

AUCKLAND CITY MISSION STATUTE 2023

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 **“AUCKLAND CITY MISSION STATUTE 2023”**.

Interpretation

2. In this Statute, unless the context otherwise requires, “Archdeacon” means the Archdeacon responsible for the Church of St Matthew-in-the-City.

Continuation of the Auckland City Mission

3. There shall continue to be an entity named Auckland City Mission (Te Tāpui Atawhai), (“the Mission”) furthering the Christian ministry of the Church as an expression of the redeeming love of God for all people, especially for those most in need.
4. The Mission is:
 - a. the same entity established in 1920 and constituted by the Auckland Diocesan City Mission Statute 1953, the Auckland City Mission Statute 1971 and the Auckland City Mission Statute 2009, and incorporated as a board in 1972 under the Charitable Trusts Act 1957; and
 - b. responsible for the general social work of the Diocese.
5. The members of the board for the time being of the Mission (“the Board”) shall cause themselves to remain incorporated as a board under the Charitable Trusts Act 1957 under the name Auckland City Mission (Te Tāpui Atawhai).
6. The charitable objects of the Mission are confirmed to be the general social work of the Diocese.

Te Tiriti o Waitangi

7. In furthering the objects of the Mission, the Board must take into account, and must seek to act in accordance with, te Tiriti o Waitangi as set out in Māori in schedule 1 of the Treaty of Waitangi Act 1975.

Auckland City Missioner (Manutaki)

8. There shall be an Auckland City Missioner (Manutaki), (“the Missioner”), appointed to that office by the Board, with the prior written approval of the Bishop, and under such employment arrangements as the Board may determine.
9. The Missioner must be appropriately licensed or authorised by the Bishop to carry out the ministry that forms part of the functions of the office of Missioner.
10. The Missioner shall be the chief executive officer of the Mission and shall have general charge of the Mission and the conduct of its social work in the Diocese subject to the directions of the Board and the conditions of the Missioner’s appointment.
11. The Missioner shall not be eligible for appointment as a trustee unless, prior to its appointment of the Missioner, the Board unanimously agrees that the Missioner shall be eligible for such appointment.
12. If the Missioner is not a trustee, the Missioner shall be invited to attend, and shall have speaking rights at, all meetings of the Board unless the Board resolves it is appropriate for particular matters to be discussed by the Board in the absence of the Missioner.

13. The Missioner shall hold office until they resign by notice in writing to the Board, die or are removed from office in accordance with the provisions of clause 14.
14. The Board may, by special resolution, remove the Missioner from office at any time if, in the opinion of the Board, the continuation of the Missioner in office is not in the best interests of the Mission.

Board

15. The Board shall consist of no fewer than seven, nor more than twelve trustees.
16. The Board shall comprise:
 - a. up to one trustee appointed by the Bishop. For the avoidance of doubt, the Bishop may appoint himself;
 - b. up to four trustees appointed by Diocesan Council (the Diocesan Trustees);
 - c. up to seven persons appointed by the trustees (the General Trustees),

provided that:

 - d. at least four trustees must whakapapa to a hapū of Aotearoa New Zealand; and
 - e. neither the Archdeacon nor the Chancellor shall be eligible to be trustees.
17. Notwithstanding any deficiency in their number or composition, the Board may continue to act at all times to safeguard the Mission and may continue to act in other respects for such period as reasonably necessary to restore the number and composition of trustees to meet the requirements of clause 16.
18. An appointment as a Diocesan or General Trustee shall be for a term of not more than three years, following which the trustee shall be eligible for re-appointment.
19. A trustee may resign at any time by written notice to the Board and:
 - a. the Bishop, in the case of a trustee appointed by the Bishop; or
 - b. Diocesan Council, in the case of a Diocesan Trustee.
20. A trustee may at any time, be removed by the party that appointed them, by notice in writing to the Board and the trustee concerned, provided in the case of a General Trustee the Board shall first pass a special resolution for such removal.
21. The quorum for all meetings shall be a simple majority of trustees appointed.
22. All decisions of the Board shall be made by a majority decision of those trustees present and voting, each trustee having one vote.
23. The Board shall have power to do all things that, in the opinion of the Board, are necessary or desirable for achievement of the responsibilities of the Mission.

Deadlock

24. If at any time the Archdeacon and the Chancellor reasonably consider the Board to be deadlocked to the extent that the Board is unable to carry out the responsibilities of the Mission or that management and administration of the Mission are being restricted to the detriment of the Mission, then they may, with the approval of Diocesan Council, by written notice to the Board, jointly dissolve the Board.
25. Immediately upon any dissolution of the Board under clause 24, the Bishop, Archdeacon and Chancellor shall be and become interim trustees comprising the Board with all the functions, duties and powers of the Board.

26. Within three months following the date of any dissolution of the Board under clause 24, the Bishop, Archdeacon and Chancellor must,
- a. ask the Diocesan Council to appoint new Diocesan Trustees; and
 - b. appoint new General Trustees.
27. Upon the making of the appointments under clause 26, the Archdeacon and the Chancellor will be deemed to have resigned as interim trustees and the Bishop, together with the persons appointed under clause 26, will constitute a new Board.

Annual Report

28. The Board shall present to the Synod at each annual session of the Synod a report on the activities of the Mission for the preceding year together with audited financial statements of the affairs of the Mission.

Winding Up

29. The Mission shall not be wound up unless,
- a. the Board has first determined that it is impossible, impracticable or inexpedient to carry out the purposes of the Mission; and
 - b. Synod has:
 - i. agreed with that assessment and approved the winding up and the subsequent repeal of this Statute; and
 - ii. provided for disposition of the surplus assets of the Mission to some other entity associated with the Church with similar charitable purposes to those of the Mission, and failing that, to the Diocese for its general charitable purposes in Aotearoa New Zealand.

Deed of Trust

30. The Board shall have power from time to time, by deed of trust or by regulation, to make provision for any:
- a. function, duty or power of the Mission or the Board that may be necessary or desirable for the furtherance of the social work of the Mission; and
 - b. administrative matter concerning the Mission or the Board that may be necessary or desirable to facilitate the proper functioning of the Board.
31. Such deed or regulations, and any amendments thereto, shall:
- a. be consistent with this Statute, and
 - b. make provision for all matters dealt with by this Statute.
32. Any such deed of trust or regulation shall remain subordinate to this Statute.
33. The Board shall send to the Diocesan Council a copy of any deed of trust or regulation (or variation of them) promptly after signing or passing the same.