



SYNOD BILLS AND MOTIONS November 2021

Version 12

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BILLS

BILL 2: St Michael's Church School Statute

Bill re replacing of St Michael's Church School Statute 1998 with a new Statute incorporating a new trust deed for the School to give effect to a new relationship between the School and Parish.

ST MICHAEL'S CHURCH SCHOOL STATUTE (2021)

Whereas The St Michael's Church School Statute was enacted in 1998 for the purpose of establishing a Board of Governors to administer the activities of the School and to define the membership, constitution and duties of the Board of Governors;

And Whereas The St Michael's Church School Statute 1998 set out the responsibilities of the Vestry, the Vicar and the trustees of the Parish Trust acting as agents for the Vestry as proprietors of the School in relation to monies generated by the School and to develop the buildings and facilities owned by the Parish and used by the School;

And Whereas the School and Parish have agreed that a different form of relationship between them is desirable such that a new trust is to be formed which will have full responsibility for the finances and operation of the School and use of the Parish Property by the School;

And Whereas it is desirable for the School and Parish to enter into the Lease and the Memorandum of Understanding to provide for the terms of use of the Parish Property by the School.

BE IT THEREFORE ENACTED BY THE BISHOP, CLERGY AND LAITY OF THE DIOCESE OF CHRISTCHURCH AS FOLLOWS:

1. The short title of this Statute shall be "The St Michael's Church School Statute 2021".
2. The Statute shall come into force on the Commencement Date; however, Sections 4, 6 to 8 and 11 inclusive will come into force on the day this Statute has been passed.
3. The St Michael's Church School Statute passed in 1998 shall be repealed on the Commencement Date.
4. For the purposes of this Act, unless the context requires another meaning:
"Anglican Character" means Christian character inspired by the teachings of the Anglican Church. The School has a long and continuing heritage as the church school for the Parish which is New Zealand's oldest Anglo-Catholic parish. It is expected that the character of the School will reflect worship, Christian teaching and ministry within the Catholic tradition of the Anglican Church.

"Board of Governors" means the trustees under the constitution created by the St Michael's Church School Statute enacted in 1998 as amended in 2017.

"Church Building" means St Michael and All Angels church situated at 84 Oxford Terrace, Christchurch.

"Commencement Date" means the date on which the Lease and Memorandum of Understanding have been signed and come into effect.

"Lease" means a lease of the School Buildings and Facilities by Church Property Trustees as trustee for the Parish to the Trust to be negotiated in accordance with Section 8.

"Memorandum of Understanding" means the agreement to be entered into between the Vestry and the Trustees pursuant to Section 8 which will govern:

- (i) the sharing of the School Buildings and Facilities between the Parish and the School in circumstances not covered in the Lease.
- (ii) the use of the Church Building by the School; and
- (iii) the use of the School Chattels and Equipment by the Parish.

"**Parish**" means the parish of St Michael and All Angels in the Diocese of Christchurch.

"**Parish Property**" means the Church Building and the School Buildings and Facilities.

"**Parish Trust**" means St Michael and All Angels Parish Trust.

"**School**" means St Michael's Church School located at 249 Durham Street.

"**School Buildings and Facilities**" means the buildings, land and facilities held by Church Property Trustees as trustee for the Parish which are used by the School for the purposes defined in the Trust Deed but, for the sake of clarity, does not include the Church Building or the School Chattels and Equipment.

"**School Chattels and Equipment**" means the chattels and equipment owned by and used for the purposes of the School.

"**Trust**" means the St Michael's School Trust created by the Trust Deed.

"**Trustees**" means the trustees of the Trust and "**Trustee**" means any one of them.

"**Trust Deed**" means the trust deed settled in accordance with Section 6 on the terms set out in Schedule 1.

"**Vestry**" means the vestry of the Parish.

5. The Mission and Vision Statements for the School shall be:

Mission Statement: To advance primary school education in the Anglican Character.

Vision Statement: Children fully alive in spirit, mind and body, and well prepared to succeed in their secondary school education.

6. As soon as practicable after this Statute has been passed:

- a. the Vestry shall, in consultation with the Board of Governors, determine who shall be the Trustees and shall settle the Trust Deed; and
- b. the Trustees shall then apply for incorporation as a board under the Charitable Trusts Act 1957 and, once incorporated, the Trustees shall apply for registration under the Charities Act 2005.

7. With the prior consent:

- a. of Vestry, the Vicar and Church Wardens shall be entitled to execute the Trust Deed as agent for Vestry as settlor, together with any other documents required to incorporate the Trust under the Charitable Trusts Act 1957 and to register the Trust as a charitable trust under the Charities Act 2005;
- b. of CPT and the Vestry, the trustees of the Parish Trust shall;
 - i. negotiate the terms of the Lease for execution by Church Property Trustees; and
 - ii. negotiate and execute the Memorandum of Understanding and any other agreements or documents relating to the School Buildings and Facilities, whether required by virtue of the Lease or the Memorandum of Understanding or otherwise.

8 Lease and Memorandum of Understanding:

8.1 Once the Trust Deed has been executed by Vestry and the Trustees for the Trust have been appointed pursuant to Section 6(a), negotiation of the terms of the Lease, and the Memorandum of Understanding, pursuant to Section 7(b), will take into account the following:

- a. The Trustees will be responsible for the operation and finances of the School and the use of the Parish Property by the School.
- b. The Vestry, is required to consult with Church Property Trustees and obtain their consent, in respect of Lease terms.
- c. In relation to the School Buildings and Facilities the Parish will:
 - i. be responsible, make decisions and have oversight for the repair, maintenance, replacement and development of all existing School Buildings and Facilities unless otherwise agreed with the Trustees;
 - ii. be entitled to receive all monies from the School pursuant to the Lease or any other arrangements for the use of Parish Property; and
 - iii. use such monies received for the purpose specified in Section 8(c)(i) unless otherwise agreed between the Trustees and the Vestry.
- d. The Lease shall conform to a commonly agreed form of commercial lease providing that the initial rent and rent reviews every 3 years thereafter will reflect:
 - I. the charitable purposes specified in the Trust Deed,
 - II. any plans with respect to any capital works for the School determined by the Trust from time to time in consultation with the Vestry,
 - III. the obligation of the Parish to repair, maintain, replace and develop the existing School Buildings and Facilities and
 - IV. the obligation of the Parish to use the rent received in the manner provided in Section 8 c.iii;

8.2 In the event of any dispute not otherwise covered by the Lease, the dispute shall be determined by a lawyer experienced in lease matters to be appointed by agreement between the Vestry and the Trustees, or failing such agreement by the Warden.

8.3 The Vestry may delegate the rights and obligations of the Parish and the Vestry in respect of and under the Lease and the Memorandum of Understanding to the Parish Trust. Nothing herein will diminish the rights and obligations of the Church Property Trustees as legal owner of the Parish Property.

9. The Vestry, Vicar and the Parish will each fulfil their responsibilities to the School as set out in the Trust Deed.

10. The School will fulfil its responsibilities to the Parish as set out in the Trust Deed.

11. Transitional Provision – The St Michael’s Church School Statute passed in 1998 will remain in full force and effect and govern the running of the School until the Lease and Memorandum of Understanding have been signed and come into effect.

Schedule 1

Trust Deed

Deed of Trust St Michael's Church School Trust

Contents

1. Definitions and interpretation
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Trust Deed

Parties:

1. The Vicar and Church Wardens as agents for the Vestry ("**Settlor**")
2. [insert names of trustees to be appointed pursuant to clause 7.1] ("**Trustees**")

Introduction:

- A. The Settlers wish to establish a trust for the Purposes.
- B. The Trustees have agreed to become the trustees of the Trust upon the terms and subject to the powers and discretions set out in this Trust Deed.
- C. The Settlor has paid to the Trustees and the Trustees hold the sum of \$10.00 upon the terms and with and subject to the powers and discretions set out in this Trust Deed.
- D. It is anticipated that further money, property and investments may from time to time be acquired by the Trustees for the Purposes.

This deed records:

1. Definitions and Interpretation

1.1 Definitions

The following definitions apply in this deed:

Act means the Trusts Act 2019.

Anglican Character means Christian character inspired by the teachings of the Anglican Church. The School has a long and continuing heritage as the church school for the Parish which is New Zealand's oldest Anglo-Catholic parish. It is expected that the character of the School will reflect worship, Christian teaching and ministry within the Catholic tradition of the Anglican Church.

Anglican Church means the Anglican Church in Aotearoa, New Zealand and Polynesia.

Annual Report means the annual report provided by the Trustees in accordance with clause 5.1.

Appointor means the Vestry of the Parish.

Balance Date means 31 December, or any other date adopted from time to time by the Trustees, as the end of the Trust's Financial Year.

Bishop means the bishop of the Diocese.

Board means the board of trustees incorporated under Part 2 of the Charitable Trusts Act 1957.

Chaplain means the chaplain of the School.

Church Property Trustees means the Church Property Trustees constituted a body politic and corporate by s2 of the Church Property Trust Ordinance 1854(C) and continued by s5(3) of the Anglican (Diocese of Christchurch) Church Property Trust Act 2003.

Church Wardens means the church wardens from time to time of the Parish.

Diocese means the Anglican Diocese of Christchurch in the Anglican Church.

Extraordinary Vacancy has the meaning set out in clause 7.3.

Financial Year means any year or other accounting period ending on the Balance Date.

Formal Association of Parents means an association of parents of Pupils recognised by the Board and the Vestry as such an association. For the time being this association is the St Michael's Church School Parent, Teacher, Friend Association (PTFA).

Meetings means meetings in person and via other means specified in clause 10.9.

Parent means a person who is a parent or legal guardian of a Pupil and, where the term is used in clauses applying to the Board, means a person who at the time of their appointment is a parent or legal guardian of a Pupil.

Parish means the Parish of Christchurch St Michael's, also known as the Parish of St Michael and All Angels Christchurch, in the Diocese.

Principal means the principal of the School.

Pupils means the pupils of the School and **Pupil** means any one of them.

Purposes means the charitable purposes of the Trust as set out in clause 3.2.

Replacement Trustee has the meaning set out in clause 7.3.

School means the St Michael's Church School at 249 Durham Street, Christchurch, New Zealand.

Specified period has the meaning as set out in clause 7.5.

Standing Committee means the executive committee of Synod elected to provide governance to the Diocese and to function as Synod out of session.

Synod means the Synod of the Diocese.

Term has the meaning set out in clause 7.2.

Trust Fund means any real and personal property owned or held by the Trustees on the trusts of this deed from time to time including such further money or property as may from time to time be added by way of capital or income to be held by the Trustees upon the trusts, for the charitable purposes and with the powers as set out in this deed.

Trust means the charitable trust established by this deed.

Trustees means the trustee or trustees of the Trust for the time being, whether original, additional or substituted and **Trustee** means any one of them.

Vestry means the vestry of the Parish.

Vicar means the vicar of the Parish and includes any priest appointed by the Bishop as Priest-in-Charge of the Parish during a vacancy between Vicars or when the Vicar is absent from the Parish for an extended period of time.

Warden means the warden of the School, being the Bishop.

1.2 Interpretation

The following rules of interpretation apply in this deed:

(a) The definitions specified in the St Michael's Church School Statute (2021) shall apply to this trust deed unless the context requires another meaning.

(b) References to persons include natural persons, companies, and any other body corporates (wherever incorporated) and unincorporated bodies (wherever formed).

(c) References to this deed means this deed, including its introduction and schedules, as amended and/or replaced from time to time.

(d) References to clauses and schedules will be construed as references to clauses and schedules in this deed.

(e) References to a paragraph in a schedule is to a paragraph of that schedule.

(f) Headings and subheadings have been inserted for convenience only and will not affect the interpretation of this deed.

(g) References to the words including, include or similar words do not imply any limitation and are deemed to have the words without limitation following them.

(h) References to a statute or statutory provision means a New Zealand statute or statutory provision as amended, consolidated and/or replaced from time to time.

(i) References to written or in writing shall include all modes of presenting or reproducing words, figures and symbols in a visible form (including via email).

2. Establishment

2.1 Trustees

The Trustees agree to act as trustees of the Trust on the terms set out in this deed.

2.2 Trust Fund

The Trust shall comprise the Trust Fund which shall be held on trust by the Trustees and shall be managed and administered on the terms set out in this deed.

2.3 Term

The Trust shall continue until terminated under clause 21.

2.4 Name of Trust

The Trust shall be known as the St Michael's Church School Trust or such other name as the Trustees may determine by resolution from time to time.

2.5 Name of the School

The Parish owns the name St Michael's Church School, and the Parish grants use of that name to the Trust while the School remains open on the Durham Street site. If the School closes or moves from the Durham Street site the Parish shall be entitled to withdraw the Trust's right to use the name for

the School and if it does so, the Trust must immediately change the name of the School to exclude any reference to St Michael's Church

2.6 Office

The office of the Trust and the Trustees shall be at such place as the Trustees from time to time decide.

3. Charitable Purposes

3.1 Establishment of School

The Trust has been established for the purposes of governing the School's operational needs and educating its Pupils in the Anglican Character and implementing the principles of worship and religious education set out in the Schedule of Intent in respect of Worship and Religious Education.

3.2 Charitable Purposes

The charitable Purposes of the Trust is the advancement of primary school education in the Anglican Character through the School.

3.3 Limitation

The charitable Purposes of the Trust may not extend to any matter or thing which is not charitable within the meaning of the Income Tax Act 2007 or the Charities Act 2005 or not carried out within New Zealand.

4. Powers

4.1 General Powers

The Board may exercise the following powers in order to carry out its charitable purposes:

- (a) all the powers necessary to manage the Trust Fund and the Trust, including, in relation to the Trust Fund, the widest powers of an absolute owner of the Trust Fund, to the intent the Trustees powers will not be limited or restricted by any principle of construction or rule of law or statutory power or provision, except to the extent that it is obligatory; and
- (b) all the powers necessary to carry out the Purposes, including powers incidental to those in paragraph 4.1(a) and the powers contained in the Act.

4.2 Powers not subsidiary or ancillary

None of the powers or authorities conferred on the Trustees by clause 4.1 or otherwise will be deemed subsidiary or ancillary to any other power or authority and the Trustees may exercise any of those powers and authorities independently of any other power or authority.

4.3 Specific Powers

In addition to the general powers referred to in clause 4.1 and those implied by the general law of New Zealand or contained in the Act, the Board shall have the specific powers set out in the Schedule of Powers.

5. Obligations to the Appointor

5.1 Annual Report

The Trustees will within 180 days after each Balance Date provide to the Vestry an Annual Report. The Annual Report shall be in a form consistent with the requirements of the Charities Act 2005 and also include such other information as the Vestry may reasonably require.

5.2 Meetings

The Trustees will communicate or meet with the Vestry for the purpose of progressing the interests of the School and Parish.

6. Separate Sub-trusts

6.1 Discrete Funds

The Trustees may establish discrete funds within the Trust dedicated to one or more of the Purposes.

6.2 Special Sub-trust

The Trustees may accept gifts of any real or personal property to be held as a discrete fund to be applied to one or more of the Purposes subject to any terms and conditions attached to such gift by the donor, provided that such terms and conditions are not inconsistent with the charitable nature of the Trust.

6.3 Administration Costs

The Trustees may decide whether the costs of administration for any discrete fund established under either clause 6.1 or 6.2 shall be met either out of such fund or out of the Trust Fund.

7. Trustees

7.1 Number and Appointment of Trustees

(a) The power of appointment of Trustees is vested in the Appointor.

(b) The number of Trustees shall be not fewer than five (5) and not more than eight (8) and shall comprise:

i. The Vicar as an ex officio Trustee with voting rights; except, on application to the Bishop, an alternative to the Vicar may be appointed for a Term specified in writing by the Bishop.

ii. A minimum of one (1) parent

iii. Trustees who shall be appointed by the Appointor on recommendation from the Board pursuant to any provisions contained in the Schedule of Powers

(c) No employee of the Board may be appointed as a Trustee.

(d) The Board may consult a Formal Association of Parents when determining whom to recommend to the Appointor for appointment.

(e) The Appointor will normally appoint Trustees such that not fewer than 50% of the Trustees are members of the Anglican Church, or members of another Christian denomination recognised (from time to time) by the Standing Committee.

(f) If at any time the requirements of clause 7.1(b) are not met, anything done by the continuing Trustees in accordance with this deed pending the appointment of a new Trustee or Trustees shall be as valid as if the requirements of that clause had been met.

7.2 Term of Appointment

(a) Subject to clause 7.2(d), all Trustees, other than the Vicar as an ex officio Trustee, shall hold the office of Trustee for a term of three (3) years (the Term).

(b) Trustees may not hold office for more than two consecutive Terms.

(c) Notwithstanding the above, under exceptional circumstances, a Trustee may be appointed for a further period at the recommendation of the Board and with agreement of the Appointor.

(d) Notwithstanding the above, when the Board is incorporated, the Appointor may appoint Trustees for one (1) or two (2) or three (3) years in order to avoid the terms of all Trustees concluding at the same time.

7.3 Extraordinary Vacancies

(a) In the event that any Trustee ceases to hold his or her office during that Trustee's Term (an Extraordinary Vacancy), then the Appointor may appoint a Replacement Trustee in accordance with clause 7.1(b) (Replacement Trustee).

(b) Despite clause 7.2, the term of office of any Replacement Trustee appointed under clause 7.3(a) as a result of an Extraordinary Vacancy will expire on the date that the Term of the predecessor of the Replacement Trustee would have expired if the Extraordinary Vacancy had not occurred.

7.4 Removal of Trustees by Appointor

(a) The power of removal of Trustees is vested in the Appointor.

(b) A Trustee shall cease to hold office if the Trustee:

(i) is removed from office by the Appointor, giving written notice of such removal to the relevant Trustee outlining the reasons for the removal, provided this power of removal does not apply to any Trustee appointed pursuant to clause 7.1(b)(i).

(ii) resigns as Trustee by giving written notice to the Trustees or the secretary of the Trust.

(iii) is declared bankrupt.

(iv) has his or her property affairs managed under the Protection of Personal and Property Rights Act 1988 upon the grounds of lack of competency to manage those affairs.

(v) is a "patient" as defined in s2 of the Mental Health (Compulsory Assessment and Treatment) Act 1992.

(vi) refuses to act in service and delivery of the Purposes.

(vii) dies while holding office.

(viii) becomes disqualified to be an officer of a charity in accordance with section 16 of the Charities Act 2005.

(ix) fails to attend three (3) consecutive meetings of the Trustees without being granted written leave of absence by the Trustees; or

(x) is absent from New Zealand for twelve (12) or more consecutive calendar months without being granted written leave of absence by the Trustees.

7.5 Power of Intervention by the Bishop

Despite anything in this Trust Deed to the contrary, if the Bishop (in his or her absolute discretion) determines in consultation with the Chancellor of the Diocese that it is necessary to intervene in relation to the performance of any of the Trustees' obligations, then the Bishop may:

(a) remove any one or more, or all, of the appointed Trustees with immediate effect; and

(b) appoint any number of Trustees to replace those dismissed pursuant to clause 7.5(a),

provided that if the exercise of the Bishop's powers under this clause 7.5 would result in the requirements of clause 7.1(b) not being met, then the Bishop must, when exercising those powers, specify in writing a reasonable period of time during which the requirements of clause 7.1(b) would not apply (the Specified Period). The requirements of clause 7.1(b) will apply immediately upon the expiry of the Specified Period, or on such earlier date elected by the Bishop.

(c) and shall inform in writing to the Trust the reason(s) for removing one or more of the Trustees.

7.6 Records

The Trustees shall record in the minute book of the Trust every appointment, reappointment, removal, or cessation of office of any Trustee and shall ensure that any statutory requirements as to the vesting of the Trust Fund in the Trustees and the notification of the change of Trustees are satisfied.

7.7 Qualification and Declaration of Trustees

(a) Despite anything to the contrary in this clause 7, not fewer than 50% of the Trustees would normally be members of the Anglican Church, or members of another Christian denomination recognised (from time to time) by the Standing Committee.

(b) Upon becoming a Trustee of the Trust, each Trustee must declare in writing that he or she submits to the Constitution and authority of the Anglican Church. This declaration shall be recorded in the minute book.

7.8 Validity of Proceedings

Where, for any reason, a Trustee is not properly appointed, re-appointed or is disqualified from holding office, anything done by that Trustee (or by a meeting at which the Trustee was present as a Trustee) before becoming aware of the irregularity, shall be as valid as if that Trustee had been duly appointed, re-appointed or had not been disqualified (as the case may be).

7.9 The Principal

The Principal shall normally attend meetings of the Board except where the Trustees choose to meet exclusively as the Trustees.

7.10 Chairperson and Deputy Chairperson

The Trustees will Bi-annually elect a chairperson and deputy chairperson from among the Trustees.

8. Appointment and Removal of Officers

8.1 Appointment

(a) The Trustees may appoint any officers of the Trust, such as secretary and treasurer, on such terms as the Trustees think fit.

(b) The Trustees may appoint, via nomination or election, chairs of committees formed under clause 11.1.

(c) Officers of the Trust will be appointed on an annual basis for a term of one year.

8.2 Removal

The Trustees may remove and replace any officer. If an officer is a Trustee, that Trustee shall automatically cease to hold office as an officer upon ceasing to be a Trustee, unless the Trustees determine otherwise.

9. Duties and Functions of the Trustees

9.1 Transparency

The Trustees shall conduct the business and activities of the Trust in an open and transparent manner.

9.2 Perpetual Trust

The Trustees expressly declare that it is their intention that the Trust shall be a perpetual trust but that the Trustees shall have power to:

(a) deal with the income derived from the Trust Fund in accordance with clause 9.3; and

(b) pay, apply, or appropriate such portion of the capital of the Trust Fund towards the attainment of the Purposes as the Trustees consider prudent taking into account the above intention,

provided that nothing in this clause shall restrict the powers of the Trustees pursuant to clause 21.

9.3 Income

The Trustees shall stand possessed of the income derived from the Trust Fund upon the following trusts:

(a) to pay or apply the same or any part of that income for or towards the Purposes, including meeting all operational costs of running the School.

(b) to appropriate for any of the Purposes the whole or any part of the income arising from the Trust Fund whether or not the same shall have been received by the Trustees.

(c) to make or retain out of, or charge against income, in any Financial Year any payments, reserves or any provision of a capital nature for any of the Purposes or incidental to the exercise of any of the

powers, authorities or discretions conferred on the Trustees by this deed in respect of the Trust Fund.

(d) to accumulate the whole or any part of the income derived by the Trust by investing the same and any resulting income there from, to the intent that the Trustees may elect either:

(i) to resort to any accumulated surplus for the same purposes and subject to the same trusts and powers as set out in this deed as for income; or

(ii) to add any accumulated surplus as an accretion to the Trust Fund to be held by the Trustees upon the same trusts and with the powers declared in this deed in respect of the capital of the Trust Fund.

10. Proceedings of the Trustees

10.1 Ordinary Meetings

(a) The Trustees shall meet as regularly as they consider necessary for the efficient and proper conduct of the Trust's affairs, but in any event at least four (4) times in each Financial Year.

(b) Approximately four months after the end of each Financial Year, a meeting of the Trustees shall be called to receive and consider the Annual Report and financial statements of the Trust.

10.2 Special Meetings

(a) A special meeting may be called at any time by two (2) or more Trustees.

(b) The purpose and subject matter of that special meeting must be clearly outlined to all Trustees.

10.3 Warden

The Warden may attend any meeting of the Trustees and, if he or she does attend any such meeting, the Warden may choose to exercise the right to assume the role of chairperson for the duration of the meeting and has the right to vote

10.4 Confidentiality

All meetings of the Trustees shall be confidential. No members of the public or the wider School community or officers of the Appointor may attend a meeting without the prior consent of the Chair.

10.5 Notice of Meetings

(a) Written notice of the date, time and place of each meeting of the Trustees shall be hand delivered, posted, sent by email or other agreed electronic means to each Trustee and the Warden at least seven (7) days before the date of the meeting.

(b) In the case of a special meeting, the notice may be fewer than seven (7) days, but no less than one (1) day, if the reason for the meeting is urgent, but it must still state the purpose and subject matter of the meeting.

(c) The secretary or another person acting under the Trustees' direction or, in the case of a special meeting, acting under the direction of those Trustees calling the meeting, shall give notice of the meeting.

(d) No notice shall be required for adjourned meetings.

(e) The requirements for notice under clause 10.5(a) and (b) may be waived if all those Trustees who are for the time being in New Zealand give their consent to waive notice.

10.6 Quorum and Adjournment

(a) A quorum for meetings of the Trustees shall be a majority of Trustees and no business shall be transacted unless a quorum is present.

(b) If a quorum is not present within 30 minutes after the time appointed for any meeting, the meeting shall be adjourned to the same time and day of the following week and if no quorum is present at that meeting, the Trustees who are present shall constitute a quorum.

10.7 Resolutions

(a) Except as provided otherwise in this deed, a resolution is validly made when it is passed at a duly convened and conducted meeting of the Trustees by a majority of the Trustees then in office and present and voting at that meeting.

(b) The Chairperson will have a casting vote.

(c) Voting shall be by show of hands or oral indication unless a ballot is directed by the chairperson or required by any two (2) of the Trustees present at the meeting.

(d) A resolution in writing signed by all the Trustees shall be valid as if it had been passed at a meeting of the Trustees duly convened and conducted. Any such resolution may consist of several documents in like form each signed by one or more of the Trustees.

(e) A resolution may be made by email circulation or other accepted electronic means providing that the resolution is agreed to according to rules the Board shall establish for the making of resolutions by email or other electronic circulation.

(f) Any such resolutions once passed should appear in the agenda papers for noting at the next meeting

10.8 Records

(a) A proper written record of all decisions and business transacted at every meeting of the Trustees shall be kept in accordance with legislation.

(b) Any minute of a meeting of the Trustees which is purported to be signed by the chairperson of the next meeting shall be evidence of those proceedings.

(c) Where minutes of a meeting of the Trustees have been made in accordance with this clause 10.8 then, until the contrary is proved, the meeting shall be deemed to be properly convened and conducted.

10.9 Telephone and Video Conferencing

Any meeting referred to in this deed may be conducted and attended by telephone conference, video conference or any similar means of electronic, audio or audio-visual communication. All participants in a meeting via such means shall be deemed to be present in person at the meeting and shall be entitled to be counted in the quorum and to vote.

11. Committees

11.1 Committees

(a) The Trustees may appoint any committee as they think fit for carrying out the Purposes and may delegate any of the Trustees' powers to any such committee, ensuring at least one Trustee is a member of that committee.

(b) Any such committee may co-opt any other person, whether a Trustee or not, to be a member of that committee.

(c) Subject to this deed and any directions that the Trustees might give, each committee may regulate its own procedures but will always report back to the Trustees.

12. Control of Funds

12.1 Trust Fund bank account

All money received by or on behalf of the Trust shall be paid promptly to the Trust's bank account.

12.2 Receipts of Gifts

The secretary, treasurer or other officer of the Trust shall have the power to receive and give receipts for all legacies, donations, subscriptions or other moneys bequeathed, made or given to the Trust and every such receipt shall be an effective discharge for the money or other money stated to have been received.

12.3 Receipts for Payments

The receipt of the secretary, treasurer or other person appearing to the Trustees to be authorised to give receipts on behalf of the recipient of any payment made under this deed shall be a complete discharge to the Trustees for that payment.

13. Incorporation and Registration

- (a) The Trustees shall, as soon as practicable after this deed is executed seek:
- (i) incorporation in accordance with the provisions of the Charitable Trusts Act 1957; and
 - (ii) registration under the Charities Act 2005.
- (b) When the Trustees incorporate the Trust in accordance with the Charitable Trusts Act 1957, the name of the Board shall be St Michael's Church School Trust Board.

14. Execution of Documents

14.1 Charitable Trusts Act 1957

As a result of the Trustees' incorporation as a board under the Charitable Trusts Act 1957:

(a) documents to be executed by the Trustees which are required by law to be by deed shall be executed under its common seal and attested by any two (2) of the Trustees. The common seal must not be affixed to any document unless the Trustees have already authorised its use on that document; and

(b) any other documents to be executed by the Trustees shall be signed by any two (2) of the Trustees.

15. Interested Trustees

15.1 No Vote

(a) No Trustee shall vote or take part in deliberations on any transaction, except for the setting of School fees, in which he or she has any personal or pecuniary interest or in which any company or other body in which the Trustee has a personal or financial interest itself has any pecuniary interest.

(b) However, that Trustee may:

(i) attend a meeting of the Trustees and be counted as part of the quorum.

(ii) sign a document relating to the transaction on behalf of the Trust; and

(iii) do anything else as a Trustee in relation to the transaction, as if he or she were not interested in the transaction.

15.2 Disclosure of Interest

(a) Any Trustee should declare any perceived conflict of interest at the commencement of the meeting or at any time subsequently where they become aware of a potential conflict of interest

(b) That disclosure shall include all relevant detail needed to result in a full and fair disclosure.

(c) A disclosure of interest by a Trustee must be recorded in the minute book of the Trust.

(d) Depending on the nature of the conflict of interest it does not necessarily preclude that Trustee being involved in discussion of the relevant matter, but normally the trustee would not vote on the matter should it come to a vote or resolution and must comply with 16.2 (b) below.

16. Remuneration of Trustees and Payment of Expenses

16.1 No remuneration for trusteeship

None of the Trustees shall be paid any remuneration for time spent as a Trustee but shall be entitled to such expenses incurred in that capacity as the Trustees may from time to time authorise or ratify by resolution. The intent is that no Trustee shall derive pecuniary gain from his or her office as a Trustee, or from any act done in the capacity of a Trustee but may be paid expenses if the Trustees so resolve.

16.2 Professional Fees

(a) Subject to clause 16.2(b), any Trustee shall be entitled to be paid all usual professional, business and trade charges for business transacted, time expended and all acts done by him or her or any employee or partner of his or hers in connection with the trusts of this deed, other than acting as a Trustee.

(b) No Trustee receiving any remuneration referred to in clause 16.2(a) shall take part in any deliberations or proceedings relating to the payment or otherwise of that remuneration nor shall that Trustee in any way determine or materially influence directly or indirectly the nature or amount of that payment or the circumstances in which it is to be paid. Any such remuneration must be approved in writing by the Trustees.

17. No Private Pecuniary Profit

Nothing expressed or implied in this deed shall permit the activities of the Trust or any business carried on by or on behalf of or for the benefit of the Trust to be carried on for the private pecuniary profit of any individual.

18. Alterations and additions

18.1 Voting

Subject to clause 18.2, the Trustees may resolve to amend any provisions of this deed. Any resolution to effect an alteration or addition must be passed by unanimous resolution of the Trustees with the approval of the Appointor

18.2 Limitation on Amendments

(a) No amendment may be made to this deed in any respect which would have the effect of causing the Trust to cease to be a charitable trust or to amend the Purposes to include any objective which is not a charitable objective or one to be achieved outside New Zealand or to prejudice the efficacy of clauses 15, 17, 18 or 21.

(b) No amendments may be made to the following areas of this deed without the consent of the Warden:

1. Mission Statement,
2. Definition of Anglican Character,
3. Schedule of Intent in relation to Worship and Religious Education,
4. The role of the Bishop,
5. The role of the Appointor,
6. The role of the Vicar
7. The role of the Warden.
8. Schedule of Powers

18.3 Income Tax Act and Charities Act

Notwithstanding anything set out in clauses 18.1 or 18.2, the Appointor and the Trustees shall amend this deed to comply with the Income Tax Act 2007 or the Charities Act 2005 or their respective amendments.

19. Professional Advice

19.1 Legal Advice

The Trustees may obtain and act upon the opinion or advice of a practising barrister or solicitor of the High Court of New Zealand upon any matter concerning:

- (a) the interpretation of this deed, any other document, or any law; or
- (b) any rights, powers, liabilities or obligations of any Trustee; or

(c) the administration of this Trust.

The Trustees will not be liable to any person for any act or omission of them in accordance with that opinion or advice. This clause does not prevent the Trustees from making an application to the court. For the avoidance of doubt, the Trustees shall be entitled to be indemnified out of the Trust Fund against all costs, expenses, claims and liabilities in respect of their actions (or failure or refusal to take action) in accordance with that opinion or advice.

20. Liability of Trustees

20.1 Duties

The Trustees will:

- (a) comply with the mandatory duties of trustees as specified in Sections 23-27 inclusive of the Act; and
- (b) comply with the default duties as specified in Sections 29-38 inclusive of the Act, except to the extent that the same have been modified or excluded in this deed

20.2 Individual Liability

Individual Trustees or former Trustees have no liability for losses of any kind to the Trust Fund however they are caused, except to the extent that they are wholly or mainly caused by the Trustee's or former Trustee's:

- (a) own dishonesty or lack of good faith; or
- (b) wilful commission or omission of any act known by that Trustee or former Trustee to be a breach of trust; or
- (c) gross negligence.

20.3 Proceedings

No Trustee shall be bound to take any proceedings against a co-Trustee or former Trustee for any breach or alleged breach of trust by that co-Trustee or former Trustee.

20.4 Indemnity

Each Trustee or former Trustees is entitled to be indemnified out of the Trust Fund against all actions, proceedings, claims, damages, losses, demands, calls, liabilities, costs (including legal costs) and expenses (together called "liabilities") suffered or incurred by that Trustee or former Trustee in connection with the Trust, except to the extent that those liabilities are due to that Trustee's or former Trustee's:

- (a) dishonesty or lack of good faith; or
- (b) wilful commission or omission of any act known by that Trustee or former Trustee to be a breach of trust; or
- (c) gross negligence.

21. Winding Up

21.1 Decision to Wind Up

The Trustees may wind up the Trust if, in their opinion, and in prior consultation with the Vestry, it becomes impossible, impracticable or inexpedient to carry out the Purposes.

21.2 Transfer of Trust Fund

(a) In the event of the Trust being wound up and after all liabilities of the Trust have been discharged, the Trustees shall transfer all remaining funds and assets comprising the Trust Fund in the following sequence to:

(i) The Parish; or if the Parish ceases to exist to

(ii) another Anglican school in Christchurch which is exclusively charitable and which has Purposes similar to those of the Trust; or

(iii) another Anglican school in New Zealand which is exclusively charitable if no sufficiently similar charitable organisation can, in the opinion of the Trustees in their absolute discretion, be identified in accordance with clause 21.2(a)(i) or (ii).

(b) If the Trustees are unable to make such decisions the Trust Fund shall be disposed of in accordance with the directions of the High Court under section 27 of the Charitable Trusts Act 1957.

22. General Provisions

22.1 Governing Law

The Trust shall be governed by and construed in accordance with the laws of New Zealand.

22.2 Acknowledgement

(a) The Settlor acknowledges that, before this deed was signed, the Settlor:

(i) was told about the duties of Trustees under the Act, and, in particular, the “default duties” in Sections 29 to 38.

(ii) was told the extent to which the default duties have been modified under this deed; and

(iii) is aware of the meaning and effect of these modifications and exclusions.

(b) The Settlor understands that, while the Act is in force, nothing in this deed can release Trustees from liability for a Trustee’s dishonesty, wilful misconduct or gross negligence.

Schedule of Powers

Specific Powers

The Trustees have the following specific powers to further the Purposes. None of these powers shall otherwise be deemed subsidiary or ancillary to any other power or authority and the Trustees shall be entitled to exercise all or any of the said powers and authorities independently of any other or others of them:

1. Governance of the School

To govern the School, including the power from time to time (and without limiting the application of this clause) to:

- a. use the Trust Fund as the Board thinks necessary or proper in payment of the costs and expenses of the Trust, including the employment of professional advisors, agents, officers and employees as appears necessary or expedient.
- b. engage and dismiss the Principal, provided that:
 - (i) the Vicar must form part of any quorum of Trustees exercising the power to appoint the Principal; and
 - (ii) the Trustees must ensure that the proposed Principal is willing to uphold the Anglican Character of the School (in order to further the Purposes); and
 - (iii) the Warden is consulted by the Trustees prior to the appointment of the Principal.
- c. delegate authority to the Principal to enrol Pupils.
- d. fix fees and other payments payable by or in respect of all or any Pupils.
- e. appoint a chaplain in consultation with the Bishop and the Principal if the Parish is unable to provide Chaplaincy to the School. This person must be ordained and a member of the Anglican Church sympathetic to the Anglo-Catholic traditions and faith unless otherwise agreed by the Warden. It would be expected that any chaplain would work closely with the Vicar of the Parish.
- f. Identify skills needed among the Trustees and when vacancies arise make recommendations for appointment to the Appointor.
- g. review from time to time the Anglican Character of the School and the statement of worship and religious education contained in the Schedule of Intent in respect of Worship and Religious Education in consultation with the Appointor, Vicar and the Warden, and to recommend changes to the definition of Anglican Character and/or the statement of worship and religious education under this Trust Deed for amendment in accordance with clause 18 of the Trust Deed.

2. Raising funds

To raise money for any of the Purposes, including by soliciting, receiving, and enlisting financial or other aid from individuals and organisations, including gifts and bequests from individuals and organisations, and to conduct fundraising activities.

3. Investments

To invest the Trust Fund and the income from it on such terms as the Trustees decide and to vary such investments from time to time. The Trustees may retain any investments for as long as the Trustees think proper. The duties in sections 29 and 30 of the Act do not apply to the Trustees. However, if one or more of the Trustees is or are engaged in a profession, employment or business which is or includes acting as a trustee or investing money on behalf of others, then that Trustee or those Trustees (as the case may be) shall be required to exercise the care, diligence, and skill that a

prudent person of business would exercise in managing the affairs of others. The Trustees may hold any part of the Trust Fund uninvested and in any currency for as long as the Trustees think fit.

4. Discharge all obligations

To discharge all obligations, financial or otherwise in respect of any contract, lease, memorandum or other agreement whatsoever entered into with the Parish, Church Property Trustees, or any third party.

5. Property

5.1 School Buildings and Facilities

To procure the School to meet all obligations regarding the use and care of the buildings and other facilities of the Parish which are used by the School as outlined within this Trust Deed, any contract, lease, memorandum or other agreement whatsoever between the Trustees on behalf of the School and either Church Property Trustees or the Parish Trust on behalf of the Parish.

5.2 The School

To maintain and develop, in collaboration with the Parish Trust, the property in which the School resides provided however any requirement for expansion of the School on the Durham Street site or other site will require the consent of Vestry.

5.3. Purchasing property

To purchase or otherwise acquire any property and to agree to any covenants or other interests to be registered against the title to any real property not owned by Church Property Trustees on behalf of the Parish.

5.4. Selling property

To sell, exchange or otherwise dispose of any property owned by the Trust on such terms as the Trustees decide, including power to allow such part of the purchase price as the Trustees think fit to remain on loan with or without security or to be payable by instalments.

5.5. Granting or obtaining options

To grant or obtain an option to purchase, sell, lease, or exchange any property.

5.6. Postponing sale

To postpone the sale, calling in and conversion of any property (even if it is of a wasting, speculative, terminable, or reversionary nature) not owned by Church Property Trustees on behalf of the Parish.

5.7. Leasing property

To lease, take on lease or renew, vary, or surrender any lease of any property not owned by Church Property Trustees on behalf of the Parish on such terms as the Trustees decide.

5.8. Insuring property

To insure against any risk for their full insurable value any property:

- a. not owned by Church Property Trustees on behalf of the Parish.

b. any property owned by Church Property Trustees on behalf of the Parish for which this Trust or the School is responsible to provide the insurance.

5.9. Subdividing property

To subdivide any real property not owned by Church Property Trustees on behalf of the Parish.

5.10. Maintaining property

To maintain, manage and improve property owned or leased by the School, that is not beneficially owned by Church Property Trustees on behalf of the Parish.

5.11. Developing property

To develop any real property owned by the School or leased by the School, that is not beneficially owned by Church Property Trustees on behalf of the Parish, and to do all things which the Trust consider necessary or desirable for the proper completion of the development.

6. Capital, income, and blended funds

To determine whether any money is to be considered as capital or income, and which expenses should be paid out of capital and out of income respectively, and to apportion blended funds. Each determination or apportionment shall be final and binding.

7. Depreciation or replacement funds

To set up and maintain any depreciation or replacement funds for any purpose the Trustees think fit, and in this regard to determine in their discretion:

- a. the amount of income to be credited from time to time to any of those funds; and
- b. whether those funds are income or capital.

8. Operating bank accounts

To open any bank accounts in any name(s) either on the Trust's behalf or jointly with another, and to overdraw any such account with or without giving security. The Trustees may also make arrangements with any bank for any one or more of the following persons to operate any of the Trust's accounts at that bank:

- a. the Trustees; and
- b. any delegate(s) named in writing by the Trustees.

9. Borrowing money

To borrow money providing any mortgages are raised on property owned by the Trust.

10. Lending money

To lend money to any person on such terms as the Trustees decide and whether with or without security or interest.

11. Granting security

To grant security over any property owned by the School (whether or not the liabilities or obligations secured are joint, several, or joint and several).

12. Granting guarantee or indemnity

To grant any guarantee or indemnity that the Trustees consider is for the benefit of the Trust.

13. Waiving debts

To waive any debts due to the Trust, either absolutely or on such terms as the Trustees think fit.

14. Actions in relation to debts, securities, guarantees or indemnities

To renew, confirm or vary any debt, security, guarantee, or indemnity.

15. Compromise of claim

To agree to any compromise of claim for or against the Trust.

16. Creditor meetings

To vote at any meeting of creditors of any debtor of the Trust.

17. Carrying on a business

17.1 To acquire, begin, or carry on any type of business, either alone or in partnership with any person or persons for such time as the Trustees think fit and, if it does so, then:

- (a) The Trustees may employ managers, agents, contractors, and employees in that business.
- (b) The Trustees may wind up or agree to wind up that business or otherwise withdraw from that business.
- (c) The Trustees will not be liable for any loss caused by carrying on the business.
- (d) The Trustees will meet any business losses for any accounting period out of the income and capital of the Trust Fund in such proportions as the Trustees think fit.

18. Promoting a corporation

18.1 To promote and form a corporation anywhere in the world for any purpose, ensuring that it is aligned with Christian practice, ethical considerations and environmentally responsible.

18.2 To agree on any terms in the winding up, reconstruction or amalgamation of any corporation in which the Trustees hold shares.

19. Holding shares in a corporation.

19.1 To subscribe for or otherwise acquire shares in a corporation (even though the Trustees may incur liability for future calls on the shares).

19.2 To exercise the Trustees' rights (as director, member, or otherwise) in respect of the corporation under the corporation's constitution or the law whether or not the corporation may do or cause to be done an act which the Trustees cannot do personally; and

19.3 To generally act in relation to the corporation in whatever manner the Trustees think fit.

Schedule of Intent in respect of Worship and Religious Education

The Parish of St Michael and All Angels and St Michael's Church School have a long history with the Anglo-Catholic faith. Part of the expression of this faith is the regular participation in the Eucharist or Mass. There is a desire by all that the Parish and School continue to foster the spiritual growth of all Pupils of St Michael's Church School.

1. The School is to be a community of worship, learning and ministry, within the Catholic tradition of Anglicanism, in which the Christian faith as proclaimed in and through the Anglican Church in Aotearoa, New Zealand and Polynesia may be nurtured.
2. The School will provide an environment in which true Christian values are sought and fostered, and taken into account in decisions, actions and methods.
3. The Vicar shall guide the religious teaching and spiritual care given in the School, under such provisions as shall be agreed with the Principal. This work may, however, be undertaken by others with the Vicar's approval and/or through a chaplain licensed to the Vicar by the Bishop of Christchurch, as shall be agreed with the Principal.
4. The Vicar or Chaplain will undertake, or delegate to an appropriate member of the School or Parish community, school Mass weekly or otherwise at the vicar's discretion and on other special occasions at a mutually agreeable time during or after school hours, during term time, as negotiated with the Principal.
5. It is expected that the School community and the parish community will join in worship at least once a term; for example, for Mothering Sunday, Founders' Day and the School Carol service.
6. Members of the School community may lead any chapel service at the discretion of the Vicar or Chaplain.

Moved: Ms Jane Evans

Seconded: Mr Michael Graveston

BILL 4: THE SYNOD OF THE DIOCESE OF CHRISTCHURCH BILL 2021

1. Title

That the title of this statute will be **The Synod of the Diocese of Christchurch Statute 2021.**

2. Commencement

This Statute comes into force at the close of the session of Synod at which it is passed.

Part 1 - Preliminary matters

3. Purpose

The purpose of this Statute is to:

- (a) repeal and replace the Diocesan Synod Statute 2003 (as amended); and
- (b) provide, pursuant to Part E, Clause 5 of the Constitution/Te Pouhere of the Anglican Church in Aotearoa, New Zealand and Polynesia for the Synod to be the overall representative governing body in the Diocese of Christchurch; and
- (c) set out the membership, and method of choosing the membership of the Synod in accordance with the provisions of part E, Clause 5 of the Constitution/Te Pouhere of the Anglican Church in Aotearoa, New Zealand and Polynesia and Title B, Canon II; and
- (d) provide for meetings of the Synod; and
- (e) provide for and set out the processes, responsibilities, and powers of the Standing Committee of the Synod.

4. Representative governing body

- (1) There shall continue in existence the Synod of the Diocese of Christchurch.
- (2) In accordance with Part E, Clause 5 of the Constitution/Te Pouhere of the Anglican Church in Aotearoa, New Zealand and Polynesia the Synod of the Diocese of Christchurch is the overall representative governing body of the Diocese of Christchurch.

Part 2 - Membership of Synod

5. Membership

- (1) The following are members with speaking and voting Rights:
 - a. The Bishop.
 - b. Clergy in the Diocese holding a Bishop's Licence including one clergy person in each Local Shared Ministry Parish who is appointed under clause 13 of the Local Shared Ministry Statute 1999.
 - c. One lay person elected by each Parish and Ministry Unit with an average Sunday attendance of less than 100.
 - d. Two lay person elected by each Parish and Ministry Unit with an average Sunday attendance of 100 or more-
 - e. All members of Standing Committee who are not otherwise members of the Synod.

- f. The Chancellor and the Vice Chancellor whose votes on matters before Synod will always be recorded as abstentions.
- g. All members of the Diocesan Ministry Team holding a Bishop's Licence.
- h. The Director of Theology House.
- i. Diocesan Youth Representatives.
- j. Two members of the Association of Anglican Women, who are not otherwise members of Synod, chosen in accordance with the rules of that organisation.
- k. Two persons, who are not otherwise members of Synod, chosen by the Anglican Care Trust Board to be its representatives.
- l. Two members of the Church Property Trustees, who are not otherwise members of Synod, chosen by that organisation.
- m. Two members of the Order of the Community of the Sacred Name, who are not otherwise members of Synod, chosen by that organisation who will be members of the order of laity.
- n. One representative from each Anglican school in the Diocese appointed by their governing body or, for integrated schools, their board of proprietors. The representative may be a board member, staff member, or student aged 16 or over who is not otherwise a member of Synod.
- o. Any ordained minister or lay member of any other Christian Church recognised by resolution of the General Synod/Te Hinota Whānui and duly appointed to serve in, or to represent, a Co-operating Parish or Co-operative Venture shall have a seat in the House of Clergy or House of Laity, as is appropriate, in the Synod with the right to vote except when the Synod is acting under the following provisions:
 - I. Part B, Clause 6(b) (relating to Formularies);
 - II. Part E, Clauses 10 & 11 (nominating a Bishop);
 - III. Part G, Clause 3 (amending the Constitution/Te Pouhere of the Anglican Church in Aotearoa, New Zealand and Polynesia);
 - IV. in respect to any proposal or matter pursuant to the Church of England Empowering Act 1928.

(2) The following will be members, but with speaking rights only:

- a. All clergy in the Diocese with permission to officiate.
- b. The Diocesan Manager.
- c. All senior executives of the Diocese, Church Property Trustees, and Anglican Care.
- d. Parish Youth Representatives.

6. Election of Lay Representatives to the Diocesan Synod

- (1) These provisions apply to Lay Representatives as defined in clause 5.1(c) of this Statute.
- (2) Ministry Units, except for Christ Church Cathedral, will elect their Lay Representatives at the Annual General Meeting before the first session of a Synod with the cycle beginning in 2021 and then occurring triennially.
- (3) The Cathedral Chapter will appoint the Lay Representatives for Christ Church Cathedral before the first session of a Synod with the next such with the cycle beginning in 2021 and then occurring triennially.

- (4) The term of office of elected Lay Representatives will commence on the opening of the first session of Synod following their election and end:
- a. on the commencement of the term of any duly elected successor
 - b. on the date nominated in any notice of resignation addressed to and received by the Diocesan Manager;
 - c. on their death;
 - d. on their being subject to compulsory assessment or treatment under the provisions of the Mental Health (Compulsory Assessment and Treatment) Act 1992;
 - e. on their bankruptcy; or
 - f. on their no longer being members of the Anglican Church of Aotearoa, New Zealand and Polynesia in this Diocese.
 - g. no longer residing in the Diocese.
 - h. on the dissolution of the parish.
- (5) Where a Lay Representative vacates office pursuant to sub clauses (4)(b) to (f) then the following provisions will apply:
- a. the Diocesan Manager must be notified of the event leading to the vacation of office;
 - b. the Diocesan Manager will then declare the seat vacant and direct a special election to elect a replacement (except in the case of Lay Representatives for the Cathedral where the Chapter will be directed to appoint a replacement) unless it is less than 30 days until the commencement of a session of the Synod in which case no such election or appointment may take place until after that session;
 - c. the replacement Lay Representative elected or appointed will hold office for the remainder of the term in accordance with clause (4).
- (6) The following provisions apply for the election of Lay Representatives at general meetings of Ministry Units:
- a. the notice convening the general meeting at which the election will occur, which must be given at least 10 working days' prior, must include the election as part of the business of its agenda and call for nominations;
 - b. nominations must be provided to the chair of the meeting in writing prior to the commencement of the meeting;
 - c. nominations must be in writing, proposed and seconded by two persons qualified to vote at the meeting, and must be accepted by the candidate in writing;
 - d. where there are fewer nominations than the number of Lay Representatives to be elected then any person nominated will be declared elected and the remainder of the election adjourned to a further special meeting of the Parish held in accordance with this clause;
 - e. where there are more nominations than the number of Lay Representatives to be elected the election will occur by secret ballot in writing with the highest polling candidate(s) elected;
 - f. where an election is inconclusive due to a tie further ballots will be taken until there is an election;

- g. the outcome of the election will be reported to the Diocesan Manager in writing as part of the annual returns provided by the Parish;
- h. where the chair of the meeting is also a candidate for election then the Vicar/Priest-in-Charge will chair the election and act as returning officer.

(7) No person may be elected as a Lay Representative unless they meet the qualifications set out in section 16 of the Charities Act 2005.

(8) In the case that a Parish ceases to exist as a separate parish, or in the event the number of Lay Representatives for a parish is reduced, any Lay Representative already holding office will continue to do so for the remaining sessions of the current Synod.

(9) The provisions of clause 6(4) apply mutatis mutandis to all other members of Synod.

7. Alternates

Where a Lay Representative or any member of Synod at clause 5(1)(i) to (n) is unable to attend any given session of Synod then the vestry or governing body may appoint an alternate of the same order to that session.

8. Challenge to election/appointment of members

- (1) Any registered member of any Parish and any member of any organisation entitled to elect or appoint members to the Synod in accordance with clause 4 of this Statute may object to the validity of any election or appointment.
- (2) Any objection must be made in writing to the Bishop with a copy to the Diocesan Manager.
- (3) On receipt of any such objection the Bishop will provide a copy of the objection to the Chancellor and request a ruling from the Chancellor on the validity of the election or appointment in accordance with the Chancellor and Legal Advisers Statute 2018.

Part 3 – Sessions of Synod

9. Requirement for annual meetings

- (1) The Diocesan Synod shall meet at the summons of the Bishop at the time and place identified in the summons provided that there must be a meeting of the Diocesan Synod at least once in every calendar year.
- (2) All meetings should be held in physical community when possible, but in the event that is not possible, the Bishop may assemble Synod virtually using computer/phone technology. In this circumstance Synod may make decisions by voting virtually using appropriate protocols to ensure adequate security and integrity of the voting system.

10. Requirement for meetings and decisions

- (1) No meeting of the Synod will be duly constituted unless the Bishop, one-quarter of the clergy members eligible to vote and one-quarter of the lay members eligible to vote are present.
- (2) Every act and decision of the Synod shall be assented to by the Bishop and by a majority of clergy and by a majority of lay members of Synod present and entitled to vote.

Part 4 – Standing Committee

11. Standing Committee

There will continue to be a Standing Committee of the Synod, which shall function as “Synod out of Session”.

12. Purpose of the Standing Committee

- (1) The purpose of Standing Committee is, through the grace of God, to:
- a. act as the governing representative of the Diocese under the leadership of the Bishop;
 - b. develop and enable the vision and strategy of the Diocese;
 - c. uphold and support the Bishop;
 - d. consider and report on any matter referred to it by the Bishop;
 - e. ensure the Diocese functions on the basis of the covenants expressed in the Constitution/Te Pouhere of the Anglican Church in Aotearoa, New Zealand and Polynesia by regularly meeting with the Amorangi Whaiti of the Hui Amorangi and actively considering matters affecting the provision of Ministry, proclamation of the Gospel and the sharing of resources and facilities;
 - f. ensure the preparation of business for presentation to Synod;
 - g. recommend a budget or budgets for the operation of the Diocese of Christchurch to Synod for approval;
 - h. provide guidance to the Diocese through policy development;
 - i. exercise such of the powers of the Synod conferred on Synod by part E, Clause 7 of the Constitution/Te Pouhere of the Anglican Church in Aotearoa, New Zealand and Polynesia as are delegated to it;
 - j. review annually the appointment of the three members on the Anglican Diocesan Ministry Support Centre Governance Board at the first meeting following the ordinary session of Synod;
 - k. supervise and support the Diocesan Manager and other staff; and
 - l. discharge any functions entrusted to it by the Canons of the General Synod/Te Hinota Whānui or any Statute, regulation or resolution of Synod.

13. Powers of Standing Committee

- (1) To fulfil its purpose, Standing Committee will have all the powers of Synod when in session except the power to pass, repeal, or amend Statutes or deal with other matters that Synod can only deal with in the form of a Bill.
- (2) For the avoidance of doubt, Standing Committee’s powers include:
- a. issuing, amending, and repealing guidelines to assist in regulating aspects of Diocesan life;
 - b. delegating decisions, functions, or tasks to other persons; and
 - c. filling vacancies, when Synod is not in session, in any committee, board, commission or any body of trustees appointed by Synod.

14. Membership of Standing Committee

- (1) The membership of Standing Committee shall be:
- a. the Bishop who will chair Standing Committee;

- b. four clerical voting members of Synod elected in accordance with this Statute;
- c. four lay voting members of Synod elected in accordance with this Statute; and
- d. the Diocesan Manager who has speaking rights only.

15. Term of office

- (1) The term of office for elected members of Standing Committee will be three years.
- (2) No elected member may serve more than two consecutive terms except in exceptional circumstances resolved by Synod.
- (3) The term of office of elected members will commence at the close of the session of Synod at which they were elected.
- (4) The term of office of members will end:
 - a. for elected members on the commencement of the term of any duly elected successor;
 - b. on the date nominated in any notice of resignation addressed to and received by the Diocesan Office Manager;
 - c. on their death;
 - d. on their being subject to compulsory assessment or treatment under the provisions of the Mental Health (Compulsory Assessment and Treatment) Act 1992;
 - e. on their bankruptcy; or
 - f. on their no longer residing in the Diocese.
- (5) When the office of any elected member becomes vacant pursuant to clauses 15(4)(b) to (f) and 16(2)(c), Standing Committee may appoint any eligible voting member of the Synod to fill the vacancy for the remainder of the term with clerical members voting for clerical vacancies and lay members voting for lay vacancies.

16. Election of members

- (1) There will be an annual election for the elected members of Standing Committee which shall take place at the ordinary session of Synod that year.
- (2) Elections will take place as follows:
 - a. nominations must be provided to the Diocesan Manager in writing by 9am on the day the elections are scheduled to be held;
 - b. nominations must be in writing, proposed and seconded by two voting members of the same order as the nominee, and must be accepted by the candidate in writing;
 - c. where there are fewer nominations than the number of members to be elected then any person nominated will be declared elected and Standing Committee may treat any remaining position(s) as vacant and appoint an eligible voting member of the Synod to fill the vacancy in accordance with clause 15(5);
 - d. where there are more nominations than the number of members to be elected, the election will occur by secret ballot in writing with the highest polling candidate(s) elected with voting clergy members voting for clergy members of Standing Committee and voting lay members voting for lay members of Standing Committee;
 - e. the elections will otherwise take place in accordance with the provisions of the Standing Orders of the Synod of the Diocese of Christchurch.

17. Meetings and decisions

- (1) Standing Committee will meet at times and places directed by the Bishop, provided always that, should any three members of Standing Committee request in writing a meeting, then

the Bishop shall direct a meeting to take place within 20 working days' of receipt of such a request.

- (2) Meetings may take place physically or virtually through any appropriate virtual meeting facility.
- (3) No meeting of Standing Committee may take place without 10 working days' notice unless all members of Standing Committee agree otherwise.
- (4) The quorum for a meeting of Standing Committee will be the Bishop together with two clerical and two lay members present.
- (5) Every act or decision of Standing Committee shall be assented to by the Bishop and by a majority of clerical members and by a majority of lay members present at the duly constituted meeting.
- (6) Standing Committee may make decisions by circular resolution by e-mail.

Part 5 – Transition and repeal

18. Repeal

The Diocesan Synod Statute 2008 is repealed.

19. Transition

All members of Standing Committee elected under the Diocesan Synod Statute 2008 will remain in office and serve out the remainder of their term as if elected under this Diocesan Synod Statute 2021.

Moved: Rev'd Tony Kippax (a.kippax@icloud.com)

Seconded: Mrs Kirsty May (kirstymaybarrister@gmail.com)

BILL 6: THE COMPLAINTS PROCEDURE OF THE DIOCESE OF CHRISTCHURCH STATUTE AMENDMENT BILL 2021

Whereas, General Synod/Te Hīnota Whānui in 2000 passed Statute 608 repealing the Title D of discipline and substituting a new title D of 'Of Maintenance of Standards of Ministry for Bishops, Ministers and Office Bearers'; and

Whereas, General Synod/Te Hīnota Whānui in 2020 passed a Bill to repeal parts of Title D, amend parts of Title D, and replace parts of Title D, 2020; and

Whereas, General Synod/Te Hīnota Whānui in 2020 agreed to delay the implementation of parts of that Statute until late in 2020, pending the appointment of the Ministry Standards Commission and its Registrar; and

Whereas, the Diocese Of Christchurch Synod In 2020, pending the appointment of the Ministry Standards Commission and its Registrar, passed The Complaints Procedures of the Diocese of Christchurch Statute to provide the process to be followed by the Diocese of Christchurch, when complaints of unsatisfactory conduct are referred to the Bishop of the Diocese of Christchurch, as Licensing Bishop, for resolution under Title D Canon III of the Canons of this Church; and

Whereas, The Complaints Procedures of the Diocese of Christchurch Statute provided for the ongoing need for the Diocesan Monitoring Committee, a Diocesan Monitor, and provision to appoint supporters to people making complaints under Title D; and

Whereas, the Ministry Standards Commission and its Registrar have now been appointed, and as such there is no longer a need for the Diocesan Monitoring Committee, nor is there the likelihood that it will be the Diocese's role to appoint supporters to people making complaints, but that there is a need to retain the role of Diocesan Monitor.

The Synod of the Diocese of Christchurch enacts as follows:

1. Title

The title of this Statute is **The Complaints Procedures of the Diocese of Christchurch Amendment Statute 2021**

2. Commencement

This Statute comes into force at the close of the session of Synod at which it is passed.

3. Purpose

The purpose of this Statute is to amend The Complaints Procedures of the Diocese of Christchurch Statute 2020 to remove the provisions for a Monitoring Committee and the appointment of Support Persons.

4. Delete from Part One 3(i) and adjust subsequent numbering.

5. Delete all of Part Two Monitoring Committee and adjust subsequent numbering.

6. **Delete** from Part Three, under Appointment of Monitor, Clause (1), the words “on the recommendation of the Monitoring Committee and “
7. **Delete** from Clause 10(1) d. the words “Monitoring Committee and”.
8. **Delete** all of Clauses 10(1) g and h.
9. **Insert** a new Clause 10(1) g to read “*undertake mediation when called on by the Bishop in order to resolve conflict. In this role the Monitor may be described by the Bishop as the Bishop’s Advisor for Reconciliation*”.
10. **Delete** all of Clause 10(2)
11. **Insert** a new Clause 11(1)d to read “*have appropriate skills to undertake mediation between people in conflict.*”
12. **Delete** all of PART FOUR SUPPORT PERSONS and adjust subsequent numbering.
13. **Insert** a new heading PART SIX – OTHER BUSINESS with appropriate numbering.,
14. **Insert** under PART SIX, with appropriate numbering, the following clauses:

The Bishop may refer any other business to the Monitor as the Bishop sees fit including, but not limited to asking the Monitor to act as Bishop’s Advisor for Reconciliation in situations of conflict which have not yielded a formal complaint, but which are of concern to the Bishop.

The Bishop may appoint Advisors for the purpose of the Bishop or the Monitor being advised on any matter under consideration in respect of ethics, handling of complaints, or mediation of conflict.

Moved: Rev’d Dr. Thomas Brauer (vicar@sumred.org.nz)

Seconded: Ms Moka Ritchie (moka.ritchie@drsl.co.nz)

BILL 7: THE DIOCESAN MINISTRY UNITS BILL 2021

1. Title

That the title of this statute will be **The Diocesan Ministry Units Statute 2021**.

2. Commencement

This Statute comes into force at the close of the session of Synod at which it is passed.

Part 1 - Preliminary matters

3. Purpose

The purpose of this Statute is to repeal and replace the Diocesan Local Ministry and Mission Units Statute 1994 (as amended) in order to:

- (a) better clarify the types of ministry units in the Diocese;
- (b) introduce greater flexibility into provisions for ministry units in the Diocese; and
- (c) simplify the administration for ministry units in the Diocese as far as possible.

4. Types of ministry units

The Diocese will have four types of ministry units:

- (a) Parishes which are the worshipping communities established on a geographic basis;
- (b) Chaplaincies where chaplains are licensed by the Bishop to institutions and organisations such as seafarers, schools, universities, university halls of residence, hospitals, the Police, and the Armed Forces;
- (c) Co-operating ventures where there is an agreement with other Christian churches to form a co-operating ministry unit; and
- (d) Mission Units which are forms of ministry units established by the Standing Committee in accordance with this Statute for the purpose of advancing the mission of the Diocese.

5. Purpose of ministry units

The purpose of each ministry unit is to:

- (a) promote the worship of God, the Holy Trinity;
- (b) proclaim the good news of the Kingdom of God;
- (c) teach, baptise, nurture and disciple believers in the Christian faith within the Anglican tradition;
- (d) respond to human need by loving service;
- (e) seek to transform the unjust structures in society;
- (f) strive to safeguard the integrity of creation and to sustain and renew the life of the earth; and

- (g) function, in accordance with Part E Clause 2 of the Constitution/Te Pouhere, on the basis of the covenant expressed in the constitution and in partnership with Te Pihopatanga o Aotearoa and the Diocese of Polynesia and their constituent parts.

6. Ministry unit accounts

- (a) Ministry units are required to keep annual accounts, in compliance with the Charities Act 2005 requirements, which must be submitted to the Diocese before the end of June after the financial year end.
- (b) Ministry units are required to comply with the Charities Act 2005 in terms of audit and review requirements. Where there is no legal requirement for an audit or a review, the parish Wardens and Vestry may still choose to have a review or audit utilising a suitably qualified person or the Diocese can request a review or audit to be undertaken.

Part 2 – Parishes

Sub-part 1 – creation, boundary adjustment, amalgamation, and dissolution

7. Creation of Parishes

- (1) New parishes are created by a resolution of Synod put forward on the recommendation of the Standing Committee.
- (2) Any resolution for the creation of a new parish must:
- a. provide a date when the parish will come into existence;
 - b. define the boundaries of the new parish;
 - c. set out the adjustments to the boundaries of existing parishes;
 - d. propose a name for the parish;
 - e. confirm there are suitable buildings and facilities available for the parish to properly function; and
 - f. confirm that the new parish will be in a position to pay for the stipend and related costs of sufficient clergy to minister in the parish.
- (3) After the date set for the creation of a new parish, the following will occur:
- a. the Bishop will appoint a Bishop's Warden;
 - b. the Bishop's Warden will convene a meeting of parishioners for the purposes of electing a People's Warden and a Vestry in accordance with this Statute;
 - c. after a Vicar has been appointed to the parish then a Vicar's Warden will be appointed and the Bishop's Warden will cease to hold office.

8. Boundary adjustment

- (1) The boundaries of parishes may be adjusted by resolution of Synod proposed by the Standing Committee.
- (2) Any resolution proposing adjusting the boundaries of parishes presented to Synod shall be accompanied by a report on the results of a consultation with the relevant Archdeacon(s) and the affected parishes.

9. Amalgamation and dissolution

- (1) Parishes may be amalgamated in accordance with the Diocesan Ministry Unit Amalgamation Statute 2016.
- (2) Parishes may be dissolved by resolution of Synod proposed by the Standing Committee.
- (3) Any resolution to dissolve a parish presented to Synod shall be accompanied by a proposal to adjust any boundaries and a report on the results of a consultation with the relevant Archdeacon(s) and the affected parishes.
- (4) On the dissolution of a parish, all parish property:
 - a. held in trust by CPT shall be dealt with by CPT in accordance with the Anglican (Diocese of Christchurch) Church Property Trust Act 2003 and any trusts relating to such property; and
 - b. not held in trust by CPT passes to the Anglican Diocesan Ministry Support Centre (ADMSC) to be available for:
 - i. first the carrying out of mission and ministry in the geographic area formerly covered by the dissolved parish; and
 - ii. second, to the extent not required for the first, for the general purposes of the Diocese.
- (5) The appointments of any clergy may only be terminated in accordance with the Clergy Resignation and Termination Statute.
- (6) Dissolution of a parish does not affect any financial commitments made by the parish which may only terminate in accordance with their own terms.

Sub-part 2 – Membership and governance of parishes

10. Membership of parishes

- (1) To qualify as a member of a parish a person must:
 - (i) **Be baptised**
 - (ii) be resident **in that parish and**, ~~or~~ regularly attend Divine Service, in **that** a parish **or be non-resident and regularly attend Divine Service in the parish**, and
 - (iii) have made, either expressly or impliedly through conduct, the following declaration that they are a Member of the Church,

I, AB, declare that I have been baptised and am a member of the Anglican Church in Aotearoa, New Zealand and Polynesia, and
 - (iv) be recorded in a central register called the Parish Roll
- (2) The Parish Roll must be reviewed annually.
- (3) A person may only be a member of one parish at any one time.

11. Parish Vestry

Each parish will have a Vestry responsible for the good governance and efficient running of the parish.

12. Responsibilities of the Vicar, Vestry, and Churchwardens

The responsibilities of the Vicar, Vestry, and Churchwardens collectively shall be to promote and participate in the mission of this Church and generally to seek the coming of Christ's Kingdom;

13. The purpose of the Vicar is, through the grace of God, to:

- a. provide spiritual leadership in the sustenance and promotion of the Christian faith within the Anglican tradition;
- b. hold on trust the keys of the Church and Vicarage;
- c. use the Church for regular Divine Service;
- d. open the Church for services other than parish ones to be performed under the authority of the Bishop;
- e. **be responsible for the ordering of public worship and the administration of the sacraments, in consultation with parishioners, using only the forms of service, which are authorised or allowed by lawful authority,** while retaining discretionary power regarding times of services, selection of hymns, anthems, and Church music;
- f. **take part in Christ's prophetic work;**
- g. **preach, proclaim, and teach the Christian faith, which is revealed in Holy Scriptures and set forth in the Catholic Creeds, as this Church has received it and explained it in its Formularies and its authorised worship;**
- h. **be pastors of the people, sharing the people's joys and sorrows, encouraging the faithful, recalling those who fall away, healing and helping the sick;**
- i. liaise with people concerning the staffing, curriculum, and direction of Sunday School, youth and other educational concerns in the parish;
- j. give consent for the ringing of Church bells, which shall only be rung with good cause.

14. The purpose of Vestry is, through the grace of God, to:

- a. uphold and support the Vicar and any other clergy in the parish;
- b. in conjunction with the Vicar develop and enable the vision and strategy of the parish;
- c. act as the governing body of the parish;
- d. approve a budget for presentation to the parish annual meeting;
- e. take responsibility for the maintenance and care of the parish buildings;
- f. take responsibility for meeting the health and safety obligations of the parish;
- g. elect, at its first meeting after the parish annual meeting, four persons qualified to be Vestry members to be Parish Nominators;
- h. maintain records of the life of the parish and ensure they are provided to the Diocesan Archivist as appropriate;
- i. discharge any functions entrusted it by the Canons of the General Synod/Te Hinota Whānui or any Statute, regulation or resolution of Synod.

15. The purpose of the Churchwardens is, through the grace of God, to:

- a. support and encourage the work of the Vicar and any other clergy in the parish;
- b. ensure the provision of all things required for public worship, and the preservation of order during services;
- c. be the key lay leaders of the parish;
- d. have responsibility for health and safety in a parish including ministry safeguarding and to report from time to time on these matters to vestry and as appropriate to the Diocesan Manager;
- e. to be signatories to all contracts and deeds executed on behalf of the parish
- f. have the superintendence of the buildings, furniture and equipment required for the work of the parish, and to report to Vestry from time to time on their state and any need for repairs, replacement, improvement or insurance.

- g. be spokespersons for Vestry to the parishioners;
- h. be spokespersons for the parishioners in all matters except those for which the Lay Synod Representatives or the Parish Nominators are responsible;
- i. attend the Bishop, or the Vicar-General, or the Archdeacon as required for visitation purposes.
- j. inform the Archdeacon should the Vicar be prevented by death, illness or accident from officiating
- k. be responsible, in liaison with the relevant Archdeacon, for the running of the parish during an interregnum or during the illness or incapacity of the Vicar, unless an interregnum priest is appointed by the Bishop in which case the Wardens are to support the interregnum priest in accordance with clause 15a;.
- l. ensure that the Vestry is properly informed about matters in the parish and that decisions of the Vestry are carried out;
- m. call annual and general meetings of the parish in accordance with clauses 21 and 22
- n. ensure the keeping of records and making of return in accordance with clauses 21 and 22s as required by Synod or Standing Committee
- n. ensure, with the Treasurer, there is a proper system of accounting for collections and all other monies received by the parish and that payments, including those to and through the Diocese, are made as required.

16. Powers of the Vestry

- (1) To fulfil its purpose the Vestry will have all the powers of a natural person.
- (2) The parish may only enter into legal obligations (through contracts or deeds) on the resolution of the Vestry and with the Churchwardens being the signatories on behalf of the parish.

17. Churchwarden Personal Liability

- (1) Where a Churchwarden enters into legal obligations on behalf of the parish in accordance with clause 13(2) then they will be indemnified by the parish for any personal liability arising as a result except where the liability is attributable to any wilful misconduct or dishonesty on the part of the Churchwarden.

18. Membership of Vestry

- (1) The Vestry will consist of:
 - a. the Vicar
 - b. any other clergy licensed to the parish;
 - c. a Vicar's Warden, appointed by the Vicar or, where there is no Vicar holding office, a Bishop's Warden appointed by the Bishop;
 - d. a People's Warden elected annually by the members of the parish at the annual meeting;
 - e. a Treasurer when elected annually by the members of the parish at the annual meeting; there is no requirement to elect a treasurer to the Vestry
 - f. between two and seven ordinary Vestry members elected annually by the members of the parish at the annual meeting.

- (2) No one may be elected as, or remain, a member of Vestry who:
 - a. is not a member of the parish except as approved by Standing Committee in accordance with clause 19(2)(a);
 - b. is under the age of sixteen (16) or, in the case of the Churchwardens and Treasurer, under the age of twenty (20);
 - c. is an employee of the parish;
 - d. is a close relative of the Vicar, any other clergy licensed to the parish; or
 - e. fails to meet the requirements of section 16 of the Charities Act 2005.
- (3) For the purposes of section ~~45~~ 18(1)(f), prior to the election of ordinary Vestry members, the annual meeting of the parish may reduce the maximum number of ordinary Vestry members that would otherwise be able to be elected under that section, to a number not less than two.
- (4) Upon taking office as a member of vestry, all lay members shall take the declaration that is required of such office bearers as prescribed from time to time by the Constitution of this Church/

19. Term of office of members of Vestry

- (1) The term of office for:
 - a. elected members of Vestry is one year;
 - b. the Vicar's Warden is at the pleasure of the Vicar;
- (2) No elected nor un-elected member of a Vestry (except for the Vicar and other clergy licensed to the parish) may serve more than six consecutive terms.
- (3) The term of office of elected members will commence at the close of the annual meeting at which they were elected and the term of office for unelected members will commence on appointment and end:
 - a. on the commencement of the term of any duly elected successor for elected members;
 - b. for the Vicar's Warden when the Vicar provides notice, in writing, of removal from office;
 - c. on the date nominated in any notice of resignation addressed to and received by the Vicar;
 - d. on their death;
 - e. on their no longer meeting the requirements in section 16 of the Charities Act 2005; or
 - f. on their no longer being a member of the parish.
- (4) When the office of any elected member becomes vacant pursuant to clauses 16(3)(c) to (f) then the Vestry may co-opt any person eligible for election to the vacant position to serve for the remainder of the vacant position's term.

20. Election of members

- (1) There will be an annual election for the elected members of Vestry which shall take place at the annual meeting of the parish.
- (2) Elections will take place as follows:

- a. nominations must be provided to the Vicar in writing by 9am on the day the elections are scheduled to be held;
 - b. **those nominated must be members of the parish**
 - c. nominations must be in writing, proposed and seconded by two members of the parish, and must be accepted by the candidate in writing;
 - d. ~~where there are the same or fewer nominations than the number of members to be elected then each person nominated will be declared elected;~~ **the election will occur by secret ballot in writing with each person nominated required to poll over 50% in order to be eligible to be declared elected;**
 - e. ~~where there are more nominations than the number of members to be elected the election will occur by secret ballot in writing with the highest polling candidate(s) elected.~~ **where there are more eligible candidates than the number of members to be elected then the highest polling eligible candidate(s) will be declared elected**
- (3) In respect of a candidate nominated for election to office at a meeting of parishioners, **unless the person nominated for election, or unless the nominator of the candidate, and or the seconder supporting the candidate's nomination, are present at that meeting of parishioners, the nomination will be treated as withdrawn. The candidate does not have to be present at the meeting should also either be present at the meeting or have personally offered an apology to the meeting.**

21. Meetings and decisions of Vestry

- (1) A parish Vestry must meet:
 - a. at least every three months with at least ten (10) working days' notice of any meeting date that is set by either the Vicar or both Churchwardens; and
 - b. within ten (10) working days of any written request received from one-third of Vestry members for a meeting.
- (2) The quorum for a meeting of Vestry is one-third of its members provided that at least one Churchwarden and one member of vestry who is not a Church Warden is present.
- (3) Meetings of Vestry may take place physically or virtually through any appropriate virtual meeting facility.
- (4) The Vicar will chair Vestry unless they decline to do so in which case the Vestry will elect its own chairperson.
- (5) Each decision of the Vestry must be assented to by a majority of those present at the meeting.
- (6) A Vestry may make decisions by circular resolution by e-mail and may make its own policy if a simple or special majority is required.
- (7) Minutes of Vestry meetings and records of circular resolutions must be kept.

22. Standing Committee appointments

- (1) Where a parish does not have a People's Warden, either through resignation or due to a failure to elect one at a duly convened annual meeting, the Standing Committee may appoint any Member

of the Church aged 20 or over who is living within the Diocese as the People's Warden to serve until the next annual meeting.

(2) Where a parish does not have the minimum number of Vestry members required by clause 17(2) either through resignation or due to a failure to elect sufficient Vestry members at a duly convened annual meeting then the Standing Committee may either:

a. appoint the number required to meet the minimum number of Vestry members required by clause 18(2) from Members of the Church aged 16 or over who are living within the Diocese and whom will serve until the next annual meeting; or

b. resolve that the parish concerned need not meet the minimum number of Vestry members required by clause 18(2) at which point the remaining members of the Vestry will be deemed to be a validly constituted Vestry and all decisions of that Vestry will be deemed to be valid.

(3) When a parish is unable to duly convene an annual meeting, the Bishop, with the concurrence of the Chancellor, may either appoint a Bishop's Commissioner in accordance with clause 23 to lead the parish or request that the Standing Committee appoint a People's Warden who is a Member of the Church aged 20 or over and a Vestry from Members of the Church aged 16 or over living within the Diocese who will serve until the next annual meeting.

(4) The Standing Committee may only exercise the powers given under this clause 19 in two successive years in relation to a parish after which the Bishop must present a proposal for the future of Ministry within that parish to the next session of Synod.

23. Bishop's Commissioner

(1) On receipt of a written request from either the Vicar or both Churchwardens, or on resolution of the Vestry, and after consultation with the Chancellor and the relevant Archdeacon, the Bishop may appoint a Bishop's Commissioner to lead a parish with the Commissioner assuming all duties and powers of the Vicar, Churchwardens, and Vestry in respect of administration of the parish or a mix of duties in association with the Vicar, as determined by the Bishop.

(2) Any appointment under clause 22(1) is for a maximum of twelve months unless the Standing Committee agrees otherwise.

(3) Any appointment made under clause 22(1), including its proposed term, must be notified in writing to the parish concerned, the Archdeacon, and the Standing Committee.

(4) If, after two years, there is still a need for a Bishop's Commissioner then the Bishop must present a proposal for the future of the parish to the next session of Synod.

Sub-part 3 – parish meetings

24. Annual Meeting

(1) Each parish shall hold an annual meeting of parishioners by 30 April each year.

(2) The business of the annual meeting shall include:

- a. confirmation of the minutes of any prior meetings;
- b. receipt and adoption of the accounts of the parish for the previous financial year;
- c. presentation of a budget for the current financial year;
- d. receipt of a report on the life of the parish from the Vicar and Churchwardens;
- e. the election of the People's Warden, Treasurer, Vestry members and (where required) Lay Synod Representatives;

- f. appointment of an auditor or reviewer where appropriate; and
 - g. consider any matter required to be put to the parish under any Diocesan Statute or such other matters as the Vestry decides to place before the annual meeting.
- (3) The Vicar will chair the meeting unless they decline to do so in which case the meeting will elect its own chairperson. The chairperson may delegate the role for certain parts of the meeting.
 - (4) Only those aged sixteen (16) and over who are listed on the Parish Roll and are physically present at the meeting may speak and vote.
 - (5) At least ten (10) working days' notice of the time, place and business of the meeting must be provided.
 - (6) Notice of the meeting:
 - a. may be provided to those on the Parish Roll by way of e-mail or social media messaging; and
 - b. must be provided in the weekly parish bulletin at Sunday services.
 - c. affixed on the door or an outside noticeboard of every church in regular use in the parish
 - (7) Within seven (7) days of the annual meeting being held the Chairperson will notify the Diocesan Manager, using the forms provided, of those persons elected or appointed to the various offices.
 - (8) Minutes of the annual meeting shall be kept.
 - (9) In exceptional circumstances and with the Bishops permission, a parish AGM may be held by electronic means.

25. Special meetings

- (1) A special meeting of the parish shall be convened by the Churchwardens when requested to do so by:
 - a. resolution of the Vestry; or
 - b. written request signed by not less than one-quarter of those on the Parish Roll.
- (2) The business of the meeting shall be any matter specified in the resolution or written request calling the meeting.
- (3) The requirements of clause 21 (3), (4), (5), (6) and (8) apply to any special meeting convened.
- (4) In exceptional circumstances and with the Bishops permission, a parish AGM may be held by electronic means.

Part 3 – Chaplaincies

26. Appointment of Chaplains

- (1) Chaplains may be appointed to seafarers, schools, colleges, universities, university halls of residence, hospitals, the Police, the Armed Forces, and any other organisation or institution that requests it.
- (2) Chaplains shall be appointed in consultation with the Bishop and licensed by the Bishop.
- (3) No clergy person may hold appointment as a Chaplain without having completed the declarations required under the Constitution/Te Pouhere and the Canons of this Church for

the holding of office.

27. Responsibility of Chaplains

- (1) The responsibility of chaplains shall include:
 - a. active participation in the mission of this Church and the seeking of the coming of Christ's Kingdom;
 - b. maintenance of an active relationship with parishes and other ministry units where their chaplaincy is located; and
 - c. maintenance of an active relationship with the Diocese and Bishop.

Part 4 – Co-operating Ventures

28. Formation of Co-operating Ventures

- (1) Synod or the Standing Committee may enter into agreements to form Co-operating ventures with other Christian Churches.
- (2) Any agreement to form a Co-operating venture must be based on the guidelines approved by General Synod/Te Hinota Whānui from time to time.

29. Guidelines to be followed

- (1) Co-operating ventures are to follow either:
 - a. the "Guide to Procedures in Co-operative Ventures" as agreed from time to time by the Uniting Congregations of Aotearoa New Zealand or any body which may replace it; or
 - b. guidelines within a local agreement entered into between another Christian denomination and either Synod or the Standing Committee.

30. Termination of Co-operating Ventures

- (1) A Co-operating venture may be terminated in accordance with the agreement that formed it.
- (2) The property of any Co-operating venture will, on termination, be dealt with in accordance with the agreement that formed it.

Part 5 - Mission Units

31. Establishment of Mission Units

- (1) The Standing Committee, at the request of the Bishop, may by resolution establish Mission Units where it is considered beneficial to the advancing of the mission of the Diocese.
- (2) A resolution establishing a Mission Unit must:
 - a. provide a date for the establishment of the Mission Unit;
 - b. name the Mission Unit;
 - c. identify the nature and form of the Mission Unit;
 - d. set out the governance structure of the Mission Unit;
 - e. identify who will be responsible for the spiritual welfare of the Mission Unit;

- f. identify who any clergy licensed to the Mission Unit will be responsible to; and
- g. provide a date no more than three years' from the date of the resolution for a review of the life and structure of the Mission Unit.

32. Form of Mission Units

Mission Units may take any form the Standing Committee resolves and need not cover mission that is tied to any particular geographic area.

33. Governance of Mission Units

Mission Units shall have governance structures appropriate to the ministry and size of the Mission Unit and that provide for accountability and transparency in the life of the Mission Unit. For avoidance of doubt, such governance structures are not required to follow those set out for parishes in Part 3 of this Statute.

34. Amendment of Mission Unit structures

The Standing Committee may by resolution amend the structure of any Mission Unit it has established.

35. Dissolution of Mission Units

- (1) The Standing Committee may by resolution dissolve any Mission Unit it has established.
- (2) On the dissolution of a Mission Unit all property of the Mission Unit passes to the Anglican Diocesan Ministry Support Centre to be available for the general purposes of the Diocese.

Part 6 – Transition and repeal

36. Repeal

The Diocesan Local Mission and Ministry Unit Statute 1994 is repealed.

37. Transition

- (1) All persons holding office under the Diocesan Local Mission and Ministry Unit Statute 1994 will remain in office and serve out the remainder of their term as if they had been elected or appointed under this Statute.
- (2) Each ministry unit in existence at the date this Statute comes into effect continues in existence as a ministry unit and each parish continues in existence with its current boundaries.

Moved: Mr Byron Behm (beeronbeem@gmail.com)

Seconded: Rev'd Tony Kippax (a.kippax@icloud.com)

MOTIONS

MOTION 12: DIOCESAN MISSION ACTION PLAN

In recognition that:

1. the Christchurch Diocesan Synod approved, in September 2020, a process towards the presentation and adoption, at Synod 2021, of a Diocesan Mission Action Plan (DMAP), and
2. that this DMAP will attend to the strategic vision of a regenerated Diocese and guide decision-making in the Diocese of Christchurch, 2021-2030, and
3. that the draft DMAP, was completed by 31 May 2021 and has been circulated to Synod members and discussed at the Pre-synod meeting held in August, and
4. that consideration has been given to the feedback received at those meeting and appropriate amendments made

That this Christchurch Diocesan Synod:

1. Approves the adoption of the intentional vision of the Diocesan Ministry Action Plan.
2. Directs the Bishop, in conjunction with the Diocesan Manager, to action the vision of the Diocesan Ministry Action Plan.
3. Requests the Diocesan Manager to report back to Synod 2022, on the progress of the implementation of the Diocesan Ministry Action Plan.

Moved: Dr. Bruce Deam (bruce@kxl.co.nz)

Seconded: Rev'd Dr. Carolyn Robertson (robertsonheggulun@gmail.com)

The Mission Action Plan, with a covering note from Bishop Peter, is an Appendix to this document.

MOTION 13 CATHEDRAL PROJECT MOTION FOR SYNOD 2021

WHEREAS this Synod resolved in 2017 to endorse funding of the reinstatement of the Cathedral in the Square (the Project) in parts, whereby the funds for each part (Main Building, Tower, Ancillary Buildings) were required to be in hand prior to commencement of work on that part, in order to manage risk,

AND whereas Church Property Trustees, Christ Church Cathedral Reinstatement Limited and Christ Church Cathedral Reinstatement Trust wish to progress the Project through smaller separable portions, such as design contracts, isolated reconstruction of each part of the Cathedral, and the like,

AND whereas such altered approach in management of the Project is expected to reduce time delays and overall costs, to encourage fundraising for the overall Project, and to uphold the risk management objectives of the Synod passed in 2017,

THIS Synod resolves:

- 1) THAT the 2017 resolution of Synod on Cathedral reinstatement be altered so that the Project can progress on the basis that it be completed, where desired by Christ Church Cathedral Reinstatement Limited, in separable portions (such as design contracts, foundation works, isolated reconstruction of each part of the Cathedral, portions of landscaping, and the like),

PROVIDED ALWAYS that funds for each separable portion must be in hand before contracts for each separable portion are awarded;

AND PROVIDED ALWAYS that where a separable portion of work relates to the construction of the main building, the tower, or the ancillary buildings, the cathedral maintenance and insurance fund must have sufficient funds to cover the future ongoing costs of insurance and maintenance for the main building, the tower, or the ancillary buildings, respectively.

- 2) TO support the proposal agreed between Christ Church Cathedral Reinstatement Trust, the Christ Church Reinstatement Limited, the Church Property Trustees that a portion of the Cathedral insurance funds are deposited into the Cathedral Maintenance **and** Insurance ~~Pre-ceeds~~ Fund sufficient that between the date of deposit and the expected conclusion of the Project, the fund will likely grow through investment to reach an agreed estimated cap of \$12.9 million and therefore not require contributions from donations to the reinstatement.

Moved: Mr Steve Wakefield

Seconded: Very Revd Lawrence Kimberley

Motion 15: Suspension of Standing Order 23

That this Synod, pursuant to Standing Order 80, suspends the Standing Order 23 of the Synod of the Diocese of Christchurch.

Diocesan Mission Action Plan

Synod 2021

Dear Members of Synod,

At our last Synod we commissioned a working group to draft a Diocesan Mission Action Plan (DMAP) to be presented to Synod 2021 with a view to adopting the Plan so that we have guidance for decision-making as we make our way through this decade.

By “decision-making” I mean especially Standing Committee and the Church Property Trustees as the two bodies that most interact with our ministry units in respect of property and financial matters. I am convinced, however, that the DMAP will also assist the Anglican Care Trust Board, the Diocesan Mission Team, and other bodies such as the Bishop’s Advisory Committee on Ordination (BACO) as they also make decisions and implement them through social services, education and training.

The working group, chaired by Dr Bruce Deam, has worked very hard on producing the DMAP which we will engage with in our Pre Synod meetings for discussion and at Synod itself for decision-making. Part of the working hard together on the proposed plan is to set out what the group believes the Diocese, in Synod, will agree to as a collective decision-making body.

I ask you to read through the DMAP prayerfully and (as far as practicable) share the DMAP with decision-makers in your local ministry context.

A DMAP which helps us to know what we should be doing in Canterbury, Westland and the Chatham Islands as we look at our situation, our people, our resources and our opportunities for mission must be a **Diocesan Mission Action Plan**.

There will be different views held by individuals on what “the Diocese should be doing” or “how the challenges in our parish could be helped by the Diocese”. At Synod we have an opportunity to express those personal views in debate but the decision we are invited to make is a decision that our collective view is that this DMAP (with or without some amendment) is what will best help our Diocese as a whole and in its various parts to move ahead in the mission of God through the 2020s.

I am personally very excited about this opportunity and look forward to our discussion and decision-making about the DMAP.

Arohanui

Bishop Peter.

30 July 2021

Proposed 2021-2030 Mission Action Plan for the Diocese of Christchurch

Our Motivation:

The *missio Dei* (the mission of God)

While churches often have some form of mission statement, this is not the main way we should understand mission. We talk about mission because the God of mission calls us to bear witness to who God is, to tell what God has done in Jesus Christ, and to partner in God's work in the world by going out to be salt and light. We call this the *missio Dei*.

In Scripture, we read of the *mission Dei* when God sent the Hebrew people on a mission to be 'a light to all nations' (Is. 49:6) and when he calls the Church—and us personally—to be witnesses to the 'ends of the earth' (Acts 1:8). Similarly, the Great Commission of Matthew 28 tells us how we are invited to join God's mission and guides us in what we should do. Jesus declares that we are sent in the same way he was sent in John 20:21.

The *mission Dei* is the starting point for all forms of mission planning in the church.

The Diocesan Mission Action Plan helps shape our ongoing journey together in the *missio Dei*, exploring what it means for a regenerating Diocesan community to actively participate in God's work by turning toward the world with love and proclaiming the Good News.¹

Our Goal:

Regenerating our Diocese by growing in strength, depth and breadth

Focusing our mission thinking in the *missio Dei* helps us understand that churches who accept God's missionary call to proclaim our faith afresh in each generation will grow organically and easily (Mark 4:26-29). Faithful participation in God's mission allows missional churches to:

1. **grow in strength**, as they trust the God who calls them (Ephesians 1:13-23),
2. **grow in depth**, bearing fruit as part of the true vine (John 15:1-11), and
3. **grow in breadth**, to reflect the community they live within (Acts 10).

There are many ways to measure growth, but the ultimate impact of growing in strength, depth, and breadth will be to grow *into* our local communities (measured by an increase in mission-focused expressions of outreach, worship, and evangelism)² and to grow *with* our local communities (seeing membership profiles better reflect our communities; seeing an increase in baptisms and affirmations of faith for both children and adults; seeing an increase in Sunday attendance).

¹ Our motivation, goal, focus, and principles are each expanded in an appendix.

² For some simple, practical examples of what this could look like with reference to the mission priorities below, see chart in Appendix E.

Bishop Peter's strategic goal for the Diocese reflects this:

“Regeneration of the Diocese from 2019-2030, measured by attendance numbers and by age profile of the Diocese, with reference to specific age surveys for the years, 2021/2, 2025 and 2030.”

Our Focus:

Priorities to achieve our goal

The vision Bishop Peter has for our Diocese is one of regeneration through Christ with a particular focus on:

- Making **disciples**,
- Supporting **families** and,
- Strengthening **communities**.

Keeping with the *missio Dei*, ministry with disciples, families, and the community all encompass aspects of calling people to faith and sending people of faith. These priorities build a church that nurtures, serves, and transforms the world Christ sends us into.

These three priorities summarise what our Anglican Communion has expressed since 1984 as the Five Marks of Mission:

1. To proclaim the Good News of the Kingdom;
2. To teach, baptise, and nurture new believers;
3. To respond to human need by loving service;
4. To transform unjust structures of society, to challenge violence of every kind and pursue peace and reconciliation;
5. To strive to safeguard the integrity of creation, and sustain and renew the life of the earth.

Our Principles:

To guide new growth

The principles that will guide our regeneration as we make Disciples, support Families, and strengthen Communities, are inspired by the analogy of a self-sustaining native forest. This forest is abundant with life and a rich variety of plants growing together with continuous regeneration. This marks a significant culture change for our Diocese.

1. God's intention is for the church to grow (Mark 4:26-29).
2. God's work in history often disrupts what has gone before (Matthew 5-7; Acts 15:1-30).
3. God gives the Holy Spirit to breathe new dreams and visions onto his people (Acts 2:17).
4. The church needs to adapt its structures and approaches appropriately to the social climate surrounding it while staying true to the Gospel (Acts 15:1-30).
5. Like the Easter story, death can be a precursor to new life (John 19, 20; etc.).
6. God calls his people to ongoing regeneration (John 3:3-8; 12:24; Ephesians 2:4-7).

Our Diocesan Mission Action Plan:

Walking the talk

Embracing a model of mission rooted in the *mission Dei* and organic, God-driven growth (Mark 4:26-29) will allow the existing model of ministry units in this Diocese to expand to foster more diverse expressions of mission and ministry. Like a native forest, the best adapted forms and models of mission and ministry can

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flourish. This will nurture and strengthen both new initiatives —such as missional communities, new ways of worship and discipleship, retreat spaces, pilgrimage, etc.—and the existing ministry units that develop and support them. This is a message of hope and life!

Supporting new initiatives and renewing our focus on regeneration within our diverse range of mission and ministry units means redirecting some of our time and energy toward our collective renewal. We introduce renewal by recognising the gifts and talents of those already dedicated to making disciples, supporting families, and strengthening communities. We provide an environment that recognises their gifts, builds their talents into strengths, and encourages others to discover how their gifts and talents can serve the wider community they have been called to serve.

We need to disciple, support families, and strengthen communities throughout our Diocese, recognising the unique circumstances in each community. This action plan sets out the practical first steps for those who collectively serve the mission and ministry units. It provides one side of a contract that seeks to improve support for the growth of ministry units. That contract relies on each ministry unit then planning how it will work to disciple, support, and strengthen its own community.³ This plan includes a commitment to investigating how we can improve how ministry units interact with the diocese, with neighbouring ministry units, and with pan-Diocesan ministry units. It concludes with expectations for how we can make best use of our collective resources.

People

1. The Bishop will appoint a new staff member, a Diocesan Missional Leader (ML), whose job will be to ensure ministry units are resourced and empowered to engage with new ways of being church in the world that result in the church growing in strength, depth, and breadth.
2. The Diocesan ML will offer resources, training and support to clergy, wardens, vestry, key leaders, staff, and lay people to engage with new ways of being the church in the world e.g., Mission Shaped Ministry (MSM) course.
3. The Diocesan ML will ensure there are opportunities for training, such as post ordination training, clergy conference, archdeaconry meetings etc., that will help engage church leaders in new ways of being church in the world, and develop a change management process needed for this.
4. The Bishop will license other lay and ordained missional leaders with proven ability to engage in new and effective ways of doing mission and ministry to be missional coaches who provide part time coaching and support for ministry units wanting to engage in those new ways.
5. The Diocesan ML will train Archdeacons and other Diocesan leaders to identify growth inhibitors and encourage ministry units and their vicars to grow in strength, depth, and breadth.
6. **Review of Ministry and Mission Units: Working with the Bishop and Archdeacons**, the Diocesan ML will help assist in recruiting and training reviewers so that guidelines for review of ministry units, as agreed to from time to time by Standing Committee, can be implemented. ~~train Archdeacons to carry out their responsibilities in Clause 3.11 of the Diocesan Local Ministry and Mission Units Statute (page E16):~~

³ Appendix F suggests some practical steps for ministry units to discern where God is calling them now and preparing Mission Action Plans.

~~3.11 It shall be the responsibility of each Archdeacon to ensure that once in every five years each parish in the Archdeaconry receives a review and assessment in order to encourage, affirm and challenge the parish in its ministry and mission.~~

7. The Diocesan Manager will continue to identify governance and management training that would be suitable for all Diocesan and Ministry Unit leaders to ensure all ministry units are appropriately governed and managed.

Ministry Units

8. Ministry units will be supported by the Diocesan ML and/or missional coaches to discern where God is calling their ministry units and to develop their Mission Action Plans.
9. The Diocesan ML will offer support to ministry units that transition to new forms of mission and ministry, e.g., starting a new ministry, employing a new staff person, transitioning to a completely new form of Christian ministry, linking with another parish, and selling assets in order to fund new mission and ministry initiatives, etc.
10. Where ministry units are struggling, additional support will be provided by the Diocesan ML and missional coaches to overcome growth inhibitors.
11. When ministry units have insufficient gifts and talents to flourish, the provisions of The Diocesan Ministry Units Bill 2020 provide a sensible intervention strategy.

Structure

12. Standing Committee will commission a study of a variety of organisational structures that will identify those that will better support the growth of ministry units and present the most suitable ones to Synod. This study should focus on freeing the spiritual leaders from any excessive administrative burdens of running parishes so they can engage wholeheartedly in the task of leading and equipping mission and ministry in their context. It should also investigate whether there would be benefits from better cooperation between ministry units, e.g., creating admin hubs across multiple parishes, adopting a hub and spoke model for ministry unit organisation. It should provide options that can be adopted within the wide range of ministry units within the diocese.
13. Standing Committee will commission a review of governance and management practices that will ascertain whether they reflect best practice for contemporary church life. The review will propose any amended statutes to Synod.
14. Standing Committee and CPT will be expected to develop policies that support new and appropriate ways of doing mission of the Diocese—alongside the existing Parish model—and be open to supporting creative initiatives e.g., missional communities, retreat houses, pilgrimage, etc.
15. When, in consultation with the Bishop and the ML, parishes choose to close some aspects, or all, of their current ministry, the Bishop and ML will ensure there is care and support to the people, the clergy, and the staff of those parishes.

Resources

16. Standing Committee and CPT will support ministry units wanting to release resources held in property and buildings so they can be used to support better ways of doing mission and ministry. There will be no support for ministry units only wanting to use or sell these assets to maintain the status quo for a shrinking Parish.

17. A report will be prepared by CPT staff for SC annually outlining the financial health of each ministry unit, flagging where diminishing resources threaten future mission and ministry.

Appendix A: Why do we talk about ‘mission’?

While churches will often have a kind of mission statement (i.e., St. Swithans-in-the-Swamp Anglican Church: “To know Christ and make Him known.”) this is not what we mean when the church talks about ‘doing mission.’ Instead, mission is what happens when the Church takes seriously the biblical truth that we have sent to do things by God (like the Great Commission of Matthew 28), in a manner that reflects God (John 20:21), and bearing witness to and joining in what God is doing (Acts 1:8).

This means, then, that mission is NOT first what we want to do for/to others. Mission is first what God has called the Church to be and to do in the world. In the Old Testament, God sets Israel on a mission to be ‘a light to all nations’ (Is. 49:6). In the New Testament, God in Jesus Christ sets the people of God on a mission to ‘be his witnesses to the ends of the earth and the end of time,’ (Mat. 28:18-20; Acts 1:8).^[1] This is God’s mission for God’s people. The Latin phrase that theologians use for this is *Missio Dei*, the Mission of God.

But God is also active in the world independent of his people. Indeed, God is constantly going about mission on his own terms. Creating the universe is part of God’s mission, as is God’s self-revelation through the Scriptures as Father, Son, and Holy Spirit. God’s constant turning in love to create and re-create is part of this mission. The joy for us is that we are invited to join God, to participate in all he does. ‘*Missio Dei* enunciates the good news that God is a God-for-people.’^[2]

Why do we talk about mission, then? We talk about mission because the God of mission has sent us on a mission. We are to bear witness to who God is and what he has done in Jesus Christ. We are to be a light to all nations, turning toward the world with the love of God.

This is the starting point for any form of mission planning in the Church. This Mission Action Plan describes the practical moves we will make as a diocese to participate in God’s work, turning toward the world with love and proclaiming the Good News.

Having briefly answered the question of *why we talk about mission*, we are left with the follow up question of *how we go about mission*. The Church has always understood that the work of embracing the world with God’s love includes acts of mercy and generosity, building community relationships that reflect the incarnational nature of God in Jesus Christ, and acts of evangelistic proclamation that declare Christ’s lordship and call the world to repentance and belief.^[3] The Church has also understood that it needs to embrace and grow its current members, as well. This has been understood as offering material and social care, ensuring ready access to divine worship, and the spiritual growth, healing, and nurturing of the disciples of Jesus. These all support the membership in their own participation in the mission of God. Combined, these works in the world and for believers function to overturn all expressions of evil.

^[1] Sinclair B. Ferguson and J.I. Packer, [New Dictionary of Theology](#) (Downers Grove, IL: InterVarsity Press, 2000), 434.

^[2] David Bosch, *Transforming Mission: Paradigm Shifts in Theology of Mission*. Maryknoll, NY: Orbis Books, 1991, 10.

^[3] Mark 1:15, etc.

We can see that the Mission of God always calls the world to respond to the Good News, and always sends the people of God into the world to make that call, with Jesus being the model figure of the sent-and-sending-caller.^[4] The mission-history of our own Anglican Church in Aotearoa, New Zealand, and Polynesia, has practical examples of this relationship between calling and sending. Among those examples, in 1843, Tamati Tikao (Ngai Tahu) returned to Wairewa (Little River) from the Nelson area where he had been a slave. While in Nelson he had converted to Christianity and studied with the Rev. Charles Reay, a CMS missionary. On Tikao's return he brought with him the Gospel to Ngai Tahu. Similarly, Tamihana Te Rauparaha came from Wellington, after he had converted to Christianity, to ask forgiveness for the atrocities of his father. Both Tikao and Te Rauparaha exemplified how a person called to faith is then sent to do the work of Christ.

Recently, the Anglican Communion has embraced something it calls the Five Marks of Mission.^[5] This is a statement of how Anglican Churches can understand basic Christian responsibilities as we all respond to the mission God has sent us on. It suggests that, as they respond to God's mission in the world, all Christians have a responsibility to:

1. To proclaim the Good News of the Kingdom;
2. To teach, baptise and nurture new believers;
3. To respond to human need by loving service;
4. To transform unjust structures of society, to challenge violence of every kind and pursue peace and reconciliation;
5. To strive to safeguard the integrity of creation, and sustain and renew the life of the earth.

Again, we can see that proclaiming the Gospel, building the faithful, healing the hurt, and overturning all forms of evil are essential aspects of understanding mission in the church.

And yet, there is no 'one right way' to participate in the Mission of God. It is therefore necessary for all Dioceses and all parishes, and even all individual Christians, to consider deeply how they are being sent by God to participate in his work in and call to the world.

In our diocese, Bishop Peter has told us that he sees God sending us into the world to join in God's work of Making Disciples, Supporting Families, and Strengthening Communities. Doing this will involve both actions and words that proclaim the Gospel as we further God's call to the world. One of the joys of undertaking mission faithfully and intentionally is that we will also see growth, regeneration, and renewal in the Church.

This Mission Action Plan incorporates the three mission priorities established by Bishop Peter with an eye to the Five Marks of Mission. It also proposes a way forward that participates in the *missio Dei* while embracing the Church's apostolic nature of calling and sending.

^[4] Calling and sending are carried forward by the Church, which is itself sent by God to the world. This is the Church's Apostolic ministry. Apostolic ministry is one of the four essential marks of the Church and is therefore inextricable from any understanding of the Church's mission. From the Nicene Creed: 'I believe in One, Holy, Catholic, and Apostolic Church.'

^[5] See: <https://www.anglicancommunion.org/mission/marks-of-mission.aspx> and expanded in Appendix C.

Appendix B – Our Priorities

The vision Bishop Peter has for our diocese is one that is Christ-centred and engaged in matters of mission and ministry. He is looking to regenerate this diocese. This Regeneration through Christ is in terms of making Disciples, supporting Families, and strengthening Communities. This is about, “changing the culture of the Diocese from thinking of ourselves as “institution” to “family”; changing the culture of thinking of ourselves as “parish” to “neighbourhood faith community”.

In the *missio Dei* sense ministry with disciples, families, and the community all encompass aspects of calling and sending. As the *missio Dei* discussed highlights the mission of God, which we are called to fulfil, is the Good News that God is a God-for-people. This is reflected in the person focused priorities of disciples, families, and community. Each priority signals a church that nurtures, serves, and transforms the people of the world Christ sends us out into as seen in the Five Marks of Mission.

DISCIPLES

Jesus said: “Go and make disciples of all nations, baptising them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything I have commanded you.” Jesus, in His great commission (Matthew 28:18–20), told his 12 disciples to go out, speak to the people they met, tell them about Jesus, baptise and teach. Jesus also said the gospel story of His resurrection and forgiveness of sins will be told to everyone (Luke 24: 46–47). Telling the story and teaching the beliefs and behaviours is the collective duty of all of us.

Bishop Peter, “We seek a regenerated church in which people active in the life of the church understand themselves to be followers of Jesus Christ and not, say, members of church as a useful organisation in society like Rotary and the Bridge Club.”

FAMILIES

Family is the building block of society and the church. The family is a fundamental institution of human society ordained by God (Genesis 2:20-25, 4:1; Exodus 20:5-6, Joshua 7:10,15,24-25, 2 Kings 13:23)⁴. The New Testament is also supportive of the family unit as part of the church and conversion of whole families is well regarded (Matthew 15:4-7; Mark 7:9-12; Ephesians 5; 1 Timothy 5:8; Acts 16:11-40).⁵ Despite the New Covenant having less of an emphasis on family as the covenants made with Abraham, Moses, and David, throughout the New Testament the priority of home and family is extremely important. The healed were not urged to be followers, but were sent home. Clearly within the family of God there continued to be room for the human family. In fact, households originally formed the centres of worship.⁶

Bishop Peter notes, “In seeking a regenerated church of disciples of Jesus Christ, we seek multiple generations, especially younger generations. We could then have a focus on children or youth or young adults or young parents.” If we want children in our churches, we would like their parents as well. If we want youth in our churches, a great way to grow a youth movement is to begin with children, disciple them and support them as they transition from childhood to adulthood. “Family” is a comprehensive term for multiple

⁴ *Auburn*

⁵ *Britannica*

⁶ *Van Seters*

generations and "family" is an inclusive term, which includes grandparents as well as parents. In some ways this focus is pragmatic, but within the outreach stories of the New Testament, we see the gospel being preached and whole households responding to the message (Acts 16:15). In families we see young people (e.g., John the Baptist, Jesus, John Mark, Timothy) being brought up in the faith (and especially in the case of Timothy becoming a "next generation" minister). Incidentally, and importantly, "families" in the Bible come in a great variety and are not necessarily nuclear families."

This, family is also an inclusive term given the Diocesan Mission Action Plan acknowledges that "family" no longer covers just blood relatives and the generations of one biological family. "Family" can be made up in a multitude of ways that need to be supported.

COMMUNITY

We need to acknowledge that the local is connected to the universal and the universal is made up of the local: we walk and work together, ministry units and Diocese, towards regeneration of the ministry units of the Diocese. We should be communities of faith serving local communities. Disciples form faith communities, faith communities are located somewhere (even on the internet!) and thus have a larger "local" community around them, which is to be served in Word and deed with Gospel motivation, so that the bread of the gospel is shared with those who are spiritually hungry. Interdependence between communities of faith is to be encouraged. There are many kinds of communities, including rural, urban, inner city communities. Within this theme the role of Bishop/diocese is to bless the local and to connect the local to the universal.

The theology of community is one of belonging. Some theologians assert that inclusiveness is not enough, we must also engender a sense of belonging in our faith communities.⁷ Belonging then becomes a value to aid our sense of being connected to the wider communities outside our communities of faith and vice versa. Such a way of looking at one another through Jesus offers us a description of what it means to sit with the marginalized, befriend the stranger, offer hospitality to those who are radically different. Jesus offers a very different view which reveals the deep meanings of belonging, even unto death (John 15:13).⁸

Swinton notes, "Human beings are not simply *included* within creation; they *belong* to God's creation...To be included you often have to conform or have your context conformed to some kind of relational, social or legal norm. To belong you simply have to be noticed as yourself. *To be included you just need to be present. To belong you need to be missed.* Offering a place to belong and serving the needs of the wider community are ways the Gospel is seen out in the world. However, serving also strengthens disciples' sense of commitment to the community of faith.

In regards to community being one of our core three priorities Bishop Peter notes, "the idea is that ministry units understand themselves to be communities of faith with a mission to share God's love in each local community. Community in part is about ministry units being networks of families, but in the major part "community" means the community of people within which a ministry unit exists. Where are new generations of Anglican Christians going to come from? Some will come from within existing families in the faith. Others will come - we want them to come - from outside the church. Thus, to emphasise "community" is theologically to emphasise a missional obligation in love to serve the local community and to share the gospel in the local community.

⁷ Swinton

⁸ Swinton

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Appendix C – The Five Marks of Mission

The Five Marks of Mission are – evangelism, nurture, service, transformation, and preservation or in other words – tell, teach, tend, transform, and treasure. The Anglican Consultative Council originally issued the Five Marks of Mission in 1984, though they were not adopted widely until the 2000s.⁹

The mission of the Church is the mission of Christ (Matthew 28:19-20) – the mission of God (*missio Dei*). The Anglican communion states, “The Five Marks of Mission are an important statement on mission. They express the Anglican [worldwide] Communion’s common commitment to, and understanding of, God’s holistic and integral mission.”¹⁰ We are sent by the Lord and we go in the Lord’s peace, and in the power of the Holy Spirit.

Zink¹¹ notes that the Marks were heavily influenced by non-western Anglican leaders, particularly from Africa. He observes that, “mission thinking is a site of cross-cultural consensus-seeking in the Anglican Communion.” The Marks evolved out of debate between individual evangelism and social action. They are intended, though sometimes not used, as a definition of holistic mission.¹²

The Five Marks are:

1. To proclaim the Good News of the Kingdom

This concerns the announcement of God’s revealed purposes for the world in Jesus Christ (Mark 1:14-15). Proclaiming the kingdom of God involved words and deeds. The other four Marks of Mission are based on this imperative to proclaim the kingdom of God.¹³ This first Mark of Mission is a summary of what all mission is about, because it is based on Jesus’ own summary of his mission. This speaks to the call to make disciples.

2. To teach, baptise and nurture new believers

When we come to discover the joy of God’s salvation we are start on a life-long path of discipleship that calls us to baptism, sharing by faith in Christ’s death and resurrection, and being re-made in the image of Christ (Matthew 28:19-20; Acts 1:8).¹⁴ We are created by God and re-created by Christ. This journey requires the faithful to lead new believers through the faith and into the church. It requires study and care culminating in baptism. Again, this is relevant for our priority of making disciples.

⁹ Zink, J. (2017). Five Marks of Mission: History, Theology, Critique. – www.jessezink.com

¹⁰ The Anglican Communion – www.anglicancommunion.org/mission/marks-of-mission.aspx

¹¹ Zink (2017). Five Marks of Mission: History, Theology, Critique. *Journal of Anglican Studies*.

¹² Zink, J. (2017). Five Marks of Mission: History, Theology, Critique. – www.jessezink.com

¹³ Olhausen and Kennerley. “Introducing the Five Marks of Mission”. The Church of Ireland Council for Mission.

¹⁴ Olhausen and Kennerley. “Introducing the Five Marks of Mission”. The Church of Ireland Council for Mission.

3. To respond to human need by loving service

Proclamation of the Gospel is weakened without action (Luke 4:18). Jesus' actions freed people from alienation and sin.¹⁵ As a community of believers, as the body of Christ, we are called to love our neighbour and a part of this is loving service of those around us. Here we see the priorities of family and community – their needs and wellbeing – as a concern.

4. To transform unjust structures of society, to challenge violence of every kind and pursue peace and reconciliation

Whilst Jesus calls for a more personal transformation (Romans 12:2), he does mourn the lack of transformation in society (Matthew 23:37). The real call for justice and transformation of unjust structures and behaviour is seen in the Old Testament prophets, such as Isaiah.¹⁶ This speaks very much to our priority of working with communities and ensuring we are doing everything we can to make sure the communities around us have tika and pono¹⁷ – what is just and what is right.

4

5. To strive to safeguard the integrity of creation, and sustain and renew the life of the earth

The laws laid out in the Old Testament in Leviticus have a clear ecological consequence for the preservation of the land. Sadly, in ensuing centuries humanity has abused the “dominion over all living things” as ordained by God (Genesis 1). Jesus was deeply aware of God's care for all creation (Matthew 6:26) and so should we.¹⁸ Here the theme of the Diocese Mission Action Plan and Bishop Peter's vision for the Diocese, that is, regeneration, is reflected. Our focus is on the regeneration of the church, but alongside this we need to focus on the regeneration of nature and the planet too.

¹⁵ Olhausen and Kennerley. “Introducing the Five Marks of Mission”. The Church of Ireland Council for Mission.

¹⁶ Olhausen and Kennerley. “Introducing the Five Marks of Mission”. The Church of Ireland Council for Mission.

¹⁷ Cadogan, T. (2004). A three-way relationship: God, land, people. A Maori woman reflects. In H. Bergin, & S. Smith (Eds.), *Land and place: He whenua, He wāhi: Spiritualities from Aotearoa New Zealand* (pp. 27-43). Auckland: Accent Publications.

¹⁸ Olhausen and Kennerley. “Introducing the Five Marks of Mission”. The Church of Ireland Council for Mission.

Appendix D - Principles

1. God's intention is for the church to grow

A plantation forest depends on human intervention to plant over and over again. In the native forest new growth emerges all the time without the need for anyone to plant or strive to make it happen. When the church is living into its missional calling, being the church God intended, it naturally and supernaturally grows.

Day by day, [all those who believed] spent much time together in the temple, they broke bread at home and ate their food with glad and generous hearts, praising God and having the goodwill of all the people. And day by day the Lord added to their number those who were being saved. Acts 2: 46-47

Jesus said, "The Kingdom of God is like a farmer who scatters seed on the ground. 27 Night and day, while he's asleep or awake, the seed sprouts and grows, but he does not understand how it happens. Mark 4: 26-27

2. God's work in History often disrupts what has gone before

There is a continual flux of growth and change. In God's Kingdom, God regularly calls his people into a state of change, into something new – new forms, new expressions, new methods, new ways of being his people in the world. The arrival of Jesus marked incredible change for the religious elite, who thought they understood how God worked in the world.

*Do not remember the former things,
or consider the things of old.
I am about to do a new thing;
now it springs forth, do you not perceive it? Isaiah 43: 18-19*

Who would patch old clothing with new cloth? For the new patch would shrink and rip away from the old cloth, leaving an even bigger tear than before. And no one puts new wine into old wineskins. For the wine would burst the wineskins, and the wine and the skins would both be lost. New wine calls for new wineskins. Mark 2: 21-22

3. God gives the Holy Spirit to breathe new dreams and visions onto his people.

God calls us to be attentive to his presence and his calling as individuals and as communities of faith. Where God is at work variety flourishes. A native forest is full of an abundance of life in many forms, whereas a plantation forest creates a monoculture. God calls us into his variety and abundance.

*'In the last days it will be, God declares,
that I will pour out my Spirit upon all flesh,
and your sons and your daughters shall prophesy,
and your young men shall see visions,
and your old men shall dream dreams. Acts 2: 17*

4. The church needs to adapt its structures and approaches to the social climate we now occupy while staying true to the Gospel

For 1500 years the Church held a privileged place in society, influencing every level of society. This season of Church history is coming to a close. As it comes to an end, we are entering a season where the Diocese will need to take up a new challenge. Like the early church, we will need to be apostolic and evangelistic, boldly dreaming of new ways of sharing the good news of the gospel. This is a challenge that will need to be embraced by every Parish and ministry unit. Every parish needs to wrestle in their context what it would take to grow in number and grow younger. In this season Parish leaders will also need to be able to cast a compelling vision for the Christian community God calls us to be part of.

Where there is no vision, the people perish. Proverbs 28: 18a

The gifts God gave were so that some would be apostles, some prophets, some evangelists, some pastors and teachers, to equip the saints for the work of ministry, for building up the body of Christ. Ephesians 4: 11-12

5. Like the Easter story, death can be a precursor to new life

Often new growth cannot flourish until older plants die and make way for light to shine on new growth. As the Easter story illustrates, sometimes we have to enter a season of death before we see new life. So in church life, we need to allow natural death to occur to allow the following life to emerge.

Jesus said: Every branch in Me that does not bear fruit, God takes away; and every branch that bears fruit, God prunes it so that it may bear more fruit. John 15: 2

6. God calls his people to ongoing regeneration

When room is given for the new growth to emerge in the church, the church will regenerate. We need to ensure we are positioning ourselves for long term sustainability in all we undertake in church life.

I will build my church, and all the powers of hell will not conquer it. Matthew 16: 18

And the Good News about the Kingdom will be preached throughout the whole world, so that all nations will hear it; and then the end will come. Matthew 24: 14

Appendix E – Walking the talk in our ministry units

There are an infinite number of ways of adapting this Diocesan Mission Action Plan to the practical life of our individual ministry units. The following table gives some ideas that can be used to start discussion and thinking for mission in our ministry units. It is structured to help us consider different forms of growth as well as the three mission priority areas proposed in this document.

	Making Disciples	Supporting Families	Strengthening Communities
Grow in Strength	<p>Create opportunities for devotion/worship/prayer that will stretch the congregation;</p> <p>Develop a process for the whole parish to consult on major mission initiatives;</p>	<p>Teach families how to pray with their children;</p> <p>Teach children how to pray with their parents;</p> <p>Collaborate with families to learn their needs in discipleship, mission, and daily life;</p>	<p>Assess local community needs and parish strengths;</p> <p>Develop mission initiatives that use parish strengths to meet local needs;</p>
Grow in Depth	<p>Discipleship for personal growth and mission;</p> <p>Grow in knowledge of Scripture;</p> <p>Grow in understanding of liturgy, Christian history, Anglican tradition;</p>	<p>Teach families to teach themselves;</p> <p>Help families to bring worship and learning into the centre of their home lives;</p>	<p>Start all mission and ministry planning with prayerful discernment and listening;</p> <p>Ensure mission initiatives are more than good social work/care, but also proclaim Jesus;</p>
Grow in Breadth	<p>Training for culturally appropriate evangelism;</p> <p>Create expressions of devotion/worship/prayer that will meet the cultural needs or expectations of those not currently part of any church;</p>	<p>Intentionally reach families in the community that are under-represented in the congregation;</p>	<p>Ensure mission initiatives are effective for the cultures and demographics present in the community, but not currently present in the congregation;</p>