THE DIOCESAN SYNOD STATUTE 2001

WHEREAS in 1999 this Synod enacted a Statute entitled "The Diocesan Synod Statute 1999" to consolidate the regulations for the composition and meeting of the Diocesan Synod;

AND WHEREAS in 1982 this Synod enacted a Statute entitled "A Statute to Amend the Diocesan Synod Election Statute" to provide for the election of representatives;

AND WHEREAS it is desired to simplify the procedures for the election of Synod Representatives;

AND WHEREAS it is now desired to consolidate into a single Statute all the provisions made for the meeting and membership of the Diocesan Synod:

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

1. SHORT TITLE
The Short Title of this Statute shall be "**THE DIOCESAN SYNOD STATUTE 2001**".

2. SCHEDULE
The Statute annexed in the Schedule hereto is hereby enacted.

3. AUTHORISATION
All actions done and appointments made under the Diocesan Synod Election Statute 1945, as amended in 1982 will be deemed to have been done or appointed under this Statute.

4. REPEAL
The Diocesan Synod Election Statute 1945, as amended in 1982, and the Diocesan Synod Statute 1999 are hereby repealed.

5. DATE OF COMING INTO EFFECT
The provisions of this Statute shall come into effect on the passing thereof.

SCHEDULE

THE DIOCESAN SYNOD STATUTE 2001
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1. COMPOSITION OF SYNOD

The Diocesan Synod shall consist of:

1.1 The Diocesan Bishop

1.2 Any Assistant Bishop of the Diocese

1.3 Every ordained minister licensed by the Bishop to an ecclesiastical office in the Diocese except that of Local Priest/Deacon

1.4 Any lay person holding a licence as a Diocesan Lay Minister *or an appointment as Archdeacon* for so long as they are active in such ministry and such licence subsists

1.5 The lay Synod Representatives elected by each parish and mission district (hereinafter referred to as a parish unless indicated to the contrary) under the provisions of clause 8 hereunder

1.6 The four Synod Representatives elected by the Youth Synod under the provisions of clause 10 hereunder

1.7 The two Synod Representatives elected by the Association of Anglican Women under the provisions of clause 11 hereunder

1.8 The two Synod Representatives elected by the Mothers' Union under the provisions of clause 12 hereunder

1.9 The Synod Representatives (either clergy or laity) elected by each Local Shared Ministry Unit under the provisions of clause 13 hereunder

1.10 The chief executive officers of the Auckland City Mission, the Selwyn Foundation, and the Anglican Trust for Women and Children under the provisions of clause 14.

1.11 Te Chancellor, or Chancellor locum tenens, ex officio.

PROVIDED THAT the failure of any parochial unit or any other body or organisation entitled to elect a lay Representative shall not prevent the Synod from proceeding to the despatch of business.

2. RIGHT TO SPEAK BUT NOT THE RIGHT TO VOTE

2.1 Any ordained minister holding a Permission to Officiate in this Diocese but not holding a licence from the Bishop to an ecclesiastical office in the Diocese (as defined in clause 3.3 of the Licensed Ministry Statute) shall be entitled to a seat in the Synod with the right to speak but without the right to vote.

2.2 The Diocesan Secretary shall have a seat in the Synod with the right to speak but without the right to vote.

2.3 Such other persons as the Synod may from time to time determine shall have a seat in the Synod with the right to speak but without the right to vote.

3. REPRESENTATIVES OF CO-OPERATING PARISHES

3.1 Any ordained minister or lay member of any other Christian Church recognised by resolution of the General Synod/te Hinota Whanui and duly appointed to serve in or represent a co-operating parish or co-operative venture in which this Diocese is a partner is entitled to a seat in the House of Clergy or House of Laity in the Synod with the right to vote except when the Synod shall be acting under the following provisions, namely:

3.1.1 Part B Clause 6(b) of the Constitution (alteration of the formularies)

3.1.2 Part E Clauses 10 and 11 of the Constitution (nominating a Bishop)

3.1.3 Part G Clause 4 of the Constitution (amending the Constitution)

3.1.4 In respect of any proposal or matter pursuant to The Church of England Empowering Act 1928.

4. MEETINGS OF SYNOD

4.1 Each triennial Synod shall meet annually and at such other times as the Bishop may determine, at such times and such places as shall be prescribed in that behalf by the Bishop.

5. PRESIDENT OF SYNOD

5.1 The Bishop shall be President of the Synod but may delegate that responsibility to some other person, at the Bishop's sole discretion.

5.2 In the absence of the Bishop, or when the Bishop is unwilling to preside in any particular matter or is prevented by illness or other cause from presiding, the Vicar-General shall preside and shall for the purposes of Clause 6.2 hereof vote in place of the Bishop.

5.3 Where the office of the Diocesan Bishop is vacant, the presidency of the Synod shall devolve upon a Commissary appointed by the Primate/te Pihopa Matamua.

6. QUORUM AND ASSENT

6.1 The presence of

6.1.1 the Bishop of the Diocese or the Vicar-General or a Commissary appointed by the Bishop, and

6.1.2 one-fourth of the number of licensed ordained ministers (as provided in Clause 2.), and

6.1.3 one-fourth of the number of lay Synod Representatives (as provided in Clause 2)

shall be necessary to constitute a quorum for the Synod in the due exercise of its powers.

6.2 Every act of the Synod shall be assented to by:

6.2.1 a majority of the Bishops including the Diocesan Bishop or Vicar General, and by

6.2.2 a majority of the licensed ordained ministers present and voting, and by

6.2.3 a majority of the lay Synod Representatives, present and voting

PROVIDED THAT the President may declare a motion carried upon the voices unless a Division shall be called for.

7. PROVISIONS RELATING TO ALL LAY REPRESENTATIVES

7.1 For the purposes of this Statute a Synod Representative shall be deemed to mean a lay person duly elected as a representative of the Laity in the Diocesan Synod.

7.2 The provisions of this Clause shall apply to the election or appointment of lay Synod Representatives designated in clause 1.5 to 1.9 inclusive.

7.3 At any such election the chairperson shall have an original vote and in the event of an equal number of votes being cast for any of the candidates shall have also a casting vote.

7.4 Any lay person who is a communicant and who is of the age of sixteen years or over may be nominated as a candidate for election as a Synod Representative pursuant to Title B Canon II Clause 3.

7.5 The person conducting the election of the Synod Representative(s) shall forward to the Diocesan Secretary before the tenth day of April following the election a certificate declaring the name(s) and address(es) of the duly elected candidate(s) upon which date the person so certified as having been elected shall take office.

7.6 Any objection to the validity of an election shall be made in writing and shall state the ground of any such objection and be signed by at least five qualified electors of the parochial unit (or other electing body) and forwarded to the Diocesan Secretary within twenty one days after the declaration of such election and the Diocesan Secretary shall report such objection to the next meeting of the Diocesan Council which shall determine the status of any such disputed election and shall have power to declare an election valid or invalid.

7.7 A Synod Representative, the validity of whose election is disputed, shall be entitled to sit and vote in the Synod unless and until that person shall have been declared to have not been duly elected, provided that no resolution, act or decision of the Synod shall be invalidated by reason of any such Synod Representative being subsequently declared not to have been elected.

7.8 The seat of any Synod Representative shall be vacated by death or upon receipt by the Bishop of the resignation therefrom in writing under the hand of such Synod Representative, or on such Synod Representative being declared disqualified to act by a competent Tribunal provided that the seat of any Synod Representative shall become vacant in the event of such Synod Representative failing to attend any one Session of the Synod without obtaining leave of absence from the Bishop.

7.9 In the event of any election not being duly held or being declared invalid, or of the seat of any Synod Representative becoming vacant or on the creation of a new district, the Bishop shall order that a new election be held and this shall be held as far as may be in the manner prescribed for the General Election of Synod Representatives

PROVIDED HOWEVER that no election shall be held within seven days before the day appointed for the next ensuing session of Synod.

7.10 The person who shall be elected to fill the vacancy in the event of the seat of any Synod Representative becoming vacant, and any Synod Representative elected to represent a new district, shall hold office only until the time determined by Clause 8.2.

7.11 Any Synod Representative may, by writing addressed to the Bishop, resign.

7.12 In the event of any vacancy in the position of Synod Representative, whether through resignation, death, or upon the declaration of any Tribunal acting in that behalf under the authority of the General Synod, the Diocesan Secretary shall direct that a fresh election for the position be held;

PROVIDED THAT the person so elected shall hold office only until the time determined by Clause 8.2.

7.13 In the event of a Synod Representative, duly elected under the procedures outlined, being unable by reason of illness or other good reason to attend a particular session of Synod, and having made that known to the Vestry, the Vestry concerned may appoint another person to take the place of the elected Synod Representative at the session of Synod so designated and shall advise the Bishop forthwith PROVIDED THAT the appointment so made shall relate only to that designated session and no other, and that the provisions of sub-clause 7.4 shall apply.

8 LAY SYNOD REPRESENTATIVES ELECTED BY PARISHES AND MISSION DISTRICTS

8.1 Every parish or mission district but not a local shared ministry unit shall be entitled to elect two lay Synod Representatives, not later than the thirty-first day of March following the third Session of any Synod. PROVIDED that if a parish or mission district includes two or more local shared ministry units it shall not be entitled to additional representation under clause 8 PROVIDED FURTHER that if part only of the geographic area of the parish or mission district is included within a local shared ministry unit the Diocesan Council shall determine how the parish or mission district shall be represented on the Synod.

8.2 Subject to the provisions of this Statute, the Synod Representatives shall hold office until the end of the Annual General Meeting of parishioners at which a new election shall have taken place prior to the first session of each Synod.

8.3 Notice of the election of Synod Representatives shall be given with and in the same manner as notice of the Annual General Meeting.

8.4 Every person present at the meeting of the age of sixteen years or over who shall have been registered on the parish roll for a period of not less than two months shall be entitled to vote at the election of Synod Representatives.

8.5 Nominations for the position of Synod Representative(s) shall be received in the same manner as nominations are received for the People's Warden except that a person who is on the roll of another parish shall be eligible for nomination. The election shall be held in the same manner as that held for the People's Warden. Voting papers shall be retained by the chairperson for a period of sixty days from the date of the meeting and shall be surrendered to the Diocesan Secretary in the event of an objection being made under clause 9.6 hereof.

8.6 At the Annual General Meeting where there shall be an election for Synod Representatives, the election shall be held after the election of the Church Wardens and the meeting will be chaired by a lay person for the purpose of electing Synod Representatives.

8.7 The procedure set out in clause 7 for the election of lay Synod Representatives shall be followed in a parish or mission district, subject to the following:

8.7.1 In the case of a parish or mission district which has within its boundaries a number of sub-districts and where the provisions of clause 41 of the Parish Statute for the election of church officers are followed, the procedure for the election of Synod Representatives shall be as follows:

8.7.2 Notice of the election of Synod Representatives shall be given with and in the same manner as notice for the sub-district meetings except insofar that nominations for the office of Synod Representatives shall close seven days before the date fixed for the first of such sub-district meetings.

8.7.3 Each nomination shall be in writing and signed by two electors of the parochial unit and shall be consented to (either verbally or in writing) by the candidate and shall be delivered to the Vicar or Chairperson of the Vestry.

8.7.4 The Local Warden or other duly elected lay person shall be the chairperson for the purpose of the election of the Synod Representatives at the sub-district meeting.

8.7.5 Should there be no more duly qualified candidates nominated than the number required to be elected, or if by reason of any duly nominated candidate(s) withdrawing there shall remain only the number required to be elected, such candidate(s) shall at the last of such sub-district meetings, be declared to be elected by the chairperson of the meeting.

8.7.6 If more qualified candidates shall be nominated than the number required to be elected, an election by ballot for the required number of Synod Representatives shall be conducted at each sub-district in turn. The chairperson appointed to conduct each election shall retain all voting papers and deliver them unopened and uncounted to the Vicar or Chairperson. At the close of the ballot at the last of such sub-district meetings the Vicar or Chairperson shall authorise two scrutineers to open and count all voting papers and declare the result of the election.

8.8 In case any parish or mission district shall cease to exist as a separate parochial unit, no Synod Representative already elected to represent such district shall cease for that reason to be a member of the Synod until the tenth of April in the year of the next General Election.

8.9 The election of lay Synod representatives shall be held every third year, dating from the year 2001.

8.10 No person shall hold office as a Synod Representative for more than one parochial unit at the same time.

9. LAY SYNOD REPRESENTATIVES ELECTED BY THE YOUTH SYNOD

9.1 In addition to the lay Synod Representatives elected to Synod in accordance with clauses 8 and 9, the annual Youth Synod convened under the provisions of the Youth Synod Statute 1996 shall be entitled to elect to Synod as representatives of that Youth Synod four persons being communicants of sixteen years of age or over.

9.2 The Youth Synod shall elect its representatives to the Diocesan Synod by whatsoever method it decides subject to the approval of the Bishop.

9.3 The persons so elected to the Synod shall be elected each year and shall hold office until the Youth Synod of the ensuing year or until the end of the Synod whichever shall first occur.

9.4 Any person so elected as a Youth Synod representative shall be entitled to a seat in Synod and to speak and vote in respect of any matter coming before the Synod.

9.5 The President of the Youth Synod shall forward to the Diocesan Secretary as soon as possible after the Youth Synod the names and addresses of the duly elected representatives. The persons duly elected shall take office on the date on which the Diocesan Secretary receives such notice.

9.6 No person otherwise holding office as a member of Synod as a Synod Representative pursuant to the provisions of this Statute shall be eligible to be elected as a Youth Synod Representative.

10. LAY SYNOD REPRESENTATIVES ELECTED BY THE ASSOCIATION OF ANGLICAN WOMEN

10.1 In addition to the Lay Synod representatives elected to Synod in accordance with clauses 8, 9, and 10, the Diocesan Executive Committee of the Association of Anglican Women shall be entitled to elect two Synod Representatives of the Association of Anglican Women.

10.2 Such election shall be held at a duly constituted meeting of the Diocesan Executive Committee held before the thirtieth day of April in each year of the first Session of each Synod.

10.3 Any person so elected as a Synod Representative of the Association of Anglican Women shall be entitled to a seat in Synod and to speak and vote in respect of any matter coming before the Synod.

10.4 No person otherwise holding office as a member of Synod as a Synod Representative pursuant to the provisions of this Statute shall be eligible to be elected as a Synod Representative of the Association of Anglican Women.

11. LAY SYNOD REPRESENTATIVES ELECTED BY THE MOTHERS' UNION

11.1 In addition to the Lay Synod representatives elected to Synod in accordance with clauses 8, 9 and 10, the Diocesan Executive Committee of the Mothers' Union shall be entitled to elect two Synod Representatives of the Mothers' Union.

11.2 Such election shall be held at a duly constituted meeting of the Diocesan Executive Committee held before the thirtieth day of April in each year of the first Session of each Synod.

11.3 Any person so elected as a Synod Representative of the Mothers' Union shall be entitled to a seat in Synod and to speak and vote in respect of any matter coming before the Synod.

11.4 No person otherwise holding office as a member of Synod as a Synod Representative pursuant to the provisions of this Statute shall be eligible to be elected as a Synod Representative of the Mothers' Union.

12. SYNOD REPRESENTATIVES ELECTED BY LOCAL SHARED MINISTRY UNITS

12.1 Each local shared ministry unit shall be entitled to elect two Synod Representatives. The procedure for the election of such representatives shall as far as possible be in accordance with the provisions of clause 8.

12.2 Of the persons so elected at least one shall be a lay person. An ordained minister so elected shall be a member of the House of Clergy and any lay person so elected shall be a member of the House of Laity.

12.3 These provisions shall otherwise be subject to the provisos to clause 8.1 of this Statute.

12.4 In the event of any vacancy in the position of Synod Representative for a local shared ministry unit (whether ordained or lay) whether through resignation, death, or upon the declaration of any Tribunal acting in that behalf under the authority of the General Synod, the Diocesan Secretary shall direct that a fresh election for the position be held PROVIDED THAT the person so elected shall hold office only until the next following general election of Synod Representatives.

13. SYNOD REPRESENTATIVES APPOINTED BY THE AUCKLAND CITY MISSION, THE SELWYN FOUNDATION, AND THE ANGLICAN TRUST FOR WOMEN AND CHILDREN

13.1 The chief executive officer (however designated by the organisation) for the time being of each of the following organisations - the Auckland City Mission and the Selwyn Foundation and the Anglican Trust for Women and Children - shall be entitled to a seat in Synod and to speak and vote in respect of any matter coming before the Synod PROVIDED THAT if any such person is by some other means a member of Synod, then this right of entitlement shall be inoperative.

13.2 Such appointment shall be made known to the Diocesan Secretary as soon as possible after it has been made and shall take effect immediately.

13.3 If the person so appointed is an ordained minister authorised by the Bishop that person shall be a member of the House of Clergy of the Synod.

14.3 If the person so appointed is a lay person that person shall be a member of the House of Laity of the Synod.