

SYNOD PAPERS 2014

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LEGAL BUSINESS COMMITTEE

This is the first report of the Legal Business Committee, which is the renamed Bill Revision Committee, and operates under Standing Order 7 and the Standing Orders and Standing Resolutions Statute 1968 (#22).

It is a Committee of five members (with power to co-opt) appointed on the first day of the First Session of each Synod. The present Committee is: the Very Rev'd Jo Kelly-Moore, the Worshipful Bruce Gray QC (Chancellor), Mr Matthew Ockleston (Deputy Chancellor and Convenor), Ms Dawn Jones and Mr Richard Gay. The Diocesan Bishop and Diocesan Manager are ex-officio members. The PA to the Diocesan Manager acts as Secretary.

The Committee's functions can be summarised as including:

- (1) Reviewing "legal business" (that is, bills and motions) coming before Synod and considering how they relate to, and affect, existing Diocesan Statutes and the Constitution and Canons of the Church. This often means working with movers of legal business to suggest amendments to address legal issues and ensure clarity.
- (2) Promoting new Bills or amendments to improve the Diocesan Statutes.
- (3) Reporting to Diocesan Council on the effect of all Statutes and resolutions passed at Synod and recommending action accordingly.
- (4) Considering all resolutions passed at previous sessions of Synod and whether any should remain in force, as Standing Resolutions.

The Committee has reviewed all legal business to be introduced at the 2014 Synod and made some minor appropriate amendments.

As part of its function, the Committee has reviewed resolutions of the 2013 Synod and is of the view that none of them should become Standing Resolutions of Synod.

After a particularly busy year in 2013, culminating in the Ministry Unit Statute and the new Standing Orders, the Committee has no significant projects currently underway.

The Committee always welcomes suggestions as to amendments to legislation, and is happy to help movers or seconders of Bills or motions in advance of Synod with guidance or drafting.

MATTHEW OCKLESTON, CONVENOR, LEGAL BUSINESS COMMITTEE

BILLS

WAIUKU MISSION DISTRICT DISSOLUTION STATUTE

BILL 1

MOVED BY: THE RT REV'D JIM WHITE
SECONDED BY: MR GRAHAM JONES

A BILL INTITULED "A STATUTE TO PROVIDE FOR THE DISSOLUTION OF THE WAIUKU MISSION DISTRICT"

WHEREAS in April 2011 the Parish of Waiuku explored local shared ministry and started operating as two Local Shared Ministry Units: Waiuku and Mauku, sharing between them the boundaries and assets of the former Parish. That arrangement was formalised in January 2013;

WHEREAS the Waiuku Local Shared Ministry Unit has experienced difficulties in complying with the requirements of a ministry unit under the Diocesan Statutes;

WHEREAS in October 2013 Diocesan Council reconstituted the Waiuku Local Shared Ministry Unit as a Mission District and appointed a Commission in respect of that new Mission District, pursuant to clause 16 of the Ministry Unit Statute 2013;

WHEREAS in June 2014 the Commission presented to Diocesan Council a scheme of reconstruction for the Waiuku Mission District, which included a recommendation that the Waiuku Mission District be dissolved;

WHEREAS in June 2014, pursuant to clause 20 of the Ministry Unit Statute 2013, Diocesan Council considered the scheme of reconstruction and recommended to the Waiuku Mission District that the scheme be implemented;

WHEREAS in June 2014 the Waiuku Mission District informed Diocesan Council that it was unwilling to implement the scheme of reconstruction;

WHEREAS in July 2014, pursuant to clause 22 of the Ministry Unit Statute 2013, Diocesan Council considered the scheme of reconstruction and the response of the Waiuku Mission District, and resolved to implement the scheme of reconstruction;

WHEREAS this statute is desirable to make provision for the dissolution of the Waiuku Mission District and consequential matters;

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

1. SHORT TITLE

The short title of this Statute shall be "**THE WAIUKU MISSION DISTRICT DISSOLUTION STATUTE, 2014**".

2. DISSOLUTION

2.1 The Ministry Unit within the Diocese known as the "Waiuku Mission District", being the Local Shared Ministry Unit of Waiuku created out of the former Parish of Waiuku in 2011 and created a Mission District in 2013, is hereby dissolved as a Ministry Unit.

3. ASSET DISTRIBUTION

3.1 Diocesan Council is hereby authorised to distribute, reallocate and otherwise dispose of the remaining assets, rights, interests and entitlements (after discharging all liabilities, debts and obligations) of and relating to the former Waiuku Mission District:

- (a) as provided for in the scheme of reconstruction prepared by a Commission appointed by Diocesan Council in respect of the former Waiuku Mission District; or
- (b) where not so provided for, as Diocesan Council sees fit.

3.2 The property comprising Holy Trinity Church at Queen Street in Waiuku is declared to be held by, and under the control of, Diocesan Council for such use as Diocesan Council may further specify.

4. BOUNDARIES

4.1 The boundaries of the Mauku Local Shared Ministry Unit are declared to be those of the former Parish of Waiuku as at 1 January 2011.

5. FURTHER MATTERS

5.1 Diocesan Council is authorised to take such further steps as may be necessary or desirable to implement or give further effect to this Statute.

MOTIONS

LEGAL BUSINESS COMMITTEE

MOTION 1

MOVED: MR MATTHEW OCKLESTON
SECONDED:

That this Synod receives the report of the Legal Business Committee.

Explanatory Note – The report of the Legal Business Committee can be found on page 3 of the Synod Papers.

CHILD POVERTY

MOTION 2

MOVED: THE REV'D RICHARD BONIFANT
SECONDED: MR DAVID HALL

That this Synod:

1. Deplores the fact that 27% of New Zealand children live in households where income falls below the poverty line and that this figure has remained relatively flat since 2009 as reported by the Children's Commissioner (May 2014).
2. Deplores the injustice of a system that delivers family income support through tax credits to the exclusion of children in families that receive benefit income, student allowance, pensions or long-term ACC payments.
3. Supports the Children's Commissioner's call for reducing child poverty to be a "top-line mission" of government and for the enactment of child poverty legislation that includes income measurements and targets; and
4. Calls for the following courses of action:
 - (a) The release of a public statement on the Synod's concern to see a reduction in child poverty levels to be sent to media outlets and to the Leaders of all political parties.
 - (b) Letters and emails from Ministry Units and individuals in the Diocese to all MPs and relevant ministers in the incoming government to call for urgent action to reduce child poverty.
 - (c) Challenges to candidates in the upcoming election concerning their commitment to ensuring real reductions in child poverty levels by such means as posing questions at election meetings and emailing or writing to candidates.

HOUSING FOR THE ELDERLY

MOTION 3

MOVED: THE REV'D BOB HORNBERG
SECONDED: THE REV'D ANNE MOODY

That this Synod:

- (1) is seriously concerned about the rapid decrease in affordable rental housing particularly for the elderly in both Retirement Villages and other areas; and
- (2) calls on all political parties to develop and implement policies as a matter of urgency so that Central Government, Housing New Zealand Corporation, Local Authorities and Registered Community Housing Providers are required to include affordable accessible rental housing for the elderly with few if any assets and on low or fixed incomes in their housing development plans, including in 'Special Housing Areas'.

OVERSEAS MISSIONS

MOTION 4

MOVED: THE REV'D CRAIG HARRIS
SECONDED: THE REV'D PAUL ASHMAN

THAT, recognising our heritage as a missionary church, this Synod affirms its commitment to partnership with the Church overseas and, in particular:

- (1) acknowledges the many ways in which ministry units participate in overseas missions and encourages ministry units to form and maintain personal links with mission partners and projects;
- (2) commends to ministry units the principle of giving 5% of income to the work of the Church overseas;
- (3) encourages ministry units to engage and utilise the Diocesan Committee for Overseas Mission as a resource to assist them to support the work of the Church overseas;
- (4) encourages ministry units to consider how they might be involved in overseas mission as part of their commitment to the Decade of Mission commencing at Advent 2015; and
- (5) recognises its continuing responsibility towards work funded by the Anglican Missions Board by setting a target of \$275,000 as its diocesan contribution to the Board's budget for 2014.

DECADE OF MISSION

MOTION 5

MOVED: MR GRAHAM MILLER
SECONDED: THE REV'D SARAH STEVENS

That this Synod:

- (a) Recognising that Aotearoa New Zealand is statistically no longer a Christian nation; and
- (b) Recognising that as a church we have declined in influence and are no longer effective salt and light to our nation; but
- (c) Acknowledging the great hope that is ours in Jesus Christ; and
- (d) Recognising the sacrifice and commitment of the early CMS missionaries who first proclaimed the gospel in Aotearoa 200 years ago;

Hereby:

- (1) Commits itself to the decade of mission agreed by General Synod / Te Hinota Whanui 2014;
- (2) Acknowledges that:
 - (a) Every Ministry Unit must commit itself to actively engaging in mission activity which presents the life, love, Grace and claims of Jesus to an Aotearoa New Zealand community, much of which no longer has knowledge of the Christian faith;
 - (b) It may be necessary to assess the way our Ministry Units demonstrate our life as Christians to be more relevant to those who are not part of our church;
- (3) Commits to growing our worshipping congregations by a further 35,000 persons by the year 2025; and
- (4) Invites the Mission and Ministry Oversight Group to guide, advise and challenge us as to how this might be achieved.

FAIR GO FOR AGED CARE WORKERS

MOTION 6

MOVED: MR DAVID HALL
SECONDED:

This Synod calls on all political parties to adopt policies, as a matter of urgency, that ensure that those who provide front line care to vulnerable older citizens be treated fairly and with dignity by providing sufficient resources so that those providing the care receive at least a Living Wage of \$18.80 per hour.

AUTHORISED FORMS OF SERVICE

MOTION 7

MOVED: MR MATTHEW OCKLESTON
SECONDED: THE WORSHIPFUL BRUCE GRAY QC

THAT this Synod assents to Statute 711 passed by General Synod/te Hinota Whanui 2014 entitled "The Constitution/Te Pouhere (Authorised Services) Amendment Statute 2014."

Explanatory Note – Statute 711 amends Part G, Clause 2 of the Constitution/Te Pouhere by adding the definition: "**Authorised Services**" includes (a) Formularies, (b) Experimental uses as authorised by the Church of England Empowering Act 1928, and (c) other services authorised under Title G Canon XIV.'

The intention of the amendment is to clarify what are Authorised Services (which is a term used in the Canons but not defined), and resolve uncertainties as to the authority of liturgies which were not Formularies.

BAPTISM AND CONFIRMATION

MOTION 8

MOVED:
SECONDED:

THAT this Synod assents to Statute 712 passed by General Synod/te Hinota Whanui 2014 entitled "The Liturgy of Baptism and The Laying on of Hands for Confirmation and Renewal Amendment Statute 2014."

Explanatory Note – Statute 712 amends A New Zealand Prayer Book – He Karakia Mihinare o Aotearoa:

i) Where on page 383 it now says –

*"The liturgy takes place when the Church meets for the Eucharist or another service of worship. It follows the **New Testament Lesson** or **The Gospel** or **The Sermon**. In special circumstances the bishop or priest shall provide a suitable introduction to this liturgy."*

The above words be amended to say –

*"The liturgy takes place when the Church meets for the Eucharist or another service of worship. Baptism and/or Confirmation follows the proclamation of the Word, and in the context of a celebration of the Holy Eucharist is prior to **The Peace**," and*

ii) Where on page 394 it now says –

*"Or
The service may continue with **The Sermon** or **The Prayers of the People**, but **The Creed** is not said again.
Or"*

The above words be amended to say –

*"Or
The service continues but **The Creed** is not said again.
Or"*

SEA SUNDAY

MOTION 9

MOVED:

SECONDED:

THAT this Synod assents to Statute 713 passed by General Synod/te Hinota Whanui 2014 entitled "The Reference to Sunday Titles in all Formularies, Canons, and Publications of this Church Statute 2014."

Explanatory Note – Statute 713 amends A New Zealand Prayer Book – He Karakia Mihinare o Aotearoa so that the Sunday Titles should be described as being '*of* Advent, Christmas, Epiphany, and Easter' and '*in* Lent and Ordinary Time' in all references in Formularies/Canons/Publications of this Church, noting especially in A New Zealand Prayer Book – He Karakia Mihinare o Aotearoa pages 4-6, 525-536, and 550-602.

PEOPLE MATTER/HE TAURA TANGATA

MOTION 10

MOVED:

THE VERY REV'D JO KELLY-MOORE

SECONDED:

THAT this Synod notes Motion 18 passed by General Synod/te Hinota Whanui 2014 entitled "People Matter/He Taura Tangata" and commits itself to best practice in all areas where staff are employed.

Explanatory Note – Motion 18 reads:

That this General Synod/te Hīnota Whānui 2014:

1. Commits itself to best practice in all areas where staff are employed;
2. Strongly encourages Episcopal units to make the same commitment;
3. Commends 'People Matter/He Taura Tangata', in its latest updated version available online on the General Synod website, to all Dioceses/Hui Amorangi and Ministry Units as a resource to help achieve best practice, and
4. Recommends part 1 of this resolution to the Judicial Committee for consideration as a Standing Resolution of the General Synod/te Hīnota Whānui.

GENERAL DEBATE (Standing Order 75)

MOTION 11

MOVED:

SECONDED:

THAT Synod receives the various reports that have been tabled.