respond in writing within seven days, after which the offer will expire.
41. If an offer is declined, or in the event that it expires, the Bishop shall consult with the vestry of the parish to determine what further process will be followed. If the offer was made as a result of a recommendation by a nomination committee, the Bishop shall consult with that nomination committee.

## **Appeal Procedure**

42. Any applicant aggrieved by an appointment shall have the right to appeal against the same, but only on the grounds that the appointment process and procedure has not been properly followed.
43. Notice of appeal shall be given in writing to the Bishop within 14 days of the appointment being first announced at public worship in the parish concerned.
44. The Bishop or a Commissary of the Bishop shall personally hear any appeal, and may be assisted by assessor(s) or adviser(s) and may generally determine the procedure thereof.
45. Any appellant may be heard in person.
46. The Bishop or a Commissary of the Bishop hearing the appeal may either disallow the same, or allow the same in which event the proceedings for filling the vacancy shall begin again.

## **Resignation and Termination of Appointment of Ordained Ministers**

47. No person licensed to an ecclesiastical office under this Statute and under Title A Canon II section 1 shall have such appointment to that office terminated or be removed from such office except:
  - a. in respect of conduct governed by Title D, after following the procedures outlined therein; or
  - b. in circumstances not covered by clause 47a, where the ordained minister is unable or unwilling to perform the duties of the office to which the minister was licensed, or the minister fails to perform those duties in an effective manner; or
  - c. where, in the case of a stipendiary appointment, the stipend in respect of the parish to which the ordained minister was appointed can no longer be sustained, or the office to which the minister was appointed is disestablished; or
  - d. where the office is that of priest in charge during a vacancy; or
  - e. where the licence has been issued with a specific term for the appointment, and the term has expired and has not been extended or renewed; or
  - f. upon the resignation from that office of the person holding the licence.
48. No person holding a licence shall have their appointment to office terminated under clause 47c hereof unless:
  - a. the Bishop shall first have given the ordained minister and the parish to which the ordained minister is licensed three months' notice in writing of the Bishop's intention to take such action and during this three-month period prior to the giving of Notice of Termination the parties will consult and will consider all possible alternatives to termination and any other matters or concerns raised by the minister in relation to the pending termination; and
  - b. the Diocesan Council shall have authorised payment of a sum equivalent to three months' stipend of the minister payable upon the termination of the licence; and
  - c. 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 an ecclesiastical offence; and
  - d. 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 Diocesan Council for further financial assistance of up to but not more than three months' stipend.
49. The Diocesan Council may 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.

50. 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. Less than three months' notice may be accepted at the Bishop's discretion.
51. Where the office authorised in clause 26a is shared by two or more people and where the licence of one of those people is terminated for whatever cause, the Bishop shall ensure that there is appropriate consultation with the parish about the future shape of licensed ministry.

#### **Interim Ministry**

52. On the resignation of the vicar, the Bishop shall appoint a Priest in Charge to hold office for the whole or part of the period from the date on which the vacancy arises until a new vicar is instituted to the office.

#### **Pool of Diocesan Nominators**

53. The Diocesan Synod at its first session of each Diocesan Synod, shall elect, in accordance with the Elections and General Synod Representation Statute 2010, four priests or deacons holding the Bishop's licence; and four lay persons who are baptised members of this Church (in neither case being Archdeacons), to constitute the pool from whom the Bishop may appoint Diocesan Nominators as provided in clause 34.
54. The Diocesan Council may, in consultation with the Bishop:
- a. fill casual vacancies upon the death or resignation of persons elected in clause 53; and
  - b. appoint up to four additional persons to act as Diocesan Nominators provided that such appointments shall cease at the first session of the following Diocesan Synod.

#### **3B: PERMISSIONS TO OFFICIATE**

55. The Bishop may from time to time grant to any deacon, priest or bishop not holding a licence, a Permission to Officiate in the Diocese.
56. Every Permission to Officiate in the Diocese shall be for a period determined by the Bishop, but not more than three years.
57. A Permission to Officiate may be withdrawn by the Bishop at any time.
58. Any person holding a Permission to Officiate shall be entitled to exercise the functions of a deacon or priest in any parish within the Diocese, with the permission of the vicar.
59. The Bishop may withhold the rights granted by clause 58 and issue a Permission to Officiate that restricts a person to exercise ministry only in a specific parish unless further approval from the Bishop is granted.