

**GRAFTON DIOCESAN GOVERNANCE ORDINANCE 2008
AMENDING ORDINANCE (PARISH ADMINISTRATION) 2019
Ordinance No. 7 of 2019**

An Ordinance to amend the Grafton Diocesan Governance Ordinance 2008 with regard to the arrangements for the administration of the parishes of the Diocese.

PREAMBLE

Whereas the arrangements for the administration of the parishes of the Diocese of Grafton are principally contained within Chapter 10 of the Grafton Diocesan Governance Ordinance 2008 ("the principal Ordinance"); and

Whereas it is desirable to have the Ordinance amended with respect to the arrangements for the administration of the parishes of the Diocese;

Therefore, the Bishop, Clergy and Laity of the Diocese of Grafton, assembled as the Synod, decree and enact as follows:

AMENDMENTS

1. Replace Chapter 3 – Definitions of the principal Ordinance with Schedule 1 of this amending ordinance.
2. Replace Chapter 10 – Parish Administration of the principal Ordinance with Schedule 2 of this amending ordinance.
3. Delete clauses 44.1 to 44.12 inclusive of the principal Ordinance.
4. Insert a new clause 43.6 as below:

"An elected Synod Representative may be removed following a resolution of Bishop-in-Council, if the representative:

 - (a) becomes mentally or physically incapable of undertaking duties as a Synod Representative;
 - (b) is convicted of an indictable offence in any court;
 - (c) ceases to be qualified under any provision of this Ordinance; or
 - (d) fails to attend any session of Synod without reasonable excuse or Leave of Absence granted by the Bishop."
5. Insert a new clause 43.7 with the words "If for any reason, one of more elections or appointments that compose the membership of the Synod is not completed, such failure will not invalidate the proceedings of Synod."
6. Amend clause 200.1 of the principal Ordinance by replacing the words "clause 78" with "clause 75.3".

COMMENCEMENT

7. This Ordinance shall come into effect upon the assent of the Bishop with the exception of any provision which amends the number of office bearers to be elected or appointed at any parish, such provision to come into effect upon the next Annual General Meeting of a Parish.

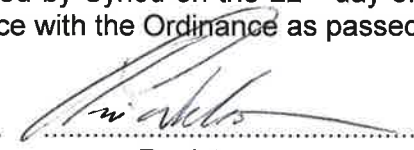
SHORT TITLE

8. This Ordinance may be cited as the Parish Administration Amending Ordinance 2019.

ASSENT

We hereby certify that this Ordinance was passed by Synod on the 22nd day of June, 2019 and that the Ordinance as printed is in accordance with the Ordinance as passed.


.....
Chair of Committees


.....
Registrar

I assent to this Ordinance.


.....
Bishop


.....
Date

SCHEDULE 1

CHAPTER 3 – DICTIONARY

Definitions

In this Ordinance unless inconsistent with the context or subject matter-

- 4.1 **Administrator** means the Ordained Person who administers the affairs of the Diocese and exercises the authorities, powers, rights and duties conferred or imposed upon the Bishop in the absence of the Bishop in accordance with clause 20 of this Ordinance.
- 4.2 **Annual General Meeting** means the annual meeting of the members of a Parish or other Ministry Unit.
- 4.3 **Archdeacon** for the purpose of this Ordinance means a person licensed by the Bishop of Grafton to the role of Archdeacon but not including those given the title on an honorary basis.
- 4.4 **Archives** means the body of records of continuing value to the Church stored in the Diocesan Records Centre and which provides a corporate memory.
- 4.5 **Bishop** means the Bishop of the Diocese or the Bishop's Commissary if the Bishop be absent from the State or the Administrator of the Diocese if the See be vacant.
- 4.6 **Bishop-in-Council** means the Bishop acting with the advice and consent of the Council.
- 4.7 **Canonically Fit** means a person who has canonical fitness within the meaning of section 74(1) of the Anglican Church of Australia Constitution Act 1961 (Schedule E).
- 4.8 **Centre** is any building where a congregation gathers regularly, within the context of a Parish and under the leadership of an Incumbent, for the purpose of worship.
- 4.9 **Chair of Committees** means the person elected pursuant to clause 6 of the First Schedule to chair Synod when it is formed as a Committee of the Whole.
- 4.10 **Chancellor** is the principal confidential adviser to the Bishop of the Diocese in legal and related matters and is appointed pursuant to clause 21 of this Ordinance.
- 4.11 **Chaplain** means a Minister working within, or in charge of, a Chaplaincy.
- 4.12 **Chaplaincy** means a Ministry Unit designated by a sphere of ministry.
- 4.13 **Church** means:
As **Church**: the Anglican Church of Australia.
As **church**: a Christian denomination or religious group, or **Centre**, as the context allows.
- 4.14 **Church Trust Property** includes all or any part of any real and personal property which may for the time being be subject to any trust whether by dedication, consecration, trust instrument, or otherwise, for or for the use of, or purposes of the Church within this Diocese.
- 4.15 **Churchwarden** means a Churchwarden elected by the Parish Annual General Meeting or a Churchwarden appointed by the Incumbent or by the Bishop.

- 4.16 **Commissary** means the ordained person licensed by the Bishop in terms of clause 19 of this Ordinance.
- 4.17 **Conflict of Interest** means a situation in which a person is involved in more than one interest and serving one interest could reasonably be perceived as working against another interest.
- 4.18 **Corporate Trustees** means The Corporate Trustees of the Diocese of Grafton.
- 4.19 **Council** means the advisors of the Bishop in the temporal affairs of the Church whether elected or appointed and who meet as Bishop-in-Council.
- 4.20 **Diocesan Advocate** means the legal practitioner appointed to advise on and undertake the legal work of the Diocese pursuant to clause 22.
- 4.21 **Diocesan Archivist** means the person appointed by Bishop-in-Council to administer the Records Centre and related activities.
- 4.22 **Diocese** means the Diocese of Grafton.
- 4.23 **Discernment Synod** is a special session of Synod to determine the qualities, characteristics and skills desired of a new Bishop and to elect members of a Bishop Appointment Board.
- 4.24 **Disposal** (in relation to Records) means the retention, transfer, destruction, or otherwise treating of records in accordance with a disposal authority.
- 4.25 **Divine Service** is an act of corporate worship in accordance with the Canon Concerning Services 1992 adopted under ordinance by the Diocese of Grafton in 1998.
- 4.26 **Faculty** means a permission from the Bishop to alter, add or remove any furnishings, fittings or ornaments within a place of worship.
- 4.27 **Incumbent** means a Minister (whether Rector or Priest-in-Charge) instituted and inducted as the ordained person in charge of a Parish. Where the position of Incumbent is vacant, the Bishop may appoint a locum tenens who shall have the rights and responsibilities of the Incumbent to the extent licensed by the Bishop.
- 4.28 **Lay Worker** means a lay person paid by a Ministry Unit for non-Pastoral or non-Ministry services within the Ministry Unit.
- 4.29 **Licensed Lay Minister** means a lay person who holds a licence from the Bishop issued under the provisions of Chapter 14 of this Ordinance.
- 4.30 **Member of the Church** means a baptised person who attends the public worship of the Church and who declares membership of the Church and is not a member of any other Church.
- 4.31 **Metropolitan** means the presiding bishop of a province of the Anglican Church of Australia as per Section 9 of The Constitution of the Anglican Church of Australia. In the case of the Diocese of Grafton, the Archbishop of Sydney is the Metropolitan.

- 4.32 **Minister** means any ordained person or lay person, who holds a Licence from the Bishop to perform Pastoral or Ministry duties as specified in that licence.
- 4.33 **Ministry Unit** means any division of the Diocese constituting a separate geographical area (Parish) or sphere of ministry (Chaplaincy).
- 4.34 **Nominator** means a person elected at an Annual General Meeting to represent a Parish at a Presentation Board.
- 4.35 **Ordained Person** means the Bishop (or a Bishop) or a person ordained as Deacon or Priest or licensed by the Bishop to exercise Ministry in the Diocese.
- 4.36 **Parish** means a Ministry Unit designated by geography.
- 4.37 **Parish Buildings** means Parish churches, centres, Rectories, Halls and other buildings used for the purposes of the Parish.
- 4.38 **Parish Church** means the church which is the principal place of worship in a Parish.
- 4.39 **Parish Council** means those of the Parish responsible to govern the affairs of the Parish and whose membership is defined in this Ordinance.
- 4.40 **Parishioners** means Members of the Church who are active participants in the life and worship of the Parish.
- 4.41 **Pledge** means the contribution which a Ministry Unit has promised to contribute to the funds of the Diocese.
- 4.42 **Priest-in-Charge** means a Priest commissioned by the Bishop to be the Incumbent responsible for a Parish. The licence of a Priest-in-Charge is revocable by the Bishop.
- 4.43 **Professional standards** are those requirements for behaviour, background checks and/or training for the purposes of setting and maintaining standards of behaviour that is ethical and safe especially for vulnerable people and where a high level of trust is implicit.
- 4.44 **Record** means information recorded in any form, including data in computer systems, created or received and maintained by the Church or any part of it or any members thereof in the conduct of affairs or the transaction of business and kept as evidence of such activity. The record may be created at the direction or by authority of the Church or consequent upon a function duty or power to keep records.
- 4.45 **Records Centre** means the place provided by the Diocese where non-current records and archives are housed.
- 4.46 **Rector** means a Minister in charge of a Parish, who is inducted and instituted to the Cure of Souls with the traditional rights of a Rector unless otherwise controlled by this Ordinance.
- 4.47 **Registrar** means the Registrar of the Diocese appointed by Bishop-in-Council under this Ordinance clause 60 and in the Registrar's absence the Acting Registrar so appointed and acting as the Registrar.

- 4.48 **Secretary** means as the context dictates
- a) the Secretary of The Corporate Trustees appointed in accordance with this Ordinance or the Acting Secretary appointed by The Corporate Trustees; or
 - b) a Secretary of the Synod;
 - c) a secretary of a Parish Council.
- 4.49 **Separate Trustee** means any trustee or trustees or body of trustees, whether incorporated or not, other than The Corporate Trustees or the Bishop.
- 4.50 **session** means a meeting of the Synod convened by the Bishop.
- 4.51 **sitting** means a meeting of the Synod on the day on which Synod is convened or on a subsequent day of that session.
- 4.52 **Stipendiary Lay Minister** means a minister appointed pursuant to chapter thirteen of this ordinance
- 4.53 **Synod** means the Synod of the Diocese.
- 4.54 **Synod Representative** means a person elected by a Ministry Unit at an Annual General Meeting to represent that Ministry Unit at Synod.
- 4.55 **the Clerk** means the Clerk of Committees of the Synod.
- 4.56 **the President** means the President of the Synod.

SCHEDULE 2

CHAPTER 10 - PARISH ADMINISTRATION

SECTION 1 - PARISH GOVERNANCE

Governance Objectives

- 74.1 This Chapter seeks to provide Parishes with a transparent, accountable and inclusive system of governance, led by the Incumbent, Churchwardens and Parish Council, and which encourages the members of the Parish to be involved in the worship, ministry and outreach of the Parish and to participate in the life of the Diocese.

Governance Principles

- 75.1 The responsibility for the governance and management of the Parish's activities to enhance the life of the church and Diocese will be a shared conciliar ministry which is inclusive, transparent, collaborative and accountable and be in accordance with the Diocesan Vision and Mission.
- 75.2 The Parish Council prepares and assists in implementing programs designed to further the Mission and Ministry of the Church in the Parish and beyond.
- 75.3 The duties and responsibilities of the Parish Council are:
- (a) to initiate, conduct, plan and develop the worship, mission and ministry of the Church both within the Parish and the wider community;
 - (b) to prepare and assist in implementing programmes designed to further the mission and ministry of the Church in the Parish and beyond;
 - (c) to provide and preserve all things needed for the proper celebration of Divine Service, the administration of the Sacraments and Rites of the Church and safe keeping of Parish records;
 - (d) subject to the Diocesan Ordinances, to have authority over the administration of Parish funds (including the funds of all Parish organisations), their receipt and disbursement, and to have authority in all matters connected with the material assets or liabilities of the Parish;
 - (e) to appoint individuals, task groups, working groups or committees as it considers necessary to assist in the discharge of its functions;
 - (f) to ensure that the Parish maintains a healthy financial state;
 - (g) to be responsible for the drawing up of a budget, being an estimate of income and expenditure of the Parish for the ensuing year, for the presentation of the budget to the Annual General Meeting for adoption by the Parishioners, for the amendment from time to time as necessary of the budget as adopted at the Annual General Meeting, and for such actions as may be necessary to adhere to budget;
 - (h) to make provision for the punctual payment of all stipends, wages and other debts.
 - (i) to deduct, make and transmit to the Registrar, or to such other persons or bodies as may be required, all lawful and statutory charges as required;
 - (j) to ensure that the parish accounts are appropriately audited following each year end and in preparation for the Parish Annual General Meeting;
 - (k) so far as the Parish funds lawfully available for these purposes may allow, to keep in repair the fabric of the Church and all other buildings of the Parish and to provide such furnishings and amenities in the residences owned by the Parish as may be prescribed by the Diocesan Clergy Housing Standards;
 - (l) to participate in the Diocese's Master Insurance Policy and ensure that, not less frequently than annually, complete information is provided so that the most appropriate insurance coverage can be purchased;

- (m) to ensure that all people undertaking remunerated duties in the Parish (with the exception of bona fide contractors and external service providers) are included in the central payroll function of the Diocese's Registry and that all information required for accurate and fair remuneration is provided to the Registry in a timely manner;
- (n) to ensure that the required compliance and probity checks for volunteers and employees are conducted;
- (o) to ensure compliance with any other professional standards requirements prescribed by Bishop-in-Council;
- (p) to ensure that the required declarations to the Australian Charities and Not-for-profit Commission are timely, accurate and complete; and
- (q) to manage with integrity any conflict of interest that arises for individual members or the Council in general whilst executing the duties and responsibilities of a Parish Council.

75.4 The Bishop is responsible for the appointment of an Incumbent to each Parish to lead the spiritual life and assist in the temporal dimensions of the Parish's corporate life in partnership and collaboration with the members of the Parish and Diocese as a whole.

75.5 The governance principles of this Ordinance are predicated upon a Parish having adequate membership and resources to sustain the life of the Parish as an agency for worship, ministry and outreach and has in place proper governance structures. Where any one or more of the following conditions showing lack of membership or resources apply:

- (a) Parish unable to achieve a quorum for its Annual General Meeting as per clause 82.6 of this Ordinance;
- (b) Parish fails to fill at least 2 of its churchwarden positions and at least 3 of its Parish Council positions by 31 March of any year;
- (c) Parish has insufficient income to require payment of a Parish Pledge as per sub-clause 57.1(g) of this Ordinance; or
- (d) Parish is more than 30 days overdue with a prescribed payment to the Diocese

the following will apply:

- (i) An Archdeacon investigates the circumstances of the parish and writes a report for the Bishop and Bishop-in-Council on the status and future of the parish;
- (ii) The Parish will forfeit its representation at Synod and as part of any Presentation Board for the filling of any vacancy of Incumbent;
- (iii) The Parish will forfeit its rights in clauses 72.3 and 72.5 of this Ordinance with regard to boundary changes;
- (iv) The Bishop may appoint at his/her discretion a person or persons to administer the Parish in place of any Churchwardens or Parish Councillors elected or appointed by a Parish Annual General Meeting or by Parish Council or by the Incumbent; and
- (v) A plan for the restoration of appropriate governance may be developed for the approval of Bishop-in-Council and Bishop-in-Council may resolve that the Parish is exempted from these special provisions for such time, or is subject to such conditions, as is determined by Bishop-in-Council.
- (vi) Bishop-in-Council, having considered the report of the Archdeacon in (i) and there having been no plan approved under (v), may recommend to the Bishop that a new structure for ministry in the area be developed and the Parish closed.

75.6 The Corporate Trustees of the Diocese of Grafton is the legal entity with the ability to enter into legally binding contracts affecting, or on behalf of, parishes within the

Diocese. The Parish, Parish Council, Incumbent and Churchwardens do not have the authority to enter into legally binding contracts except as specifically delegated by the Corporate Trustees.

SECTION 2 – PARISH ROLES

Churchwardens

- 76.1 The Churchwardens, whether elected or appointed by the Incumbent, shall:
- (a) work together with the Incumbent to initiate, conduct and develop the mission and ministry of the Church, especially as it concerns the Parish;
 - (b) ensure that all things necessary for the proper conduct of Divine Service are provided within the churches of the Parish;
 - (c) for services of worship, keep order and provide for the due seating of the people and the collection of monetary gifts and other offerings;
 - (d) ensure adequate provision is made for the proper preservation and safe custody of the service registers, vessels for sacramental worship and other valuables;
 - (e) keep an inventory of assets in the care of the Parish;
 - (f) report to the Parish Council on:
 - (i) any expenditure necessary to preserve the fabric of Parish buildings and the furniture therein; and
 - (ii) any expenditure necessary to keep the fences and grounds in order;
 - (g) see that the accounts of any funds belonging to the Parish are made up and closed on the thirty first day of December each year and that an audited statement of such accounts is laid before the Annual General Meeting;
 - (h) as necessary, and with the agreement of the Incumbent, arrange for consultations with any group of the Parish;
 - (i) report to the Bishop any irregularities in the performance of Divine Service or wilful neglect of duty or serious misconduct or ineffectiveness on the part of the Incumbent;
 - (j) be present for, and provide assistance to, the Bishop or Archdeacon as requested;
 - (k) hand over to their successors the custody of all funds, assets, inventory of assets, other Parish property, keys, passwords, access codes and files.
- 76.2 The Churchwardens and Incumbent, in consultation with the Registrar, shall be responsible for the appointment, control and dismissal of lay workers who are not required to hold a Bishop's licence to undertake their work.

Treasurer

- 77.1 The duties of the Treasurer of the Parish Council shall be:
- (a) to ensure the financial transactions of the Parish Council are recorded in such form as shall be determined from time to time by the Bishop-in-Council or, if no such determination has been made, in a form and manner as resolved by Parish Council to be appropriate for the Parish;
 - (b) to present a financial statement to each meeting of the Parish Council;
 - (c) to ensure monies are received and deposited appropriately and securely;
 - (d) to ensure that accounts are paid as the Parish is obligated;
 - (e) to ensure that the accounts of the Parish and its Organisations are audited at the end of each year;
 - (f) to prepare before each Annual General Meeting of Parishioners an audited statement of the Parish's financial affairs and to send a copy of such Statement, signed by any two of the Incumbent and the Churchwardens, to the Registrar by 31 March of that year;

- (g) to provide without delay any further Information on the financial affairs of the Parish and its organisations as may be required by the Registrar;
- (h) to send to the Registrar, at the same time as the statement referred to in sub-clause (f), copies of financial statements of each organisation of the Parish which must have been audited; and
- (i) to carry out any other financial functions as may be assigned by the Parish Council.

77.2 Any person with the role of Treasurer, bookkeeper or equivalent, whether for all of the Parish or a group within the Parish, is required to satisfactorily complete a National Police Check prior to performing these duties and to renew this Check as required by any regulation of the Diocese.

Secretary

78.1 The duties of the Secretary of Parish Council shall be:

- (a) to send notices of meeting to members of the Parish Council;
- (b) to keep minutes of the proceedings of the Parish Council;
- (c) to conduct correspondence on behalf of the Parish Council;
- (d) to prepare in consultation with the Incumbent agenda for meetings; and
- (e) to perform such other administrative functions as may be assigned by Parish Council.

Working with Children

79.1 Any position that is identified as working with children, shall be risk assessed and all who work (including volunteers) in such positions shall hold a current 'Working with Children's Check' from the NSW Office of the Children's Guardian and comply with the Code of Conduct 'Faithfulness in Service'.

SECTION 3 – PARISH COUNCIL

Parish Council Composition

80.1 There shall be a Parish Council consisting of:

- (a) the Incumbent;
- (b) any full-time stipended licensed clergy or full-time stipended Licensed Lay Ministers of the parish.
- (c) Any other clergy or stipended lay member of the parish at the discretion of the Incumbent in consultation with the Churchwardens.
- (d) A minimum of one and a maximum of two lay people elected as Churchwardens;
- (e) any layperson appointed as Churchwarden by the Incumbent;
- (f) laypersons elected as Parish Councillors (a number divisible by three but to a maximum of nine); and
- (g) any lay members of the Parish appointed by the Incumbent (one for each three elected Parish Councillors).

80.2 Each member of Parish Council shall comply with any requirement set by Bishop-in-Council for compulsory checks or training for professional standards purposes. Failure to do so will result in cancellation of their membership of Parish Council.

80.3 All members of the Parish Council shall hold a current 'Working with Children's Check' from the NSW Office of the Children's Guardian. Those elected to, appointed to, or ex-officio members of Parish Council who do not hold a 'Working with Children's Check' at the time of their election, appointment or becoming

otherwise qualified for membership of Parish Council shall have their membership held in abeyance until a 'Working with Children's Check' is obtained.

- 80.4 In circumstances where three months has elapsed since election, appointment or becoming otherwise qualified and the potential member of Parish Council has not obtained a 'Working with Children's Check', their election or appointment will lapse and be cancelled.
- 80.5 Those who become ex-officio members of Parish Council (i.e. obtaining a membership right through the holding of another office or position) and lose their right to membership of Parish Council under any of the provisions of 80.2 to 80.4 inclusive, will also be removed from the office or position that created the ex-officio membership of Parish Council.

Annual General Meetings, Special Meetings and Formation of Parish Council

- 81.1 An Annual General Meeting of members of a Parish must be held before the end of February each year. The date, time and place of the Annual General Meeting is at the discretion of the Incumbent after consultation with Parish Council.
- 81.2 A Special Meeting of the members of a Parish shall be held at any time at the request of:
- a) the Bishop or
 - b) the Incumbent or
 - c) the Churchwardens or
 - d) any 20 Parish members who are eligible to vote.
- Such a meeting shall be held within 28 days of the request being made.
- 82.1 A notice in writing of any Annual General Meeting or Special Meeting (i.e. 'meeting of the Parish') must be given fourteen days before the date of meeting. Such notice must be placed in a clearly visible place at the entrance of all places of worship for all members of the Parish to see and must include:
- (a) the venue;
 - (b) the time; and
 - (c) the agenda or purpose of the meeting.
- 82.2 Parishioners who:
- (a) are members of the Anglican Church of Australia and no other church;
 - (b) usually partake of holy communion when attending public worship where this is offered;
 - (c) are sixteen years of age or over; and
 - (d) have not voted, or will not vote, in any similar meeting in any other Parish, in the past 6 months
- may vote in any meeting of the Parish. Those eighteen years of age or over can be nominated for any position in the governance structures of the Parish.
- 82.3 A person may exercise their right as a Parishioner of only one Parish in respect of any of the provisions regarding voting and nomination contained in this Ordinance. If a person is active in more than one Parish, they must nominate the Parish of which they consider themselves to be a Parishioner, for at least the past 6 months, for the purpose of exercising voting and nomination rights under this Ordinance.

- 82.4 All persons present shall subscribe to a declaration that
- “We whose full names and signatures appear below, do declare that we:
- are members of the Anglican Church of Australia and no other church;
 - consider ourselves to be Parishioners of this Parish and no other Parish for at least the last 6 months;
 - usually partake of holy communion when attending public worship where this is offered; and
 - are sixteen years of age or over.”.
- 82.5 The Chair’s decision shall be final in settling any dispute as to the eligibility of a person to vote in the meeting or to be nominated for any position. The Chair may obtain the assistance of any person or persons of their choice in considering a question of eligibility.
- 82.6 The quorum of any meeting of the Parish shall be:
- (a) six members of the Parish eligible to vote, and
 - (b) the Chair as per clause 82.7.
- 82.7 A meeting of the Parish shall be chaired by:
- (a) the Bishop, if present; or
 - (b) if the Bishop is not present or declines to chair, the Incumbent; or
 - (c) a person appointed by the Bishop, if there is no Incumbent; or
 - (d) a person appointed by the Incumbent, if the Bishop is not present and the Incumbent is unable to or declines to chair; or
 - (e) a person elected from the members present, if none of (a) to (d) above apply.
- 82.8 The Chair does not have a deliberative vote in respect of any resolution or election but has a casting vote in the event of a tied ballot in an election to fill a vacancy.
- 82.9 Any resolution at a Parish Annual General Meeting or Special Meeting is subject to further consideration by the Parish Council. The Parish Council is expected to honour the views expressed in such resolution but is responsible to examine issues of practicality, priority, affordability, compliance with laws, regulations and policies, and any other relevant matter.
- 83.1 The agenda of an Annual General Meeting should include but is not limited to:
- (a) Opening prayer;
 - (b) Tabling of the certified minutes of the previous Annual General Meeting and any Special Meeting(s) held since that time;
 - (c) Reception of the reports of the Incumbent and Parish organisations detailing activity for the past year;
 - (d) Reception of an audited statement of the financial position of the Parish and any relevant entities which contains not less than a Statement of Profit or Loss and Other Comprehensive Income and a Statement of Financial Position (i.e. Balance Sheet) for the 12 months to the 31 December previous;
 - (e) Presentation and subsequent approval of a budget for the coming year;
 - (f) Election of one or two Churchwardens for the coming year;
 - (g) Determination of the number, (divisible by three) to a maximum of 9, of Parish Councillors to be elected for the coming year and the election thereof;
 - (h) If the Bishop’s Mandate has been received, the election of lay members as Synod Representatives;
 - (i) Election of three Parish Nominators as required by clause 111 at the same Annual General Meeting as per (h) above.

- 84.1 Nominations for all positions for election at an Annual General Meeting, bearing the consent of the nominee, must be received by the Secretary of the Parish Council at least 10 days before the meeting.
- 84.2 Those nominations received by the Secretary of the Parish Council shall be notified to the Members of the Parish at services on the Sunday prior to the meeting.
- 84.3 Should there be more nominations for a position than positions vacant the meeting proceeds as follows:
- (a) Two ballot counters shall be appointed by those present.
 - (b) Each person present who is eligible to vote shall be supplied with a ballot paper.
 - (c) A member of the Parish votes by legibly writing on the ballot paper the names of those the member wishes to vote for.
 - (d) The ballot counters shall collect and count the votes cast excluding those that are illegible or informal.
 - (e) A vote is formal if it has at least one name indicated and no more names indicated than the number required to be elected.
 - (f) The results shall be reported to the Chair who shall announce the names of those elected to the meeting.
- 84.4 Where a ballot paper has been prepared prior to voting with the names of each nominee on the ballot paper, the process in 84.3 shall be followed with the following changes:
- (a) Those nominated for the position shall be listed in the alphabetical order of their surname or family name;
 - (b) A check box shall be provided on the left of the name of each nominee;
 - (c) A member of the Parish votes by placing either a tick or a cross in the box against the name of each person that they wish to vote for; and
 - (d) A vote is formal if at least one box has a tick or a cross and the number of boxes ticked or crossed is no greater than the number required to be elected.
- 84.5 In the event that there are insufficient nominations for a ballot to be conducted, the persons validly nominated will not be declared elected unless the meeting passes a resolution confirming their election.
- 84.6 If at the conclusion of the Meeting there are positions which have not been filled, the authority to fill such positions shall rest with the Parish Council. No nominations shall be accepted from the floor of the meeting.
- 84.7 The ballot papers shall be retained by the Parish Secretary for a period of not less than 30 days.
- 85.1 The Incumbent may appoint one Churchwarden.
- 85.2 The Incumbent may appoint up to one Parish Councillor for each three Parish Councillor positions as determined by the Annual General Meeting under clause 83.1(g).

Election of Parish Synod Representatives

- 86.1 At the Annual General Meeting following receipt of the Bishop's Mandate for election of Synod Representatives, or duly convened Special Meeting, the Parish shall elect the requisite number of lay Synod representatives as prescribed by clauses 43.2 (f) and (g), and alternative lay Synod Representatives (who shall

attend Synod if one or more of the original Synod Representatives is unable to attend), chosen from the Parishioners.

- 86.2 The process of this election shall be as per clauses 84.1 to 84.7 inclusive.
- 86.3 The Synod Representatives upon election shall sign and date a declaration that: "I the undersigned (full name and address) do declare that I am a communicant member of the Anglican Church of Australia and will endeavour to faithfully perform the duties of Synod Representative to the best of my ability and will conform to the Ordinances of the Synod of the Diocese of Grafton relating to this office."
- 86.4 The Incumbent shall forward the names and contact details of the elected Synod Representatives to the Bishop together with the Mandate, the Declarations made, and a copy of the minutes of the election.
- 86.5 The Synod Representatives for the Parish shall hold office for the life of the Synod (three years).
- 86.6 Any Synod Representative may resign in writing to the Bishop.

Term of appointment and vacancies

- 87.1 All elected positions shall be held until:
- (a) the holding of the Annual General Meeting at the end of their term;
 - (b) the election or appointment of a successor; or
 - (c) where the elected person dies, is disqualified from office, resigns in writing to the Incumbent, or otherwise is held to have left office.
- 87.2 Any vacancy that occurs in the office of an elected member before the Annual General Meeting may be filled by an appointment by the Parish Council, and any vacancy occurring in the office of a member appointed by the Incumbent shall be filled by an appointment by the Incumbent.

Commencement of Parish Council

- 88.1 No later than the commencement of the first Parish Council meeting after their election or appointment, each member of Parish Council shall sign the following declaration which shall be kept with the Parish Council minutes:
- "I (full name) having been appointed or elected a Churchwarden or a Parish Councillor for the Parish of do declare that I am duly qualified for the office under the provisions of the Diocesan Governance Ordinance 2008 and that I will faithfully perform all the duties of my office and conform to the Ordinances of the Synod of the Diocese of Grafton relating to that office."
- Until the above declaration is made, the member will not be permitted to participate in the deliberations of the Parish Council and failure to make the declaration within 60 days of their appointment or election will result in cancellation of their membership of Parish Council.
- 88.2 Those elected and appointed to the Parish Council by the Annual General Meeting shall be admitted to their office by the Incumbent during a public worship service.
- 89.1 The first meeting of the Parish Council shall be called by the Incumbent, no later than one month after the Annual General Meeting.

- 89.2 At the first meeting of a Parish Council following the Annual General Meeting the members of Parish Council will:
- (a) appoint a Secretary with due consideration as to the duties of the Secretary as listed in clause 78.1;
 - (b) appoint a Treasurer with due consideration as to the duties of the Treasurer as listed in clause 77.1;
 - (c) if required, appoint appropriate lay representative(s) to attend meetings of regional groupings of Parishes;
 - (d) appoint persons, not necessarily being members of Parish Council, to any position required by resolution of Synod or Bishop-in-Council to be filled by Parish Council;
 - (e) determine the time, place and frequency of meeting, which shall be no less than three monthly; and
 - (f) read and confirm the minutes of the Annual General Meeting of the Parish which the Chair shall certify as a true and correct record.

Parish Council Meetings

- 90.1 The Chair for Parish Council meetings will be the Incumbent, or a person appointed by the Incumbent, unless the Bishop is present and chooses to Chair the meeting, or a person elected from the Parish Council members present, if a chair has not been previously appointed.
- 90.2 A quorum for the Parish Council will be the greater of 4 members or a majority of the members of the Parish Council.
- 90.3 A resolution in a Parish Council meeting will be considered passed if a majority of Parish Councillors present vote in favour of the motion. The Chair does not have a casting vote.
- 90.4 A meeting of the Parish Council shall be open to all Parishioners as observers, who may be asked to:
- (a) speak at the Chair's discretion, or
 - (b) leave if the Council resolves to meet in a closed session for confidential or sensitive matters.
- 90.5 A Special Meeting of the Parish Council may be convened by the Parish Council by its own resolution, at the discretion of the Incumbent and Churchwardens, or at the request of the Bishop.

Absence or Exclusion from Parish Council Meetings

- 91.1 A Parish Council member may be granted leave of absence by the Parish Council from its meetings.
- 91.2 A Parish Council member who is absent for 3 consecutive meetings without being granted leave of absence may have his or her office declared vacant by resolution of the Parish Council.
- 91.3 The Bishop may suspend a Parish Council member pending the results of an enquiry if it is alleged that a person has:
- (a) refused or neglected to conform to the provisions of this Ordinance relating to the office; or
 - (b) ceased to be qualified for the office in accordance with the provisions of this Ordinance.

- 91.4 Bishop-in-Council may remove a Parish Council member from office following an enquiry, at which the Parish Council member has been heard, if the person has:
- (a) refused or neglected to conform to the provisions of this Ordinance relating to the office; or
 - (b) ceased to be qualified for the office in accordance with the provisions of this Ordinance.
- 91.5 In addition to the provisions of 91.3 and 91.4, a Parish Council member may be suspended or removed by the Bishop under the Professional Standards Ordinance 2004.

Executive Committee

- 92.1 A Parish may have an Executive Committee, which is authorised to take action on behalf of the Parish Council under the delegation of the Parish Council or where a prompt response is necessary. Any actions or decisions of the Executive Committee shall be reported to the next meeting of Parish Council. The Executive Committee shall consist of:
- (a) The Incumbent;
 - (b) The Churchwardens; and
 - (c) The Treasurer, if a member of Parish Council
- The Executive Committee may determine to invite others as appropriate to their meetings to assist with information necessary for decision making.

SECTION 4 – PARISH FINANCES

Parish Financial Responsibilities

- 93.1 The Parish shall be responsible for the raising of funds for its mission and ministry.
- 93.2 No Parish organisation may raise or expend funds for any purpose without permission, that may be specific or general, from the Parish Council.
- 93.3 The Churchwardens shall ensure that a record is maintained of the names of persons or Parish organisations that have received permission from the Parish Council to raise or collect funds on behalf of the Church.
- 93.4 If required, appropriate authority that complies with relevant State or Federal legislation shall be sought and issued to those raising or collecting funds.
- 94.1 All financial transfers and payments (e.g. cheques, electronic funds transfer) require the authorisation of at least two persons authorised by the Parish Council;
- 94.2 The Parish shall keep its funds at the Anglican Funds Grafton Diocese or such financial institution as permitted by Bishop-in-Council.
- 95.1 The Parish accounts shall be subject to an annual audit by an independent auditor who is, or is eligible to be, a member of a professional accounting body or registered auditor and audited financial statements shall be produced for each Annual General Meeting of the Parish.

- 96.1 The Parish Council shall administer its finances subject to the following obligations and order of priority:
- (a) payment of the stipend, allowances and expenses of stipended clergy and Stipendiary Lay Ministers and the salary, allowances and expenses of any person employed by the Parish;
 - (b) payment of all monies due and payable in accordance with or pursuant to a statute of the State or the Commonwealth or a regulation or a by-law lawfully made thereunder;
 - (c) payment of insurances, rates and taxes on all property for which the Parish is responsible;
 - (d) payment of the Parish's Pledge to the Diocese;
 - (e) payment of any contributions required by Ordinance; and
 - (f) payment of any other expenses.
- 96.2 The Parish shall pay for its Ministers to attend the Annual Diocesan Clergy Conference, Ministry School, training days and retreats, as required by the Bishop.
- 96.3 The Parish shall pay its Synod representatives any reasonable expenses incurred in the attendance of Synod.
- 96.4 The Parish shall be responsible to the Diocese for any reasonable expenses incurred as part of a Presentation Board process for their Parish.

Parish Borrowings

- 97.1 A Parish may borrow in the following ways:
- (a) lease contracts;
 - (b) credit cards for parish expenses;
 - (c) store credit; and
 - (d) overdrafts
- where the total of the facilities provided in (a) to (d) above does not exceed 10% of the Parish's revenue in the previous year. Any exception to this provision requires the explicit consent of Bishop-in-Council.
- 97.2 Should a Parish propose to seek the consent of Bishop-in-Council to borrow money above the standing provision, the details of the proposal shall be prepared as a notice and displayed in a prominent place in all places of worship used by the Parish for a period of not less than 21 days and the attention of the congregation shall be drawn to it. The notice must state:
- (a) the purpose of the loan;
 - (b) the amount of the loan;
 - (c) the amount of interest and times and manner of repayment,
- and other such matters as the Parish Council believes to be reasonably relevant.
- 97.3 The notice must state:
- (a) that Parishioners may lodge an objection in writing that is signed by the objector(s).
 - (b) the closing date for lodgement of objections; and
 - (c) the procedure for lodgement of objections.
- 97.4 Within one month of the expiration of the 21 day period the Parish Council may make an application to Bishop-in-Council for consent to the loan in the same terms as the notice stated and enclose with the application copies of all objections received. Such application shall be accompanied by a Budget for the Parish for the duration of the loan or for five years, whichever is less.

- 97.5 Bishop-in-Council shall not consent to any loan unless it appears prudent, worthwhile and of benefit to the Parish.
- 97.6 The written certification of the decision of Bishop-in-Council to grant the loan will specify:
- (a) the purpose of the loan;
 - (b) the amount of the loan;
 - (c) the lender;
 - (d) any conditions relating to interest and repayments; and
 - (e) other such matters as the Bishop-in-Council believes to be reasonably relevant.

Parish Special Appeals

- 98.1 Parish Council may conduct a special appeal for the enhancement or addition to the assets in the Parish. However, where the finalisation of the project funded by the special appeal is contingent on the approval of Bishop, Bishop-in-Council or another authority, no such appeal should commence until such time as approval-in-principle has been obtained.
- 98.2 Money collected through subscription or raised for the acquisition, erection improvement or addition to lands, buildings or furnishings shall be paid to the Parish Council.
- 98.3 If the funds are not to be expended within 3 months, the Parish Council shall forward the money collected in the above sub-clause to The Corporate Trustees together with an explicit statement of purpose for which the money was collected.
- 98.4 The Corporate Trustees shall hold these funds on investment until required by the Parish for the purpose they were collected.
- 98.5 Any interest accrued while the funds are held by the Corporate Trustees shall be added to the capital invested.
- 98.6 The Corporate Trustees will after proper request release the funds to the Parish Council for disbursement.
- 98.7 Should the Parish wish to utilise the funds for a purpose other than that originally designated the Parish Council may make application to The Corporate Trustees to use the funds for a suitable alternative purpose.

SECTION 5 – PARISH BUILDINGS AND FURNISHINGS

Responsibilities for Parish Buildings and Furnishings

- 99.1 Notwithstanding anything to the contrary herein contained, the furniture of every Church and Church books, records, charters, seals, deeds and like legal papers and sacred vessels of every Parish and all other Parish furniture shall be and be deemed to be vested in and be the property of The Corporate Trustees. The custody, care and control of such furniture, books, records, charters, seals, deeds and like legal papers and sacred vessels shall remain with the Churchwardens.
- 99.2 The title deeds of all Parish real property, shall be in the name of and held by The Corporate Trustees of the Diocese of Grafton.

- 100.1 Churchwardens shall ensure annual inspections of all Parish buildings with the supply to Parish Council of the inspection report and the maintenance priorities arising from the report for the budgeting and scheduling of maintenance and building works.
- 100.2 The Parish Council may form a Building Committee to be responsible for any erection of or material alteration to, a church or other Parish building.
- 100.3 The Parish Council and its Building Committee must conform to regulations approved by the Bishop-in-Council for obtaining the necessary approvals for substantial building work including alterations, demolition and other property matters described in Chapter 16 of this Ordinance
- 100.4 An application for approval must be accompanied by correctly drawn plans and specifications for any proposed new building as well as an estimated budget based on available quotes.

Faculties

- 101.1 A Faculty must be obtained from the Bishop for any alteration, addition or removal of any part of the fabric of any Church building or the furnishings, fittings or ornaments of a licensed church.
- 101.2 The Parish Council shall cause to be displayed notices, setting out the full details of any alterations, additions or removals proposed, in places that are clearly visible to all Parishioners for a period of not less than 28 days.
- 101.3 Attention must be drawn to the notice during worship services stating that any objections must be lodged in writing and signed by the objector, and forwarded to the Parish Council.
- 101.4 The Incumbent and Churchwardens must apply for a Faculty on the prescribed forms with a copy of the notice, any objections and a certificate to say that the provisions of this clause have been adhered to.
- 101.5 The Bishop shall determine whether to issue or not issue a Faculty.

New Places of Worship

- 102.1 A church may be built only following the consent of the Bishop, permission of the Diocesan Buildings and Property Committee in accordance with this Ordinance, and approval of the final design plans by the Bishop.
- 102.2 The Incumbent and Churchwardens of the Parish shall petition the Bishop to license a building as a church when a new building has been erected and furnished to their satisfaction.
- 102.3 The Incumbent and Churchwardens may petition the Bishop to consecrate a church when there is no outstanding debt that had been incurred from its erection.
- 103.1 Subject to the provisions of Part 7A of the Anglican Church of Australia Trust Property Act 1917, the Incumbent and Churchwardens of a Parish may petition the Bishop to license a building, that is not the property of the Church, as a place of worship.

- 103.2 The grant of such a licence for use may be contingent upon any conditions that the Bishop considers appropriate and subject to any arrangements that have been made with the owner of that property.
- 103.3 On the grant of such a licence the Parish seeking the licence shall accept the rights, privileges and responsibilities that such a licensed place may attract under this Ordinance.

Church Furnishings

- 104.1 A church will be considered furnished if it contains the following items:
- (a) a Holy Table with appropriate books, linen and vessels for celebrating Holy Communion;
 - (b) a credence table or shelf;
 - (c) a font;
 - (d) a lectern;
 - (e) an inclusive version of the Bible approved by the Bishop;
 - (f) a prayer desk and a current authorised prayer book; and
 - (g) suitable seating for the worshippers.
- 104.2 The Parish Church, in addition to 104.1, must contain a vesting area that contains:
- (a) a table;
 - (b) a wash basin;
 - (c) sufficient cupboards or hanging space;
 - (d) appropriate registers and
 - (e) suitably secure storage for the vessels.
- 104.3 The Bishop may in the granting of a Faculty in relation to the furnishings of a church dispense with the need to provide any of these items or facilities as the needs of the place of worship requires.

Note: Clauses from 105.1 to 108.1 are not currently allocated.