

## **THE CATHEDRAL ACT 2002**

### ANALYSIS

1. Short Title ...

#### **Part I- The Cathedral**

2. Christ Church, Nelson, to be the Cathedral.
3. Duties of the Chapter and Parish.
4. Cathedral Fabric Repair Fund.
5. Joint meetings of Vestry and Chapter.
6. Financial report to Chapter.
7. Absence or illness of Bishop

#### **Part II - Parish of Christ Church, Nelson**

8. Cathedral deemed to be Parish
9. Church Rights of Christ Church Parish
10. Insurance of the Cathedral.
11. Bishop's right to nominate preachers.
12. Use of the Cathedral by Bishop.

#### **Part III - The Chapter**

13. Appointment of Diocesan Canons.
14. Parish Wardens to be Chapter members.
15. Appointment of Canon in Residence.
16. Chapter membership.
17. Criteria for appointment as Diocesan Canon.
18. Period of appointment for Canons.
19. Members to sign declaration.
20. Meetings and Quorum of Chapter
21. Authority to establish sub-committees.
22. Resignation and vacation of office.

#### **Part IV - Miscellaneous**

23. Appointment of Dean.
24. Resolution of difficulties to be referred to Standing Committee.
25. Cathedral Act 1981 repealed.

AN ACT TO PROVIDE FOR THE CONSTITUTION OF A CATHEDRAL CHAPTER AND OTHER MATTERS INCIDENTAL TO A CATHEDRAL.

BE IT ENACTED by the Bishop, Clergy and Laity of the Diocese of Nelson, in Synod assembled and by the authority of the same as follows:-

PART 1

THE CATHEDRAL

1. The short title of this Act shall be "the Cathedral Act 2002".
2. The Bishop having placed his/her chair in the Church of the Parish of Christ Church, Nelson, such Church is and shall be designated the Cathedral of Christ Church, Nelson.

2006 3.(1) The Chapter of the Cathedral (hereinafter called "The Chapter") shall:

(a) promote and encourage the use of the Cathedral for such local, Diocesan, ecumenical and missionary functions as may be approved by the Bishop and the Dean (or by the Vicar of the Parish of Christ Church, if s/he be not the Dean)

(b) work with the Parish of Christ Church to ensure the repair, maintenance and enhancement of the Cathedral in accordance with sub-section (2), (3) of this section, and section 4 of this Act.

(2) The Parish of Christ Church shall be responsible for the painting of such parts of the Cathedral as require painting and for the maintenance of all gutterings and downpipes and all drains clear from obstruction. The said Parish shall also be responsible for the maintenance of the organ and all other furniture and furnishings of the Cathedral including the seating therein.

PROVIDED that no substantial alteration in the seating or furnishing of the Cathedral shall be made without the consent of the Chapter.

(3) Except as provided in sub-section (2) hereof the Chapter shall be responsible for the maintenance of the fabric of the Cathedral.

4. The Nelson Diocesan Trust Board Incorporated (hereinafter called "The Trustee") shall be the Trustee of the Cathedral Fabric Repair Fund which fund both as to capital and to income shall be at all times at the disposal of the Chapter for the purpose of maintaining the Cathedral in

- a proper state of repair and for such other purpose as the Chapter shall from time to time direct.
5. It shall be appropriate for the Vestry of the Parish of Christ Church or for the Chapter to request a joint meeting of both bodies for the purpose of each body discharging their responsibilities in respect of Section 3 of this Act in a coherent and timely manner.
  6. Following its Annual General Meeting the Parish of Christ Church shall supply to the Chapter a copy of its financial report to that meeting.
  7. In the event of the Bishop being absent from the Diocese or when she/he shall be prevented by illness or other serious cause from acting personally all the functions and duties prescribed in this Act to be discharged by the Bishop shall be discharged by the Vicar-General or by a Commissary specially authorised by the Bishop and in the event of the Diocese being vacant by the Commissary of the Primate.

## PART II

### THE PARISH OF CHRIST CHURCH, NELSON

8. The Cathedral shall be deemed to be the church of Christ Church, Nelson.
9. Nothing in the Act shall affect the rights of the parishioners to elect Churchwardens and Vestry member for the management of their parochial affairs or the rights of nomination to Synod.
10. The Parish of Christ Church, Nelson, shall insure the Cathedral in the name of the Trustee for the functional replacement value. The Parish is not required to insure the Cathedral at full replacement value.
11. The Bishop shall have the right of nominating special preachers at not more than fifteen services of any year of which not more than four shall fall on consecutive Sundays, provided that the Vicar could expect, where possible, not less than one month's notice of such nomination.
12. The use of the Cathedral and organ shall be at the disposal of the Bishop for special extra-parochial services under the entire arrangement of the Bishop.

PROVIDED that such services do not unnecessarily interfere with the regular parochial services of the Parish nor that the Parish be liable for any expense.

PROVIDED also that at the Consecration and Installation of a Bishop the Commissary shall have control of all arrangements.

### PART III

#### THE CHAPTER

- 2006 13. Up to four Clerical and four Lay Canons may be appointed by the Bishop in consultation with the Dean for the purposes of supporting, promoting and encouraging the ministry and mission of the Cathedral in and to the Diocese as a whole and to the whole community in seeking to foster good relationships to the same and of ensuring the repair, maintenance and enhancement of the Cathedral.
14. The Cathedral Churchwardens (or alternates nominated by the Cathedral Vestry) shall be ex-officio members of the Chapter with full voting rights, and for their period of office on the Chapter shall be entitled to the style Lay Canon.
15. The Bishop, on the nomination of the Dean and Churchwardens of the Cathedral Vestry, may appoint any full time priest [of not less than five years standing] on the Cathedral staff as Canon in Residence, the said Canon shall be entitled to a seat on the Chapter without voting rights. The said priest shall not continue as a Canon or as a member of the Chapter on departure from the Cathedral Ministry team.
16. The Chapter shall comprise the Bishop, the Dean, the Vicar General, the Chancellor and the Canons.
17. The Diocesan Canons shall be people who are actively involved in the life and ministry of the Church and widely respected in the Diocese and who have the commitment and ability to help the Cathedral Chapter fulfill the purposes set out in this statute.
18. Each Diocesan Canon appointed shall be for a period of four years, and any appointee may from time to time be re-appointed for a further term.
- Provided that at the expiration of their term they remain in office, unless Section 20 applies, until such time as their successor is appointed.
19. Before taking up office each appointee shall make the Declaration required by Section 15 Part C of the Constitution of the Church and indicate agreement with the Diocesan Vision statement as adopted from time to time by the Diocesan Synod.

- 2006 20. The Chapter shall meet at least twice annually but may meet more often in order to fulfill its purposes. Meetings may be chaired by the Bishop (and in his absence by the Dean) or the Bishop may ask the Chapter to elect a Chair and a Deputy Chair for a specified period. The quorum shall be eight of whom four shall be Diocesan Canons.
21. The Chapter may establish sub-committees to oversee its work between full Chapter meetings. Appointees to the sub-committees need not necessarily be members of the Chapter. The Chapter may determine the rules for the ordering of these committees.
22. A Clerical Canon shall be deemed to have vacated office on appointment as Bishop, Dean or Archdeacon; or moves from the Diocese or resigns in writing to the Bishop, or ceases to hold the Bishop's Licence, or ceases to be a worshipping member of an Anglican congregation. In the case of a Lay Canon they shall be deemed to have vacated office on the ordination to the Diaconate and/or priesthood; or moved from the Diocese or have resigned in writing to the Bishop, or cease to be a worshipping member of an Anglican congregation.

#### PART IV

#### MISCELLANEOUS

- 2006 23. (a) The Bishop may appoint a Dean [who may or may not be the Vicar of the Christ Church Parish, Nelson] who shall hold office at the pleasure of the Bishop
- (b) If in the opinion of the Bishop the Dean for any reason is unable to wholly or partially undertake the duties of the Dean, the Bishop may appoint an Acting Dean on such terms and conditions as she/he thinks fit.
- (c) That upon the office of Dean becoming vacant the functions of the Dean shall be performed by The Bishop (or an appointee of the Bishop) until such time as at his/her discretion he/she shall appoint a Dean
- (d) The Bishop shall consult the Chapter before appointing or terminating an appointment of a Dean or Acting Dean.
- (e) In the event of an appointment of a Dean who is not Vicar of Christ Church Parish, the Bishop shall consult with the vestry before making the appointment.

24. Should any difficulty or difference arise in connection with any of the provisions of this Act, or any of the respective rights and responsibilities concerning the use, maintenance and repair of the Cathedral or any difference of opinion between the Chapter and the Parish of Christ Church, the Standing Committee shall decide the course to be adopted.
25. The Cathedral Act 1981 is hereby repealed