

## **THE CATHEDRAL STATUTE 2012**

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

### **1 SHORT TITLE**

1.1 The short title of this Statute will be "**THE CATHEDRAL STATUTE 2012**".

### **2 THE CATHEDRAL CHURCH**

2.1 The Cathedral Church of the Diocese of Auckland will be known as "Auckland Cathedral of the Holy Trinity", hereinafter referred to as "the Cathedral".

2.2 The Cathedral is:

- (a) the mother church of the Diocese and the seat of the Bishop;
- (b) the main centre of worship for the ministry unit comprising the Cathedral District; and
- (c) a place of community gathering and a centre for the arts.

2.3 The Cathedral Precinct comprises the Cathedral, St Mary's-in-Holy Trinity and all other associated buildings and grounds.

## **PART ONE: CATHEDRAL DISTRICT AS A MINISTRY UNIT**

### **3 THE CATHEDRAL DISTRICT**

3.1 The Cathedral District is a Parish of the Diocese, and will be subject to the same statutory provisions as other Parishes, except where this Statute expressly provides otherwise.

3.2 The Church Wardens of the Cathedral District will be:

- (a) The Dean's Warden, appointed annually by the Dean; and
- (b) The Peoples' Warden, elected at the Annual General Meeting; but otherwise as provided for in the Parish Statute 1986. The Churchwardens' duties may be varied by the Dean in consultation with the Cathedral Council.

3.3 The Cathedral District will elect lay Synod representatives in the same manner as a Parish.

### **4 THE DEAN AND THE CATHEDRAL STAFF**

4.1 The Dean will be appointed by the Bishop, and will hold the position of Vicar in relation to the Cathedral District.

4.2 If the office of the Dean is vacant, the functions of the Dean may be performed by the Bishop until such time as, at the Bishop's discretion, a Dean is appointed by the Bishop and installed in office. The Bishop may appoint a temporary or acting Dean during any such vacancy.

4.3 Subject to the powers and rights of the Bishop, the Dean will:

- (a) have responsibility for the oversight of all Cathedral staff (lay and ordained) and any volunteers and employees of the Cathedral, except that, with the agreement of the Cathedral Council, supervision of any lay people may be delegated to another person; and
- (b) be responsible for the conduct and ordering of all services in the Cathedral, subject to clause 7.1.

4.4 The Bishop may, with the approval of the Dean and Cathedral Council in each case and in accordance with applicable Diocesan Statutes, appoint any Ordained or Lay Ministers to the staff of the Cathedral, subsequently terminate any such appointment, and assign duties to those Ministers.

4.5 The Dean, together with the Cathedral Council, will have responsibility for the appointment and removal of all other staff, who will conduct their duties in accordance with the directions of the Dean.

- 4.6 The Dean may, with the agreement of the Cathedral Council, appoint a Priest to take pastoral charge (under supervision of the Dean) of the Cathedral District, and may from time to time, after consultation with the Cathedral Council, revoke or vary any such appointment.

## **5 THE CATHEDRAL COUNCIL**

- 5.1 The Cathedral Council is the Vestry of the Cathedral District ministry unit.
- 5.2 The Cathedral Council will consist of:
- (a) the Dean;
  - (b) two ordained or lay members of the staff of the Cathedral, appointed annually by the Dean;
  - (c) four lay persons on the Cathedral roll, elected at the Annual General Meeting and holding office in accordance with clause 5.4;
  - (d) the two lay Synod representatives of the Cathedral District, elected in accordance with the Diocesan Synod Statute 2001;
  - (e) the two Church Wardens of the Cathedral District;
  - (f) one person appointed annually by the Cathedral Resources Board from its members.
- 5.3 If any person under clause 5.2 (b) vacates office before the completion of their term, the Dean may appoint a person to fill the position for the remainder of the term.
- 5.4 In clause 5.2 (c) above, two persons will be elected in even numbered years and two elected in odd numbered years. Each person will hold office for two years and will then be eligible for re-election. If any person under clause 5.2(c) vacates office before the completion of their term, the Cathedral Council may appoint a person to fill the position for the remainder of the term.
- 5.5 The Dean will be the Chairperson of the Cathedral Council, but may delegate that right to any other member of the Cathedral Council.
- 5.6 In addition to the responsibilities of a Vestry, the Cathedral Council is responsible for:
- (a) all matters affecting the Cathedral, which are not otherwise assigned in this Statute;
  - (b) developing links with the Diocese, the community and ecumenical partners;
  - (c) reporting annually to the Diocesan Synod on the ministry of the Cathedral as related to the Diocese; and
  - (d) setting the responsibilities and delegated authority of the Cathedral Resources Board.
- 5.7 The Cathedral Council will meet at least six times each year.
- 5.8 The quorum for a meeting of the Cathedral Council is a majority of its members, which must include the Dean or one of the Church Wardens.

## **6 THE CATHEDRAL RESOURCES BOARD**

- 6.1 The Cathedral Resources Board is a standing subsidiary entity of the Cathedral Council, with responsibility (subject to the terms of any delegations from the Cathedral Council) for finance, property and administration matters relating to the Cathedral Precinct and such other related responsibilities and functions as the Cathedral Council may assign from time to time.
- 6.2 The Cathedral Resources Board is responsible for:
- (a) management of the Cathedral finances and monthly and annual financial reporting to the Cathedral Council;
  - (b) maintenance of the Cathedral Precinct; and
  - (c) management of the Cathedral Precinct and management of the Cathedral Precinct as a venue for community use and as a centre for the arts and determining policies for the use of the Cathedral buildings if appropriate in consultation with the Cathedral Council.

- 6.3 The Cathedral Resources Board will consist of:
- (a) The Dean or the Dean's nominee;
  - (b) Two lay persons on the Cathedral roll, elected at the Annual General Meeting and holding office in accordance with clause 6.4;
  - (c) Up to two persons of appropriate skills and experience who are not necessarily on the Cathedral roll, appointed annually by the Cathedral Council;
  - (d) The two Church Wardens of the Cathedral District; and
  - (e) The Cathedral Treasurer.
- 6.4 In clause 6.3(b) above, one person will be elected in even numbered years and one elected in odd numbered years. Each person will hold office for two years and will then be eligible for re-election.
- 6.5 If any person under clauses 6.3(b) or (c) vacates office before the completion of their term, the Cathedral Council may, after consultation with the remaining members of the Cathedral Resources Board, appoint a person to fill the position for the remainder of the term.
- 6.6 The Cathedral Resources Board will meet at least six times a year.
- 6.7 The Cathedral Resources Board will elect its own chairperson.
- 6.8 The quorum for a meeting of the Cathedral Resources Board is a majority of its members.
- 6.9 Subject to the provisions of this Statute and any directions of the Cathedral Council, the Cathedral Resources Board may regulate its own procedure and may delegate any of its functions to a person or a committee or committees.

## **PART TWO: CATHEDRAL AS DIOCESAN CHURCH**

### **7 USE BY THE BISHOP**

- 7.1 By right of office, the Bishop may use the Cathedral when and as the Bishop deems fit, for any purpose associated with that office. The Bishop's seat will be located in the Cathedral.

### **8 THE CATHEDRAL CHAPTER**

- 8.1 A Cathedral Chapter (hereinafter referred to as the "Chapter") will be constituted which will bring together people of varying experience, knowledge and expertise.
- 8.2 The role of the Chapter is to:
- (a) provide a Council of Advice to the Bishop, the Dean and the Cathedral Council;
  - (b) support and further the ministry of the Cathedral;
  - (c) assist the Cathedral to represent the life of the broader Diocese;
  - (d) identify ministry needs of both the community and the Diocese as they relate to the Cathedral and convey these to the Cathedral Council for consideration and action;
  - (e) participate in and contribute to liturgical worship and other aspects of Cathedral life; and
  - (f) undertake such other responsibilities and functions as the Bishop, Dean or the Cathedral Council may assign from time to time.
- 8.3 The Chapter will consist of:
- (a) the Bishop and any Assistant Bishops in the Diocese;
  - (b) the Dean;
  - (c) a representative of each of Te Pihopatanga o Aotearoa and the Diocese of Polynesia as appointed by each of these partners;
  - (d) four Clerical Canons, who must hold the Bishop's Licence to an ecclesiastical office; and
  - (e) eight Lay Canons.
- 8.4 The Bishop (in consultation with the Dean) and Diocesan Council shall each appoint two Clerical Canons and four Lay Canons.

- 8.5 When appointing Canons, care should be taken to ensure some balance of gender, age, location in Diocese and any other appropriate considerations. At least one of the Canons will be from a rural area. Members of the Chapter should be chosen for their ability to contribute to the individual and collective role of the Chapter, including their willingness to assist with liturgical or other Cathedral functions from time to time.
- 8.6 Each Canon will be appointed for a term of up to three years, and will then be eligible for re-appointment for one further term.
- 8.7 Before taking office as a member of the Chapter, every Canon will, in the presence of the Bishop, make and subscribe to the following declaration:  
"I,....., do hereby declare that, in the exercise of my office as a Member of the Cathedral Chapter of the Diocese of Auckland, I will hold my office in due subordination to the Bishop of Auckland and to the General Synod of this Church and to the Synod of the Diocese of Auckland."
- 8.8 Any member of the Chapter will cease to hold office:  
(a) by death, or resignation by notice in writing to the Bishop;  
(b) upon removal from office by the Bishop by notice in writing for just cause;  
(c) if a Clerical Canon, upon ceasing to hold the Bishop's Licence to an ecclesiastical office; or  
(d) upon the expiry of the term for which that Canon was appointed.
- 8.9 All meetings of the Chapter will be called and chaired by:  
(a) the Bishop;  
(b) in the absence of the Bishop, the Dean; or  
(c) in the absence of the Bishop and the Dean, an Assistant Bishop or the Vicar-General.
- 8.10 The quorum for meetings of the Chapter will be 10 members.
- 8.11 The Canons may have responsibilities for specific portfolios as determined by the Bishop from time to time in consultation with the Dean and the Cathedral Council.
- 8.12 The Bishop will maintain a Register of the Chapter.

### **The Greater Chapter**

- 8.13 The Greater Chapter will consist of:  
(a) the Cathedral Chapter;  
(b) the Canons of Honour; and  
(c) the Ecumenical Canons.
- 8.14 The Greater Chapter may meet from time to time at the discretion of the Bishop and may consider any matters referred to it.
- 8.15 The Bishop may appoint up to eight persons as Canons of Honour, as a recognition of their role or contribution to Christian life, witness or ministry. These persons may be invited to participate in the life and ministry of the Cathedral and the Chapter as considered appropriate. Such appointments will, subject to removal from office by the Bishop by notice in writing for just cause, be for life.
- 8.16 The Bishop may, in consultation with the Cathedral Chapter, appoint up to four persons as Ecumenical Canons. Such persons will be selected from active members of churches other than the Anglican Church in Aotearoa, New Zealand and Polynesia, and may be invited to participate in the life and ministry of the Cathedral and the Chapter as considered appropriate. Such appointments will, subject to removal from office by the Bishop by notice in writing for just cause, be for three years and such persons will be eligible for re-appointment for one further term.

## **9 THE DIOCESE AND THE CATHEDRAL**

- 9.1 In recognition of the Diocesan-wide nature of the Cathedral's ministry, the Diocesan Council will make an annual financial grant to the Cathedral, the amount of which will be determined by the Diocesan Council after consultation with the Cathedral Resources Board.

## **PART THREE: CATHEDRAL TRUSTS**

### **10 TRUSTEE OF THE CATHEDRAL**

- 10.1 The General Trust Board of the Diocese of Auckland (hereinafter referred to as "the Trust Board"), will be the Trustee of the Cathedral Precinct and any other buildings erected or acquired in connection with or relating to the Cathedral, and will have and may exercise the powers conferred by this Statute, the powers and duties of Trustees in the Canons of the General Synod and in the Anglican Church Trusts Act 1981, and any statutory powers and authorities given by any other Act.
- 10.2 The Trust Board is authorised:
- (a) to proceed with the erection of any other parts of the Cathedral, following a resolution of the Diocesan Synod approving the same, when in the Trust Board's discretion sufficient funds are available for that purpose;
  - (b) to erect or use such other buildings within the Cathedral precincts appertaining to the life of the Cathedral; PROVIDED always that such erection or use is not repugnant to the wishes of the said George Augustus Selwyn as stated in the Preamble of the said Statute of General Synod; AND PROVIDED always that nothing in this clause will be read as exempting the Trust Board or the Cathedral Council from complying with the relevant provisions of other Statutes of the Diocese of Auckland.
  - (c) with the prior consent of the Cathedral Council and Diocesan Council, to define that part of the Cathedral site which will be exclusively preserved for the Cathedral and such other buildings appertaining to the life and work of the Cathedral. Any area of the Cathedral site not so defined shall be available to the Trust Board for the purposes of providing an income to the Cathedral Council.
- 10.3 If there are insufficient funds to meet the balance required to complete the construction and furnishing of the Cathedral and associated buildings, the Trust Board is authorised, with prior approval of the Diocesan Synod or the Diocesan Council, to borrow whatever amounts may be required in such manner and on such security as the Trust Board may think fit, and to apply the rents received from any part of the Cathedral site or any other funds allocated by the Cathedral Council in the repayment of the amount borrowed and, until such repayment, of any interest payable thereon.
- 10.4 All monies raised in response to any appeal in relation to the Cathedral (after deducting therefrom the costs and charges incurred in respect of any appeal) together with any bequests for the erection of any part of the Cathedral and any donations given for the same purpose, will be applied for or towards the erection of the Cathedral or any part thereof including any other buildings related to the life and work of the Cathedral PROVIDED that until any such monies are required to be so applied the Trust Board will invest the same and will add to the capital the interest received on such investments and any premiums received on the realisation of such investments.
- 10.5 The Trust Board will present annually to the Diocesan Council and the Cathedral Resources Board an audited account for the funds under its control, made up to the 31st day of December in the year preceding that in which the accounts are presented, or such other date in each year as the Trust Board will decide.

### **11 THE CATHEDRAL ENDOWMENT FUND**

- 11.1 The Cathedral Endowment Fund will be held by the Trust Board for the maintenance of the fabric and appointments of the Cathedral and to enable functions proper to a Cathedral to be fulfilled.
- 11.2 The Cathedral Council may appeal for contributions, annual or otherwise, or by bequest, or by donation, for the purposes of this fund, and will pay to the Trust Board any amounts received in response to such appeal to be placed by the Trust Board to the credit of the Fund.

- 11.3 All monies received by the Trust Board for the Cathedral Endowment Fund will be invested by the Trust Board.
- 11.4 The annual income arising from that investment will be applied by the Trust Board, after advice from the Cathedral Resources Board, for the following purposes:
- (a) maintenance of the fabric of the Cathedral and the appointments thereof;
  - (b) maintenance of the grounds and precincts of the Cathedral;
  - (c) maintenance of the fabric and appointments of such other buildings appertaining to the life and work of the Cathedral;
  - (d) the stipends and expenses of the Dean or other Cathedral Clergy or Canons; and
  - (e) salaries of the employees of the Cathedral.
- 11.5 If the income in any year exceeds the amount required for the purposes mentioned in clause 11.4, the Trust Board may transfer such amount as will be deemed advisable to the Capital Account or may open a reserve fund and transfer thereto any part of such unexpended income, such reserve fund to be available for any of the purposes set out in clause 11.4 for which the annual income in any year may be insufficient.

## **12 THE CATHEDRAL DISTRICT ENDOWMENT FUND**

- 12.1 The Cathedral District Endowment Fund which was created under the Cathedral Statute 1976 will remain in existence under the trusteeship of the Trust Board.
- 12.2 The income of the Cathedral District Endowment Fund will, subject to the terms of any express trust affecting the same, be paid by the Trust Board to the Cathedral Resources Board for the general purposes of the Cathedral District.

## **13 REPEAL**

- 13.1 The Cathedral Statute 1996 is hereby repealed.

I certify that this Statute was passed by the Diocesan Synod on the 8th day of September 2012.

As witness my hand this 16th day of October 2012.

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President