PARISH STATUTE 2024

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 **"PARISH STATUTE 2024"**

2. The following words shall have the interpretation and meaning attached to them as listed below. Other words shall have the meanings listed in the Interpretation Statute 2021.

"audit"	system of independent assurance review as Diocesan Council may from time to time specify
"elected member"	person elected as a member of a vestry pursuant to this statute who does not hold that membership only by virtue of some other role or office
"general meeting"	an annual general meeting or a special general meeting of those whose names appear on the roll of a parish
"legally eligible"	under church law, for appointment to an office within the Church; or under any other law, to be an officer of a charitable organisation
"officer"	the chairperson, churchwardens, secretary or treasurer of a parish
"parish trust"	any trust for the benefit of a parish (includes a parochial trust board or other trust board under the Local Trusts Statute 1927)
"state of national or local emergency"	a 'state of national emergency' or a 'state of local emergency' as defined by the Civil Defence Emergency Management Act 2002
"trustees"	the trustees of any site on which a church stands, and includes any incorporated trust board of such trustees
"vicar"	ordained minister licensed by the Bishop to have responsibility for a parish (or a priest in charge acting in this capacity during an interim period)

3. Subject to clause 5, every parish is governed by the provisions of Part 1, Part 2, Part 3 and Part 4 of this statute.

4. This statute also recognises ministry in contexts in the Diocese other than in a parish, including:
   a. mission ventures, recognised in the provisions of Part 5; and
   b. chaplaincies, recognised in the provisions of Part 6.

Covenant for Ministry and Governance

5. With appropriate consultation, and subject to the approval of the Bishop, Diocesan Council may authorise a covenant making alternative provisions to one or both of:
   a. Part 2, in relation to ministry;
   b. Part 3, in relation to governance.

6. A covenant in clause 5:
   a. must comply with church law;
   b. must, where the provision of a vicar in Part 2 is set aside, include a designation of how the roles and responsibilities of a vicar under diocesan statutes will be fulfilled; and
   c. may, subject to the approval of the Bishop, be revoked or altered by Diocesan Council.

PART 1: FUNDAMENTAL PROVISIONS

Parish

7. A parish is a defined geographical area within which there is a worshipping community that recognises its responsibility to provide mission and ministry within that area.

8. Each parish will have a name and physical boundary, as Diocesan Council may approve from time to time after consultation with that parish.

Responsibilities of a Parish

9. The responsibilities of a parish are:
    a. to promote the worship of God the Holy Trinity;
    b. to proclaim the Good News of the Kingdom;
    c. to teach, baptise and nurture new believers;
    d. to respond to human need by loving service;
    e. to transform unjust structures of society, to challenge violence of every kind and pursue peace and reconciliation;
    f. to strive to safeguard the integrity of creation, and sustain and renew the life of the earth; and
    g. in accordance with the Constitution Te Pouhere, to function on the basis of partnership with Te Pīhopatanga o Aotearoa and the Diocese of Polynesia and their constituent parts.

Requirements of a Parish

10. Each parish must, on an ongoing basis:
    a. have the use of one or more buildings suitable for its needs of divine worship;
    b. demonstrate its compliance with its financial obligations;
    c. comply with all applicable laws, church law, diocesan statutes and policies;
    d. demonstrate that it has duly elected and appointed officers and a vestry, who or which are each able to discharge their respective responsibilities under this statute; and
    e. demonstrate that it is able to provide worship, pastoral care, outreach, stewardship, and other expressions of mission and ministry appropriate for a parish of its size and characteristics.

Co-operating Parishes

11. Synod may approve the formation of co-operating parishes, also known as co-operative ventures, between any parish and with other christian churches, based on such guidelines as shall be approved by General Synod Te Hīnota Whānui from time to time. Any such approval may provide for the necessary modification of provisions of this statute.

Creation of New Parishes

12. Diocesan Council may approve the creation of one or more new parishes, either:
    a. on receipt of a petition from the general meeting(s) of one or more parishes seeking to combine, partition or reconfigure an existing parish or parishes;
    b. through a determination following a scheme of reconstruction in clause 20; or
    c. by resolution of Diocesan Council in response to the mission and ministry needs of the Diocese.

13. In approving the creation of any new parish or parishes in clause 12, Diocesan Council must be satisfied the new and/or reconfigured parish or parishes are able to comply with the provisions of this statute.

Closure of a Parish

14. Diocesan Council may approve the closure of a parish, either:
    a. on receipt of a petition from the general meeting of a parish seeking to close it; or
    b. through a determination following a scheme of reconstruction as in clause 20.

15. In closing a parish, in consultation with the Bishop, Diocesan Council shall ensure the provision for:
    a. the continued worship and pastoral care of members of the parish;
    b. the disposition and use of the buildings owned by, or held on trust for, the parish;
    c. the realisation by sale or otherwise of any assets (including land and buildings) owned by, or held on trust for, the parish;
    d. the repayment of any loans, debts or other liabilities owed by the parish;

e. the allocation of assets; and
f. in consultation with any parish sharing a physical boundary with the parish to be closed, agree on new boundaries.

Commission and Scheme of Reconstruction

16. If any parish is unable to satisfy the requirements of clause 10, Diocesan Council may appoint a commission in respect of that parish.

17. A commission shall be made up of not less than three commissioners, appointed by the Bishop in consultation with the Diocesan Council. The commissioners:
    a. may not be members of the Diocesan Council, the Bishop's staff or the diocesan staff;
    b. may not be on the roll for that parish; and
    c. should have a combination of legal, administrative and pastoral skills.

18. A commission appointed under clause 16 shall prepare a scheme of reconstruction for the parish concerned, making provision for such of the following as it thinks fit:
    a. the continued worship and pastoral care of members of the parish;
    b. the continued administration and governance of the parish;
    c. the disposition and use of the buildings owned by, or held on trust for, the parish;
    d. the realisation by sale or otherwise of any assets (including land and buildings) owned by, or held on trust for, the parish;
    e. the repayment of any loans, debts or other liabilities owed by the parish;
    f. the distribution of assets to neighbouring parish(es) or to the Diocesan Council for use in the Diocese or some part thereof;
    g. the closure of the parish; and
    h. such other matters as it thinks relevant to a resolution of the situation.

19. The scheme of reconstruction shall be submitted to the Diocesan Council, which will consider it and make recommendations to the parish concerned.

20. The parish will be given an opportunity to consider and respond to Diocesan Council's recommendations. Diocesan Council will then consider the matter further and make a final determination (including the passing of any necessary legislation) as it considers appropriate.

Roll

21. Each parish shall maintain a roll of all baptised people who have:
    a. regularly participated in the worship and life of that parish over a six-month period; and
    b. expressed in writing their wish to be included in the roll. A legal guardian may also express, in writing, that the person they represent is to be included in the roll.

22. The roll will record for each such person:
    a. full name;
    b. contact details; and
    c. date of entry on, and (if applicable) deletion from, the roll.

23. No person may be entered on more than one roll at the same time. If a person is entered on more than one roll at the same time, they shall be deemed entered only on the roll on which they were last entered.

24. The vestry is responsible for the revision and maintenance of the roll, and must review the roll each year (including prior to each general meeting) and make such amendments, additions or deletions as are necessary to reflect the eligibility criteria in clause 21.

25. The vestry shall allow any member of the parish to inspect their entry in the roll. Any person who disputes the removal of their name from the roll, confirmed at the previous general meeting, shall be granted the right to speak and vote with regards to clause 71a.

26. The roll as well as other contact lists and information must be maintained in accordance with privacy law and principles.

PART 2: PROVISION OF MINISTRY

27. Subject to the approval of a covenant in clause 5, Part 2 will apply to each parish.

28. The Bishop will, in accordance with the Licensed Ministry Statute 2021, appoint a vicar to each parish.

29. For the purposes of interim ministry, the Bishop may appoint a priest in charge. A priest in charge will exercise the roles and responsibilities of a vicar under this statute until such a time that a permanent appointment of vicar is made.

PART 3: GOVERNANCE

30. Subject to the approval of a covenant in clause 5, Part 3 will apply to each parish.

3A: VESTRY

31. The governing body of the parish is the vestry, which may be known locally by another name.

32. Every vestry must include not less than five people, the majority of whom shall be lay people.

33. The vestry will include any person licensed, elected or appointed as:
    a. a vicar;
    b. a churchwarden; and
    c. a synod representative.

34. The vestry may also include up to ten elected members, elected at an annual general meeting, subject to clauses 40 to 42. The maximum number of elected members is to be determined by each annual general meeting immediately before holding the election.

35. A general meeting may resolve that other ordained ministers licensed to the parish, or employees of the parish, are members of the vestry, subject to such further criteria as the general meeting may specify. Any person appointed shall remain a member of the vestry:
    a. until the resolution is revoked by a subsequent general meeting; and
    b. for as long as they remain licensed to, or employed by, that parish and meet any criteria specified in that resolution; and
    c. unless they resign from the vestry by written notice to the chairperson.

Responsibilities of Vestry

36. In addition to the specific responsibilities provided for in this statute, the responsibilities of the vestry are to facilitate the parish to achieve the requirements of clause 9 and specifically:
    a. to promote the worship of God, and to provide all things that are necessary for the ordering of public worship;
    b. to enable ministry to be provided to and by members of the parish;
    c. to take counsel together for the fostering of spiritual growth and well-being of the members of the parish and of all persons within the area of the parish; and
    d. to promote and, subject to church law and the rights of the Bishop, to have responsibility for all matters affecting the governance, finance, administration and property of the parish.

37. The vestry is, despite changes in its membership, a continuing body and all decisions of a previous parish are (subject to any contrary decision of the vestry) binding on the parish and a subsequent vestry.

38. The initiation, conduct and development of the work of the Church both within the parish and outside shall be the shared responsibility of the vestry and clergy working in partnership.

Chairperson

39. The chairperson of all meetings of the vestry will be:
    a. the vicar; or
    b. the churchwarden elected by a general meeting in clause 46a, where a vicar is not appointed, is absent, or unable or unwilling to act as chairperson;

    except:
    c. that person may delegate that right to any other member of the vestry;
    d. the Bishop (or nominee) may chair any meeting of the vestry; and
    e. if no such chairperson is present, able or willing to act, the vestry must appoint one of its members to act as temporary chairperson for that period.

Term of Office and Vacancies

40. An elected member of a vestry:
    a. holds office until death, resignation, ceasing to be legally eligible, or the conclusion of the next annual general meeting;
    b. may resign at any time by written notice to the chairperson; or
    c. may be removed by a special general meeting called for that purpose.

41. The vestry may fill a casual vacancy caused by clause 40, subject to the maximum number set by clause 71g, provided that the vestry may only appoint a person who fulfils the requirements of clauses 80a and 80b.

42. If at any time the membership of vestry no longer meets the minimum requirements of clause 32, in order to meet these requirements, the vestry must within 21 days:
    a. either appoint additional elected members;
    b. or call a special general meeting for the purpose of electing additional elected members and/or officers.

43. After having fulfilled the requirements of clause 42, if the vestry or general meeting are still unable to meet the requirements of clause 32, this is to be reported to the Diocesan Manager within seven days.

Churchwardens

44. There will be two churchwardens who shall work collaboratively with the vicar in the leadership of the parish and the work of the vestry.

45. In addition to any specific responsibilities provided for in this statute, the joint responsibilities of the churchwardens are to:
    a. be the key lay leaders of their parish;
    b. be the spokespersons for the vestry to the members of the parish;
    c. be the spokespersons for the members of the parish to the vestry;
    d. provide leadership in helping the vestry meet its responsibilities;
    e. support the work of clergy licensed to the parish; and
    f. ensure that the vestry and the vicar are properly informed about matters for which they are each responsible.

46. The churchwardens must be separate legally eligible lay people on the roll;
    a. one churchwarden elected by a general meeting; and
    b. one churchwarden appointed by the vicar.

47. Each churchwarden:
    a. may resign at any time by written notice to the vestry; or
    b. may be removed at any time by written notice by the person or body which appointed or elected them.

48. A churchwarden holds office until death, resignation, removal, ceasing to be legally eligible, or the conclusion of the next annual general meeting.

49. An announcement must be made to the parish as soon as practical after the position of churchwarden becomes vacant or is filled.

50. The position of churchwarden must be filled within 21 days of becoming vacant, and may be filled by the vestry on a temporary basis pending such an appointment or election.

Secretary and Treasurer

51. Each parish must have a:
    a. secretary; and
    b. treasurer;
    who:
    c. must be legally eligible, and shall cease to hold office if they cease to be legally eligible;
    d. need not be members of the vestry;
    e. are appointed by the vestry and hold office until their successor is appointed;
    f. may resign at any time by written notice to the chairperson; and
    g. may be removed from office at any time by the vestry.

52. The vestry may appoint:
    a. one or more assistants to assist the secretary or treasurer to fulfil their respective responsibilities; and
    b. a temporary secretary or treasurer during any vacancy in that office or during any period of disability or inability to fulfil their respective responsibilities.

53. The secretary:
    a. cannot be the same person as the chairperson;
    b. shall keep written records and minutes of all meetings of the vestry and all general meetings, the most recent of which shall be confirmed at the next such meeting;
    c. shall act as secretary to the parish and vestry and at all general meetings;
    d. shall carry out such other administrative duties and responsibilities as the chairperson and vestry may direct; and
    e. shall notify the Diocesan Secretary in writing of the full names and contact details of the officers no later than 30 April in each year, and as soon as possible after a change in any of those details.

54. The treasurer:
    a. cannot be the same person as either the chairperson or a churchwarden;
    b. shall be the contact person for the Diocesan Council in relation to the parish's finances and carry out such work in relation to those finances as the Diocesan Council may require as part of the parish accounting procedures;
    c. shall provide the vestry with advice on financial matters as and when required;
    d. shall assist the vestry in carrying out any of its financial obligations under church law; and
    e. shall carry out such other financial duties and responsibilities as the vestry may direct.

Meetings

55. A vestry must meet as often as is necessary to carry out its responsibilities, but at least quarterly. Meetings may be held in person, or by electronic means.

56. At least two days' notice of any meeting of the vestry and the proposed agenda of that meeting must be given to all members of the vestry. Notice may be given electronically.

57. The vestry must fix, at its first meeting after an annual general meeting, the frequency, venues, dates and times of its meetings for the following year, and announce these to the parish. Any subsequent changes to these details must also be announced to the parish.

58. A special meeting of the vestry:
    a. may be called at any time by the chairperson; or
    b. must be called by the chairperson, to be held within 21 days of receiving a written request to do so from at least ten persons on the roll or at least three members of the vestry; or
    c. must be called by the chairperson pursuant to a resolution of the vestry or a general meeting;

    and may consider only matters referred to in the notice calling the meeting, or reasonably arising from those matters.

Quorum

59. The quorum for a meeting of the vestry is a majority of the members, which must include the vicar or a churchwarden.

Voting

60. All questions before the vestry shall be decided by a majority of those members of the vestry:
    a. present and voting at a meeting; or
    b. voting in accordance with any alternative decision-making process adopted by the vestry under clause 63.

61. The chairperson has a deliberative vote but in the event of equality of votes, the motion is lost.

Attendance

62. Any member of the parish may attend a meeting of the vestry, but:
    a. may not vote;
    b. may only speak with the permission of the vestry; and
    c. must leave the meeting if required to do so by the vestry.

Procedure

63. Subject to this statute, the vestry may regulate its own procedures and adopt such processes and procedures for its administration, operation and meetings as it thinks fit.

Conflicts of Interest

64. If any member of the vestry has a conflict of interest in relation to any matter before the vestry (whether of a pecuniary, a personal nature or of any other kind, and whether in relation to that member personally, any relative of that member or any entity in which that member has a financial interest), that member must:
    a. declare that conflict to the vestry at the earliest possible opportunity;
    b. at any future occasion where that matter is being discussed or considered by the vestry, ensure all such disclosures are recorded in the minutes of those meetings; and
    c. unless the vestry resolves otherwise:
        i. withdraw from any meeting of the vestry where that matter is being discussed or considered;
        ii. not participate in any discussion or consideration of that matter by the vestry; and
        iii. not seek to materially influence the vestry in its discussion or consideration of that matter.

Delegation and Sub-Committees

65. The vestry may, on such terms as it thinks fit:
    a. establish sub-committees, the membership of which may include persons who are not members of the vestry;
    b. delegate such of its powers and responsibilities (including this power of delegation) as it thinks fit to any person or sub-committee; and
    c. approve the delegation by any officer of their powers and responsibilities under this statute.

66. Any delegation:
    a. must be in writing, and include the terms of, or limitations on, that delegation;
    b. does not relieve the delegator from responsibility for the exercise of those powers and the satisfaction of those responsibilities; or
    c. does not prevent the delegator from personally exercising those powers or satisfying those responsibilities.

67. The chairperson and churchwardens individually have the right to be members of, or if not a member, to attend meetings of all sub-committees.

Ceasing to Hold Appointment

68. Any resignation or removal of an officer or elected member shall take effect immediately unless a later date is specified in the relevant notice or resolution.

69. Any officer or member of a vestry who ceases to hold that appointment shall:
    a. sign such documents and take such actions as the vestry may require as a consequence of that person ceasing to hold that appointment; and
    b. return to the vestry upon request all documents and other records held by that person in their capacity as an officer or member of the vestry.

3B: GENERAL MEETINGS

Annual General Meeting

70. Each parish must hold an annual general meeting each year. This will be held:
    a. by the 31 March, or by a later date set by the Diocesan Manager to cater for the celebration of Easter Day Te Rā o te Aranga in a particular year; or
    b. at another time authorised by Diocesan Council.

71. The agenda of an annual general meeting shall include:
    a. confirmation of the roll;
    b. confirmation of the minutes of the previous annual general meeting and any special general meetings since the previous annual general meeting;
    c. the receipt and consideration of any reports from:
        i. the vestry;
        ii. the vicar; and
        iii. the churchwardens;
    d. the receipt and consideration of the following documents, unless they have been received and considered at a previous general meeting:
        i. the annual financial accounts for the previous financial year in compliance with the parish accounting procedures;
        ii. a budget for the next financial year, in accordance with clause 97e;
        iii. the report of the trustees of any parish trust, as required by clause 100;
        iv. any auditor's report required by clause 101b.
    e. the appointment and election of churchwardens;
    f. the election of synod representatives, as required by the diocesan statutes;
    g. determination of the number of elected members;
    h. the election of the elected members;
    i. the election of an auditor, where a parish trust has first obtained a certificate from Diocesan Council in accordance with clause 101; and
    j. such other business received under clause 72.

72. The vestry may set a date and time by which any reports or business for consideration by an annual general meeting must be received. If no date or time is set, the annual general meeting may receive such reports or business at the commencement of the meeting.

Special General Meetings

73. A special general meeting:
    a. may be called at any time by the chairperson or the Bishop (or nominee); or
    b. must be called by the chairperson to be held within 21 days of receiving a written request to do so from at least ten persons on the roll or a resolution to that effect of the vestry; or
    c. must be called by the chairperson pursuant to a resolution of the vestry or a general meeting;

    and may consider only matters referred to in the notice calling the meeting, or reasonably arising from those matters.

Procedure at General Meetings

74. The chairperson of a general meeting shall be:
    a. the chairperson of the vestry;

    except:
    b. that person may delegate that right to any other member of the parish;
    c. the Bishop (or nominee) may chair any general meeting; and
    d. if no chairperson is present, or is able or willing to act as such, the general meeting must appoint a person on the roll to act as temporary chairperson for the meeting.

75. Notice of a general meeting shall be given at least ten clear days prior to the date of the meeting, and shall include:
    a. a written notice prominently displayed throughout that period near the entrance of all churches in regular use in the parish during that period;
    b. notification of the agenda and details of any elections required to be held; and
    c. the opportunity for any member of the parish to inspect the names on the roll prior to its confirmation at the general meeting.

76. The quorum for a general meeting is ten people on the roll. Any person on the roll may attend, speak and vote at a general meeting.

77. All questions before a general meeting shall be decided by a majority of those present and voting. The chairperson of a general meeting has a deliberative vote but in the event of an equality of votes, the motion is lost.

78. Subject to this statute, a general meeting may regulate its own procedure.

79. All decisions of previous general meetings are (subject to any contrary decision of a general meeting) binding on the parish and on subsequent general meetings.

Elections at General Meetings

80. Every candidate for election or appointment at a general meeting must:
    a. be a person named on the roll;
    b. be legally eligible;
    c. be nominated and seconded, by two other people named on the roll, before the close of nominations under clause 81; and
    d. have consented to their nomination in a form prescribed by the vestry, which includes a statement by the candidate that they are legally eligible.

81. Nominations for election at a general meeting may, unless the vestry has set an earlier date and time at which nominations will close, be received at the general meeting. The vestry may prescribe the manner in which nominations are to be received.

82. An election must, irrespective of the number of candidates nominated, be held for any position to be elected at a general meeting.

83. The vestry may determine the manner in which elections will be held, subject to clauses 84 to 89.

84. Prior to an election, the chairperson of the general meeting must announce the number of vacancies for each election.

85. The chairperson of the general meeting must appoint at least two scrutineers, who are not candidates, to oversee the accuracy and fairness of the election.

86. In order to be elected, a candidate must receive a majority of valid votes cast.

87. At the conclusion of an election, the chairperson of the general meeting will declare to the general meeting which candidates have been elected to any positions. That declaration will be conclusive proof of the validity of the outcome of the election, subject only to an election protest.

88. The vestry must retain all voting materials after an election. If an election protest has not been received by the date in clause 91b, the voting materials may then be destroyed. If an election protest has been received by that date, the voting materials must be retained until the election protest has been resolved.

89. If, following an election, vacancies remain for elected members, then the general meeting may resolve to conduct a further election at that meeting to fill those vacancies or allow vestry to fill the vacancy.

Election Protests

90. Any person on the roll who considers an election has not been conducted according to this statute, or that procedural irregularities have occurred in an election, may submit an election protest.

91. An election protest must:
    a. be signed by at least three persons named on the roll;
    b. be submitted in writing to Diocesan Council within 14 days of the date of the election; and
    c. set out concisely the grounds (including any evidence) for the protest.

92. Diocesan Council:
    a. must investigate any such protest received, or may appoint any person or persons to do so and report to it; and
    b. make any final decision to resolve the protest, including without limitation taking or directing any actions it considers appropriate, or directing the vestry in writing to hold a fresh election at a special general meeting.

93. A candidate who is initially declared elected but whose election is protested, shall be treated for all purposes as validly elected unless and until that election is subsequently declared invalid. Any such invalidity will not invalidate any otherwise legitimate action taken in reliance on that candidate having initially been declared elected.

PART 4: GENERAL PROVISIONS

4A: FINANCE

94. The vestry shall, subject to clause 98, ensure that all offerings and other funds received for parish purposes are deposited into a bank account in the name of the parish, which is operated by persons and on terms authorised by Diocesan Council in accordance with diocesan policy and procedures.

95. The vestry shall have control of all funds belonging to the parish.

96. Subject to clause 65b, the vestry must authorise all expenditure of such funds.

Financial Accounts and Audit

97. Subject to the parish accounting procedures, the vestry shall ensure that:
    a. appropriate financial systems and controls are in place within the parish;

b. financial accounts for the parish are considered by the vestry regularly throughout the year in such format as the vestry requires;
c. the parish meets its responsibilities under the parish accounting procedures;
d. financial accounts for the parish, complying with the parish accounting procedures, are presented to the parish at a general meeting for adoption;
e. immediately after the general meeting, the following documents are forwarded to the Diocesan Secretary:
    i. a copy of the budget for the following year;
    ii. the financial accounts complying with the parish accounting procedures and adopted by the parish; and
    iii. a certificate signed by one of the churchwardens present at the annual general meeting certifying that the financial accounts were adopted by the parish and are all the financial accounts of the parish in terms of this clause.

4B: TRUSTS

Trust Funds

98. The vestry shall ensure that all monies received by the parish upon any specific trust are, unless applied to that purpose within one month of receipt, deposited in a bank account of the trust (either a general trust account or a special account created for the purposes of that trust), with a recognised trust company, parish trust board, the General Trust Board or the Anglican Investment Trust Board to be operated on by not less than two trustees.

99. No monies shall be withdrawn from such trust account unless such withdrawal is authorised by the vestry except:
    a. for expenditure upon the express object for which the same was paid or subscribed; or
    b. for investment upon some form of investment authorised by the Trusts Act 2019, or its amendments or re-enactments thereof, until such time as the same shall be required to be expended upon the purpose for which the same was paid or subscribed.

Parish Trust

100. The trustees of each parish trust shall present to the annual general meeting a report of the trust in full compliance with the parish accounting procedures, and showing:
    a. the investment of the capital and the changes that have been made since the last report;
    b. a statement of revenue and expenses;
    c. a statement of assets and liabilities; and
    d. a statement as to any trust funds distributed since the last report.

101. Where a parish trust has obtained from Diocesan Council a certificate that the trust is not subject to the parish accounting procedures, the trustees of that parish trust shall:
    a. provide a report of the trust showing:
        i. the investment of the capital and any changes made since the last report;
        ii. a statement of revenue and expenses;
        iii. a statement of assets and liabilities; and
        iv. a statement as to any trust funds distributed since the last report;
    b. submit their report referred to in clause 101a to the parish's auditor for an audit report before presentation to the annual general meeting; and
    c. give to every annual general meeting:
        i. a copy of the trustees' report referred to in clause 101a; and
        ii. the audit report of the parish's auditor, provided in accordance with clause 101b.

102. The trustees of any parish trust shall attach to their report a complete terrier of all lands held by them for any purpose or trust, giving the following particulars:
    a. area and legal description (including Identifier reference);

b. location and territorial local authority district;
c. the trusts imposed on the land;
d. details of any tenancy or lease including any rights of renewal in respect of the land or buildings;
e. description of any buildings erected on the land;
f. current capital valuation of land and of improvements;
g. the predominant use(s) for which the land is zoned;
h. the current use being made of the land;
i. if the land was acquired from Māori owners for any purpose associated with the Church, the purpose of the acquisition; and
j. circumstances of the acquisition including details of any correspondence and full names and addresses of all persons knowing acquisition details.

103. The trustees' report required by clause 100 and the terrier required by clause 102, and any auditor's report provided in accordance with clause 101b, shall be forwarded to the Diocesan Secretary immediately following the annual general meeting.

4C: DOCUMENTS, STATISTICS AND OTHER REPORTS

104. All documents, agreements, and deeds in the name of the parish shall be signed by any two officers, or such other persons authorised by the vestry for this purpose and on such terms as it thinks fit.

105. The vestry shall forward to the Diocesan Secretary a report of statistics of the parish to 31 December in each year, in the form and by the time required by the Diocesan Council.

106. The vestry shall ensure that it keeps (either in hard copy or, where appropriate, electronic form) all administrative records and accounts relating to its duties and the parish.

Minutes

107. Any person on the roll shall have access to the minutes of vestry and general meetings, other than any matters addressed 'in committee'.

4D: EMPLOYEES

108. The vestry must ensure that there is a written employment agreement for each employee of the parish (whether full-time or part-time), which shall reflect current employment law and record all relevant details including hours of work, terms and conditions, and remuneration.

109. No lay employee of a parish (including a worship leader, administrative staff, organist or other person) may be appointed, employed, or dismissed without:
a. following current employment law; and
b. the approval of both the vicar and the vestry.

4E: EDUCATION AND WORSHIP

110. Without interfering with the rights and powers of the Bishop, the:
a. organisation and management of christian education courses and programmes within the parish; and
b. appointment and removal of teachers of such christian education and speakers, lecturers and preachers;
shall be determined by the vicar.

111. The formation and management of a worship team and/or a choir, and the selection of music, shall be subject to the control and direction of the vicar.

4F: PROPERTY

Buildings and Equipment

112. The vestry shall:
    a. ensure that every church, church hall, house, vicarage, or other building, and all equipment and furniture, under the jurisdiction of the parish is regularly inspected and maintained in good condition;
    b. provide articles of church furniture and all things requisite for the decent celebration of divine worship; and
    c. consider and authorise all works and measures that they consider to be for the welfare of the parish, without interfering with the authority of the trustees or the vicar.

Plans, Specifications and Financial Provision

113. The vestry must not commence the construction of, or alteration or addition to, any church, hall, vicarage or other building to be erected by or for any parish, without first obtaining the consent of a general meeting and Diocesan Council to that proposal, including the plans and specifications of the works, the total cost, and the financial provision for that cost.

Sale, Leasing and Mortgaging of Land

114. Before entering into any transaction involving:
    a. the sale, purchase, mortgaging, granting or taking a lease or giving an easement over, or any other disposition or acquisition of land; or
    b. the alteration, addition or construction of buildings, including the disposition or acquisition of a building;

    the vestry shall submit to the Diocesan Secretary a proposal in the form from time to time prescribed by the Diocesan Council, for the approval of Diocesan Council.

115. The Diocesan Secretary shall provide the Diocesan Council with a copy of the proposal, and a certificate setting out the legal and financial implications of it.

116. Diocesan Council may seek advice and/or opinion from any other diocesan councils, committees or individuals.

117. In considering the proposal, the Diocesan Council shall have regard to the policy of the Diocese in relation to the sale, leasing or mortgaging of land, as declared from time to time by resolution of the Synod.

118. A proposal will not normally be approved unless the Diocesan Council is satisfied that (subject to any relevant trust) the proceeds will be:
    a. applied in the purchase of capital asset(s) of a permanent nature for enhancing the corporate life of the parish, which either has a potential for growth to enable the mission of the Church, or is otherwise fully self-supporting, and the asset(s) will be a significant addition to, or replacement of, any existing asset(s) belonging to or used by the parish;
    b. applied in the acquisition of other land, if any return and/or capital appreciation will significantly facilitate the work of the Church within the Diocese or any part of it;
    c. invested in the Anglican Investment Trust Fund or other investment approved by the Diocesan Council;
    d. applied, in the case of a mortgage, in accordance with 118a or 118b, and the parish can meet the repayment terms of the loan.

119. In accordance with Title F Canon III, where the transaction involves land originally acquired from Māori people, there shall be full and adequate consultation with the appropriate iwi and with the appropriate Komiti o Te Pīhopatanga o Aotearoa.

Faculties

120. No such undertaking shall be permitted unless a faculty has been issued under the Faculties Statute 2020, which may be issued by the Bishop if satisfied that the conditions set out in clauses 113 to 119 have been met.

4G: USE OF BUILDINGS

Use of Church, Vicarage and Church Hall

121. The vestry:
    a. shall have possession of the keys for any church, vicarage and church hall;
    b. shall have control and management of all parish buildings; and
    c. must allow any church to be opened as required for services to be performed by the authority of the Bishop.

Control of Church and Sacramental Vessels

122. The church, sacramental vessels, and all other things appertaining to the church, shall be at the disposal of the vicar or any other person authorised to celebrate divine worship within that parish, for the administration of the sacraments, for catechetical and other religious instruction, for marriages and funerals, and all other rites and ceremonies authorised by the Church, at all such times as they think fit, provided that nothing in this clause shall interfere with the rights and powers of the Bishop.

123. The vestry and the trustees shall allow the free use of such church to any person authorised by the Bishop to officiate within that parish.

Use of Church by other Christian Bodies

124. The Bishop may, with consent of the vicar, the vestry and the trustees, grant permission for a recognised christian body to use a church to hold services, subject to such terms and conditions as the Bishop may specify. Any such use may be terminated by three months' notice being given to the christian body either by the Diocesan Council or by the vestry with the consent of the Diocesan Council.

4H: CONFLICT RESOLUTION

125. The Church is committed to the principles of peace and reconciliation. Where situations of conflict arise in a parish, it is the primary responsibility of the vicar and churchwardens to take active steps to address and resolve conflict.

126. Where conflict is unable to be resolved, the vicar or churchwarden(s) should seek the advice and guidance of their archdeacon.

127. After consultation with the Bishop, the matter may be referred to Diocesan Council.

128. Subject to clauses 125 to 127, Diocesan Council may maintain a policy to provide for conflict resolution processes. No such policy shall interfere with the provisions of the Canons of Title D.

Determination by Diocesan Council

129. Diocesan Council may, subject to the Bishop's rights and powers, finally determine any disagreement between any of the vicar, the vestry, or members of the parish.

130. Diocesan Council may, on such terms as it thinks fit, retrospectively validate any past departure from, or non-compliance with, this statute by any person, vestry or parish, where Diocesan Council considers that such action is:
    a. in the best interests of the parish concerned; or
    b. likely to provide certainty, avoid any disproportionate adverse consequences, or achieve other beneficial outcome;

without in either case being likely to cause any disproportionate unfairness, inconvenience or other adverse consequence.

4I: EMERGENCY POWERS

131. Following any declaration of state of national or local emergency, Diocesan Council is granted the power to vary the provisions of this statute, as it sees fit:
    a. in any or all areas of the Diocese covered by the state of emergency; and
    b. for the period that the state of emergency exists.

132. Any variations made under clause 131 will be reported:
    a. at the time, so far as the Diocesan Council is able, to all parishes effected by the variation; and
    b. to the next session of Synod.

PART 5: MISSION VENTURES

133. A mission venture is a worshipping community or a group within the Diocese which is not a parish but has a formal association with the Diocese.

134. A mission venture does not usually have a physical boundary.

135. The Bishop may approve the formation of a mission venture by petition from:
    a. Diocesan Council; or
    b. any worshipping community or group within the Diocese that is not a parish and wishes to become a mission venture.

136. In making an approval in clause 135 the Bishop may, after consultation with the Diocesan Council:
    a. endorse a clear statement of the relationship between the mission venture and the Diocese, any obligations on the mission venture, and such other terms as the Bishop thinks fit; and
    b. subsequently vary or terminate any such relationship.

137. Ministers may be licensed in relation to any mission venture, and on such terms as the Bishop thinks fit.

PART 6: CHAPLAINCIES

138. Chaplaincy is pastoral ministry provided within another institution. Such institutions may be affiliated to the Church or be independent from it.

139. A chaplaincy does not have a physical boundary.

140. Each individual chaplaincy is subject to the governance of the organisation to which it belongs.

141. Ordained ministers may be licensed in relation to any chaplaincy.
    a. Such appointment will be on terms as the Bishop thinks fit, in consultation with those responsible for the governance of the organisation; and
    b. Licensed ministers remain subject to all relevant canons and statutes of the Church.