

## THE PARISHES, PAROCHIAL AND MINISTRY REGULATION CANON 2006

(Assented to and passed 4 May 1998, Amended 2003, 2004, 2006)

### 1. Preamble

To provide for the establishment and regulation of Parishes, Parochial Districts and the appointment and election of certain officers and their duties and responsibilities.

### 2. Definitions

#### 2.1. Parish

A geographical area of land established by Diocesan Council for the better management of the Diocese. In each Parish the Bishop shall licence a Priest to the Cure of Souls of:-

- (a) all persons living in that geographical area;
- (b) all persons choosing to be part of the faith community.

#### 2.2. Parochial District

A geographical area of land established by the Diocesan Council for the better management of the Diocese but, in the view of the Diocesan Council, not capable of financially supporting a Priest. In a Parochial District the Bishop may licence a Priest-in-Charge of the District with ministerial responsibility for :-

- (a) all persons living in that geographical area;
- (b) all persons choosing to be part of the faith community.

#### 2.3. Ministry District

Inserted 2006

A community of Anglicans recognised by Diocesan Council which in the view of the Diocesan Council is so small in number or so geographically diverse as to be not capable of effectively functioning as a Parish or Parochial District.

#### 2.4. Parishioner

Any person who:

- (a) is baptised and is a member of the Anglican Church of Australia and of no Church which is not in communion with this Church;
- (b) has been a communicant or an accustomed worshipper at a church or chapel within the Parish or Parochial District or Ministry District for the preceding three months;
- (c) is not registered as a Parishioner in any other Parish or Parochial District; and
- (d) is registered on the roll of the Parish or Parochial District in which he/she claims to be a member.

Amended 2006

A Parishioner eligible to vote at a meeting for the election of churchwardens and other officers must have attained the age of eighteen years and have subscribed to the declaration in Schedule 3 of this Canon.

### 3. Interpretation

- 3.1. In this Canon or in any regulation or rule made pursuant to this Canon unless the context or subject matter otherwise requires or indicates -

"Assessment" means the sum of money determined by Diocesan Council to be paid by Parishes and Parochial Districts or Ministry District towards the administration of the Diocese.

"Book" includes any register, roll or other record of information however recorded, compiled or stored, and includes documentary, photographic, electronic and mechanical records.

"Churchwarden" means a person duly elected or appointed and holding office as a Churchwarden pursuant to the provisions of this Canon.

"Parish Councillor" means a person duly elected or appointed and holding office as a member of a Parish Council pursuant to the provisions of this Canon.

"Rector" means the person in Holy Orders licensed by the Bishop to the Cure of Souls in a Parish.

"Priest-in-Charge" means a person in Holy Orders licensed by the Bishop as Priest-in-Charge of a Parochial District or Ministry District.

"Licence" means a licence from the Bishop is his authorisation to do a specific thing in a specific place. Licences will be issued by the Bishop as follows:

- Rectors of Parishes shall be issued with a Licence to the Cure of Souls in a specific Parish
- Priests-in-Charge shall be issued with a Licence to minister to the people of a specific District
- Stipended assistant Clergy shall be issued with a Licence to assist the Rector of a specific Parish
- Non-stipendiary Clergy will be issued with a Letter granting the Bishop's "Permission to Officiate" as determined and specified by the Bishop
- Eucharistic Assistants will be issued with an Authority to assist the Celebrant at a Eucharist in their Parish or Parochial District or Ministry District. It may also specify other duties such as preaching

Other Licences may be issued by the Bishop as he determines

Notwithstanding the above, current holders of a Bishop's Licence not in accordance with this interpretation will be permitted to retain their Licence until such time as it lapses unless previously surrendered.

"Regulation" means a regulation made pursuant to the provisions of this Canon.

- 3.2. Any question concerning the rights of a member of the Laity for the purposes of this Canon shall be determined by the Rector or Priest-in-Charge and Churchwardens, provided that such determination may be challenged by way of appeal to the Bishop by any person who is or who claims to be a Member of this Church and a Parishioner of the Parish or Parochial District or Ministry District concerned, and the Bishop's decision shall be final. Until the Bishop's decision in such appeal shall have been made, the determination made by the

Rector or Priest-in-Charge and Churchwardens shall stand.

**4. Regulations**

- 4.1. The Diocesan Council may from time to time make, amend or repeal regulations, not inconsistent with the provisions of this Canon, providing for all or any of the purposes whether general or to meet particular cases, which may be convenient for the administration of this Canon or which may be necessary or expedient to carry out the objects and purposes of this Canon.
- 4.2. Without limiting the generality of the provisions of this section regulations may be made prescribing -
  - (a) provisions for stipends, housing and travelling facilities or allowances of rectors and other church ministers;
  - (b) provisions for annual leave of rectors and other stipended ministers;
  - (c) the minimum standards for the design of church buildings and buildings for the housing of rectors, priests-in-charge and other church ministers and for the furnishing thereof; and
  - (d) the form of annual statistical and financial returns and other information required from time to time.
- 4.3. Every regulation made by the Diocesan Council under the provisions of this Canon shall be recorded in the minutes of the Council and shall be laid before the next ordinary session of Synod.
- 4.4. Notwithstanding anything contained in this or in any other Canon or in the Standing Orders for the time being of Synod, it shall be competent for any member of Synod, by notice in writing given and read aloud at Synod on some previous day, to present a motion for the amendment or repeal of any regulation.

**5. Boundaries**

- 5.1. The Diocesan Council may from time to time declare any part of the Diocese to be a Parish or Parochial District or Ministry District, which in the opinion of the Council is a unit of ministry suitable for the constitution of a Parish or Parochial District or Ministry District.
- 5.2. Before any new Parish or Parochial District or Ministry District is constituted, or the boundaries of a Parish or Parochial District or Ministry District are changed, three months notice in writing shall be given by the Registrar to the Rector and Churchwardens of any Parish and the Priest-in-Charge and Churchwardens of any Parochial District or Ministry District which may be affected and if any Rector, Priest-in-Charge or Churchwardens so affected shall lodge an objection in writing with the Registrar within one month of receipt of the said notice the Diocesan Council, before proceeding to constitute the new Parish or Parochial District or Ministry District or change the boundaries of a Parish or Parochial District or Ministry District shall take the objection into consideration.

**6. Acquisition of Property**

No land or buildings shall be purchased or taken on lease which is intended to be used for any purpose whatever for the Church otherwise than with the approval of the Bishop and the Diocesan Executive.

**7. Ownership of Land**

All land shall be vested in The Corporation of the Diocesan Synod of North Queensland.

**8. Approvals for the Use of Land**

8.1. No building or other structure whatever shall be erected on any land owned by the Corporation or acquired for the use of this church nor shall any church building be removed demolished or substantially altered until consent thereto has been given by the Bishop and his Faculty therefor has been issued and (in the case of the erection or substantial alteration of a church building) until all plans and specifications in relation thereto have been approved by the Bishop.

8.2. No land acquired or held by or for the Corporation shall be dealt with in any way otherwise than with the approval and at the direction of the Executive and without limiting the generality of the foregoing the words "dealt with" include the mortgaging leasing or letting of land or any improvements thereon or the seeking or making or application for consent or approval from a Local Authority in connection with zoning or consent uses or any other matter of town planning.

**9. Faculties**

9.1. No item of fabric, fitting, furniture or ornament nor any instrument or system for the production or reproduction of music or the amplification of sound shall be placed in any building used or intended to be used for the purpose of a church until a Faculty has been obtained from the Bishop.

9.2. The fabric fittings furniture or ornament of any church building shall not be added to, altered or removed unless a Faculty has been obtained from the Bishop.

9.3. The Bishop may require as a condition for the granting of any Faculty that notice in a form to be prescribed by him shall be given to such persons or affixed in such place and for such time as the Bishop may prescribe.

9.4. The Churchwardens of any Parish or Parochial District or Ministry District shall remove or restore any unauthorised additions, alterations or removals as the Bishop may from time to time require.

**10. Use of Churches**

Except with the authority of the Bishop first had and obtained, a church shall be used only for the purposes of worship according to the rites and ceremonies of the Anglican Church of Australia and the administration of the sacraments of this church, or for the purpose of counselling and religious education, or for meetings of Parishioners held in accordance with the Canons.

**11. No Person to Officiate or Preach without Permission**

No person shall officiate or preach in any church, chapel or other building consecrated, dedicated or otherwise set apart or used for the worship of God according to the rites and ceremonies of the Anglican Church of Australia without being first approved by or without the consent of or without being thereunto licensed by the Bishop.

**12. Parish Review**

12.1 Nothing in this Clause shall be read so as to limit alter or affect any of the

Bishop's Prerogatives, and in particular those set out in the Bishop's Prerogative Canon.

12.2 Conduct of a Parish Review  
A Parish Review shall be conducted –

- a) every five years

12.3 Purposes and Outcome

- a) The purposes of a Review of a parish are -
  - i. to assess the strengths and weaknesses of the parish and its vitality and viability;
  - ii. to encourage and support the development of the parish in all aspects of its mission;
  - iii. to develop effective strategies to enable the Parish to carry out its mission;
  - iv. to contribute to processes which are directed at dealing with and endeavouring to resolve a situation of conflict that has arisen or is likely to arise between a Rector and members of the Parish

so that the Parish can fulfil its role in the overall mission of the Church within the Diocese of North Queensland.

- b) The Review Team shall prepare and submit to the Bishop and the Parish Council, a report on the Review, such Report to include recommendations as to strategies and appropriate actions that will fulfil the purposes of the Review.
- c) The report should be completed and presented within two months of the commencement of the Review.
- d) The responsibility lies with the Bishop for ensuring that such a Review takes place as and when necessary.
- e) Except for the 5 yearly Review, the Bishop-in-Council may order or permit the scope of a Review to be limited to those Articles of Review that appear to it to be appropriate for the purposes of the Review that is to be conducted.

12.4 Review Team

- a) The Bishop or Bishop-in-Council shall appoint a suitable person to convene and be responsible for conduct of the Review;
- b) A Review shall be conducted by a group of people ("Review Team") consisting of the Review Leader and persons with experience and skills in the fields to be reviewed, and if possible include representation from the Region. Unless the Bishop or the Bishop in Council chooses the Review Team, the Review Leader shall choose the other members of the Review Team.

12.5 Parish Council

- a) The Review Leader shall request the Parish Council to appoint members of the Parish Council to work in consultation with the Review Team and participate in the review process within the parish;
- b) The Rector or the Priest-in-Charge and the Parish Council as well as

individual members of the Parish shall have access to the Review Team during the course of the Review, and the Review Team shall have similar access to those persons.

- c) The report of the Review shall be furnished by the Team Leader to the Rector or Priest in Charge and the Parish Council in draft form, and each of those parties shall have the opportunity to comment on the report prior to its finalisation and presentation to the Bishop and the Parish Council.

#### 12.6 Articles of Review

The Bishop-in-council shall formulate and publish, from time to time articles of review setting out the matters that shall be considered and reported upon by the Review Team. The articles of review shall incorporate the following subjects:

- a) the mission strategy of the parish including education, pastoral care, worship and liturgy, stewardship and administration;
- b) the present and future use of parish land and buildings and the proper management and maintenance of land and buildings;
- c) the financial planning management and viability of the parish;
- d) the practical management of the parish
- e) what measures might be taken to resolve and/or prevent from occurring a situation of conflict between a Rector and members of the Parish

#### 12.7 Conflict between a Rector and Parish members

- a) If it appears that a conflict has arisen or is likely to arise between a Rector and members of the Parish and that as a consequence, the good order of the life of the Parish and its engagement in mission and ministry is compromised, then-
  - i. The Bishop-in-Council or the Parish Council may request that a Parish Review shall take place
  - ii. Each of the Rector, the Church Wardens and representative group of the Parishioners may make submissions (“the submissions”) to the Review Team in relation to the conflict, and the circumstances which have given or may give rise to the conflict, and the best outcome or process for resolution of the conflict.
  - iii. The Review Team shall submit to the Bishop and the Parish Council its report as required by Clause 12.
  - iv. On receipt of the Review Team’s report , the Bishop must convene a meeting of the Appointment Board referred to in Clause 14.2
  - v. The Appointment Board shall meet to consider the report of the Parish Review and the submissions made to the Review Team
  - vi. The Appointment Board may make other such further

enquiries and hold such meetings as it considers are appropriate to enable the Board to prepare a report to the Bishop

- vii. The Appointment Board shall provide its report to the Bishop and the Parish Council as soon as is practical and in any event within the time required by Clause 12.2
- viii. The Appointment Board shall also provide a copy of its report to the Rector ;
- b) Upon receipt by the Bishop of the report of the Appointment Board, the Bishop may take such action as he considers desirable, including -
  - i. The termination of the Rector's appointment
  - ii. Withdrawing or suspending for a period not exceeding three months the Priest's licence to officiate
  - iii. Terminating the appointment of an office holder in the Parish
  - iv. Such other action as the Appointment Board may have recommended in its report.

Amended 2006

### **13. Assisted Personal Review of Ministry**

#### 13.1 Purposes and Outcomes

The purposes of an an assisted personal review of ministry are:

- a) to develop personal goals in ministry
  - b) to develop areas for ministry development in the light of identified goals
  - c) to identify and begin to address difficulties faced in current ministry
  - d) to assist the Diocese in planning for the continuing education and ministry development needs of the clergy, with a view to better equipping the church to minister in a changing world
- 13.2 For Priests-in-Charge and Rectors a review of ministry shall be conducted -
- a) in the first place eighteen (18) months after the commencement of an appointment;
  - b) thereafter at three (3) yearly intervals.

13.3 The Review of Ministry shall be arranged between the Priest-in-Charge or Rector and the Bishop or the Bishop's nominee.

13.4 The Review of Ministry shall:

- a) address the matters set out in the Guidelines for Assisted Personal Review of Ministry as issued by the Bishop from time to time
- b) address such other matters as are agreed between the parties for review

- 13.5 A report of the outcome of the review shall be prepared and sent to the Bishop duly signed by the Priest and the Bishop or the Bishop's nominee.

**14. Appointments**

14.1 Appointment Board

An Appointment Board shall be established for each parish comprising the following:

- a) in the Torres Strait Region: the Bishop, the Assistant Bishop with special responsibility for the people of Torres Strait Islander descent, a Clerical and a Lay nominator elected by Synod and the Parochial Nominators;
- b) in the Peninsula Region: the Bishop, the Assistant Bishop with special responsibility for the Aboriginal people, a Clerical and a Lay nominator elected by Synod and the Parochial Nominators; and
- c) in the other Regions of the Diocese, the Bishop, the Regional Dean, a Clerical and a Lay Nominator elected by Synod and the Parochial Nominators.

14.2 Role of the Appointment Board

The role of the Appointment Board is to:

- a) advise the Bishop on the appointment of a suitably qualified person to represent him in that Parish to the Cure of Souls; and
- b) advise the Bishop as required in accordance with Clause 12.7.

14.3 Meeting of the Appointment Board

When a suitable candidate has been identified, the Bishop shall call a meeting of the Appointment Board to consider the desirability of making an appointment to the Parish.

Subsequent meetings may be called by the Bishop from time to time until an appointment has been made.

14.4 Appointment of Rector

The Bishop may appoint a Rector after the requirements of Clause 14.3 have been met.

14.5 Appointment of Priest-in-Charge

Notwithstanding anything else in this Canon the Bishop may with the consent of the Appointment Board including a majority of Parish Nominators in respect of a Parish, appoint a priest as Priest-in-Charge rather than Rector, provided that no such appointment may exceed three years, and any priest so appointed shall not be a Rector

14.6 Canonical Fitness

The Bishop shall sight the Letters of Orders and ensure himself of the Canonical Fitness of any candidate for an appointment prior to making that appointment.

14.7 Other Appointments

All other appointments of clergy to a parish or parochial district shall be the prerogative of the Bishop who shall have power to revoke such appointment at any time. In the case of Assistant Clergy, such appointments or revocations shall be made following consultation with the Rector or Priest-in-charge and the Churchwardens.

**15. When Appointment Ends**

15.1 The appointment of a Rector or a Priest-in-Charge (“the Priest”) ends if:

- a) the Bishop terminates the appointment in accordance with Clause 12.7(b)
- b) the Rector resigns in accordance with Clause 18
- c) the Rector attains the age of 70 years unless the appointment is renewed in accordance with Clause 19, in which event the appointment will terminate at the expiration of the term of the renewal of the appointment.
- d) The Priest fails to apply for an “Essential Requirement” within 3 months of the Priest’s appointment or the application for an Essential Requirement is rejected.
- e) the Priest ceases for any reason to hold and Essential Requirement
- f) the Bishop terminates the appointment following a sentence under and in accordance with the provisions of the Tribunal Canon; or
- g) The Bishop terminates the appointment accordance with the provisions of the Termination of Rector’s Appointment Canon
- h) The Bishop terminates the appointment following a recommendation of the Professional Standards Board under and in accordance with the provisions of the Professional Standards Canon.”

(Inserted f,g,h 2004)

15.2 For the purposes of this Clause an “Essential Requirement” is a requirement to hold and maintain a current Suitability Card in the name of the Priest for child related employment issued pursuant to the Commission for Children and Young People Act 2000 (Queensland) or any Act amending or repealing that Act.

**16. Suspension or Revocation of Other Licences**

The Licence of any person who is not a Rector may be suspended or revoked by the Bishop at any time.

**17. Stipend**

All clerical stipends shall be reviewed annually in accordance with the procedure set out in the Diocesan Regulations in force from time to time.

**18. Resignation**

When a Clergyperson desires to resign his/her Parish or Parochial District or Ministry District he/she shall give three months notice thereof in writing to the Bishop specifying the time at which such resignation is to take effect or at the discretion of the Bishop if three months is not appropriate.

If the Bishop accepts the resignation he shall notify the relevant Assistant Bishop or the Regional Dean as the case may be, the Registrar and the Parochial Nominators, or if no Parochial Nominators have been appointed, the Churchwardens of the Parish or Parochial District or Ministry District of the fact that the Parish or Parochial District or Ministry District shall be vacant at the time specified in the notice of resignation or at such other time as the Bishop may determine.

**19. Review of Licences**

All licences shall terminate no later than the seventieth birthday of the holder of a licence but may be renewed on an annual basis by the Bishop at his discretion and pleasure.

**20. Terms of Appointment**

Rectors are:

- 20.1 responsible to the Bishop for the care and nurture of all people committed to their care;
- 20.2 responsible for the management of the Parish and the maintenance of all church property in conjunction with the Churchwardens and Parish Council;
- 20.3 provided with a house, office and car, or, in lieu of the provision of a car, an arrangement may be entered into with the Churchwardens for the Rector to use his/her own car. The terms of the use of these facilities to be in accordance with the Diocesan Regulations current at the time, to be agreed upon in writing by both parties prior to the appointment being made and to have the concurrence of the Bishop;
- 20.4 responsible for the arrangement and conduct of all services in the Parish, subject to the Canons and Regulations currently in force in the Diocese;
- 20.5 required to take annual leave in accordance with the Regulations currently in force in the Diocese. The timing of such leave shall be determined by consultation with the Churchwardens and is subject to arrangements being made for normal parish life to continue;
- 20.6 to so order their lives as to maintain a regular time for prayer, retreats, reading, study and recreation; and where applicable, adequate quality time with their spouse and children;
- 20.7 to set an example on living a Christian life;
- 20.8 to work with the Churchwardens and other Officers to ensure the smooth running of the Parish;
- 20.9 to maintain all registers and service books as required by Diocesan Regulations;
- 20.10 responsible for the completion of all Diocesan Returns in conjunction with the Churchwardens and to ensure that they are forwarded to the Diocesan Registry by the due date;
- 20.11 members of a Diocesan team and need to participate in Diocesan life and work with other Clergy and Diocesan Officers.

A Priest-in-Charge shall have such of the responsibilities and privileges set out in this

clause 20 as shall be stipulated by the Bishop upon the appointment of that person.

**21. Meetings and Parish Officers**

**Annual Meeting**

21.1 In every Parish or Parochial District a meeting of Parishioners shall be held not later than the last day of February each year for the purpose of:

- (a) receiving the reports of the Rector or Priest-in-Charge, Churchwardens and other Parochial Officers, the financial statements for the twelve months to the end of December in the previous year and an Auditor's report for that period;
- (b) receiving a budget for the current year;
- (c) the election of a Churchwarden and other officers and an auditor;
- (d) discussing any matters arising from the reports; and
- (e) any other business, three days notice of which shall have been given to the Rector or Priest-in-Charge and Churchwardens.

21.2 Notice of meeting shall be in the form contained in Schedule 1 of this Canon and shall be placed on the notice board or principal door of the Church at least fourteen days prior to the day of the meeting.

21.3 The Rector or Priest-in-Charge shall be the Chairperson of the meeting.

Inserted 2006

21.3A In a Ministry District there shall be such annual meetings as may be required by a resolution of the Diocesan Council or Diocesan Executive.

**Election of Officers**

21.4 **Churchwardens** - In every Parish or Parochial District two Parishioners who are communicant members of the Church, one to be appointed by the Rector or Priest-in-Charge, and one to be elected by the Parishioners shall be chosen annually to be Churchwardens.

If no appointment or election is made by the last day of March the Bishop may, in either case, appoint a Churchwarden.

If the Parish or Parochial District is vacant at the time fixed for the choice of Churchwardens, one shall be appointed by the Bishop and one shall be elected by the Parishioners.

Inserted 2006

21.4A Wherever practical (and if specifically required by a resolution of the Diocesan Executive or Diocesan Council) there shall be 2 Churchwardens in a Ministry District.

Amended 2006

21.5 **Parish Council** - In every Parish or Parochial District there shall be a Parish Council which shall consist of the Rector or Priest in Charge, the Churchwardens and not less than six nor more than twenty-one parishioners as may be determined by the parishioners to be called councillors and to be chosen at the Annual Meeting.

Of the councillors, one third shall be appointed by the Rector or Priest-in-Charge and two thirds shall be elected by the parishioners.

The Council shall elect such officers (with the exception of a treasurer) as may be necessary for the efficient management of the affairs of the Parish or Parochial District. The Rector or Priest-in-Charge shall be the Chairperson of the Council but may relinquish this role to one of the Churchwardens or to a Councillor.

The Parish Council shall meet not less than 6 times in each calendar year at such times and places as it shall from time to time decide but so that a meeting is held at least once each 3 months.

The quorum for a Parish Council meeting shall be at least one-half of the councillors plus one churchwarden.

The Rector or Priest-in-charge may, and shall on receiving a written requisition to that effect signed by the Churchwardens or by a majority of the members of the Parish Council convene a meeting of the Parish Council by 14 days notice.

Subject to clause 23 of this Canon the ministry and management of the Parish or Parochial District is the joint responsibility of the Rector or Priest-in-Charge, the Churchwardens and the members of the Parish Council and to this end:

- [a] the Parish Council may establish such committees of the Parish or sub-committees of the Parish Council as may be expedient or appropriate to further the ministry of the Parish;
- [b] the Parish Council shall, by its treasurer (if appointed), by its Churchwardens (if so delegated by resolution of the Parish Council) by a financial sub-committee or by itself prepare an annual budget for presentation to and adoption by the Annual General Meeting;
- [c] it shall thereafter be the responsibility of the Parish Council and its officers or committees to take all reasonable steps to adhere to the budget so adopted unless a meeting of the Parish Council has authorised a variance from or amendment to the budget.

Where there is a conflict between the specific duties of the churchwardens under clause 23 and the general duties of the Parish Council under clause 21 of this Canon then the specific duties of the Churchwardens shall prevail. It shall nevertheless be the duty of the Churchwardens to regularly communicate and consult with the Parish Council and give proper respect to the views of the Parish Council as to the affairs of the Parish.

Inserted 2006

- 21.5A [a] It shall not be necessary for a Ministry District to have a Parish Council if the parishioners so resolve at a meeting of the parishioners called on reasonable notice. Such meeting may be held by attendance in person or by electronic means.
- [b] Where there is no Parish Council it shall nevertheless be the responsibility of the Priest-in-charge and Churchwardens (if any) to ensure that an appropriate means of communication and consultation with parishioners is observed; and
- 21.6 **Parochial Nominators** - Three lay Parishioners shall be appointed as Parochial Nominators. The Parochial Nominators meet with the Bishop, the relevant Assistant Bishop or the Regional Dean and the elected Clerical and Lay Diocesan Nominators to form the Appointment Board for the Parish.
- 21.7 **Synod Representatives** - Two lay persons shall be elected as representatives from parishes and two lay persons shall be elected as representatives from parochial districts.

Inserted 2006

21.7A A Ministry District may (but shall not be obliged to) elect 1 lay person as a representative to Synod but for this purpose shall ensure that a meeting of parishioners is called on reasonable notice. Such meeting may be held by attendance in person or by electronic means.

21.8 **Auditor** - A person, suitably qualified in the field of accounting or business administration to enable them to provide an objective assessment of the accuracy of the accounts, shall be elected to audit the books of the Parish or Parochial District.

Inserted 2006

21.8A The Churchwardens of a Ministry District shall, if required by a resolution of the Diocesan Executive or Diocesan Council comply with clause 21.8.

21.9 **Vacancies.** Any vacancies in the above positions, whether covered by resignation or otherwise, shall be filled in the same manner in which the original election or appointment was made.

21.10 The Churchwardens and Parish Councillors elected or appointed at the Annual General Meeting shall sign a copy of the declaration contained in Schedule 2 of this Canon.

## 22. Diocesan Assessment

22.1 The Assessment determined by the Diocesan Council shall be payable by Parishes and Parochial Districts to the Diocese by twelve equal monthly payments made by the last day of each month commencing with the last day of January in each year.

22.2 If the Churchwardens of a Parish or Parochial District make default in payment of any assessment due and such assessment remains unpaid for a period of six months the Bishop may take such action as he thinks appropriate after consultation with the Rector or Priest-in-Charge and Churchwardens of the defaulting Parish or Parochial District.

Inserted 2006

22.3 Clause 22 shall apply to a Ministry District if required by a resolution of the Diocesan Executive or Diocesan Council.

## 23. Duties and Responsibilities of Churchwardens

Churchwardens are:

23.1 to meet regularly, and at least once each quarter, with the Rector or Priest-in-Charge to discuss and promote the spiritual and other needs of the Parish or Parochial District or Ministry District;

23.2 to provide all things necessary for the efficient running of the Parish or Parochial District or Ministry District and the administration of the sacraments and rites of the church;

23.3 to receive and disburse all moneys belonging to the Parish or Parochial District or Ministry District and to keep a proper record thereof. The accounts for the Parish or Parochial District or Ministry District shall be closed on the last day of December in each year, shall be audited by a qualified person and shall be presented to Parishioners at the Annual Meeting of the Parish or Parochial District or Ministry District;

23.4 to pay all stipends, Diocesan Assessments and other accounts when due giving priority to the payment of stipends;

- 23.5 to secure the written approval of the Diocesan Executive before incurring any liability by way of mortgage, overdraft or loan, secured or otherwise for the purchase, maintenance or improvement of property, or for any general purpose whatsoever;
- 23.6 to maintain and securely store all Registers, Rolls and Records, and to ensure that accurate minutes are made and retained of all Parish Council meetings;
- 23.7 to be aware of all appropriate Government and Diocesan Regulations and to ensure that such regulations are not breached;
- 23.8 to regularly inspect and maintain all church property in good condition;
- 23.9 to ensure that all church property is adequately insured through the Diocese in accordance with current regulations;
- 23.10 to preserve good order and quiet in and about the church during Divine Service;
- 23.11 in conjunction with the Rector or Priest-in-Charge to ensure that all Diocesan Returns are completed and returned on time;
- 23.12 to have, in conjunction with the Rector or Priest-in-Charge, the control of all ornamentation and decoration of the church subject to the Canons and Regulations currently in force in the Diocese;
- 23.13 to report to the Bishop any irregularity in the conduct of the Rector or Priest-in-Charge;
- 23.14 to attend the Bishop or his Commissary or the Archdeacon whenever cited to a visitation or on his visit to the Parish or Parochial District or Ministry District and to report immediately to the Bishop the vacancy of the Parish or Parochial District or Ministry District from death or otherwise, and
- 23.15 to hand over to their successors in office the control of all moneys and church property under their control.

Inserted 2006

23.16 To assist the Churchwardens in respect of their financial responsibilities under this clause they may appoint a person to be called a Treasurer provided that:

- [a] such appointment shall be notified to the Parish Council;
- [b] the person so appointed shall, if not a member of the Parish Council, attend Parish Council meetings and in that event have a voice but not a vote at such meetings;
- [c] the person so appointed shall:
  - (i) comply with the reasonable and lawful directions of the Churchwardens; and
  - (ii) shall make such reports to the Parish Council as to the financial affairs of the Parish as he or she thinks fit.
- [d] the Churchwardens may terminate the appointment of such person at any time but shall thereafter shall report the reasons for termination at the next scheduled Parish Council meeting.

Inserted 2006

Clauses 23.1 – 23.15 shall only apply to the Churchwardens of a Ministry District:

- [a] to the extent that the same is practical and feasible; and
- [b] as required by a resolution of the Diocesan Executive or Diocesan Council.

**24. Repeal and Commencement**

24.1 "The Parishes Regulation Canon 1896-1987" is repealed from the First day of July 1998.

24.2 This Canon shall commence upon the First day of July 1998.

Amended 2006

**25. Short Title**

"The Parishes, Parochial and Ministry Districts Regulation Canon 2006".

**SCHEDULE 1**

**(Name of Church)**

NOTICE IS HEREBY GIVEN that a meeting of the Parishioners of this Church will be held in (name place of meeting), on day of , at o'clock for the purpose of receiving and passing the accounts of the Parish for the year last past, of appointing and electing Churchwardens and other officers of the Parish for the year ensuing and for the consideration of other Parish business of which three days notice in writing shall have been given to the Rector and Churchwardens.

Dated this day of , .

Signed:

Rector

**SCHEDULE 2  
Churchwarden's Declaration**

I, AB, do hereby promise that I will faithfully execute the office of Churchwarden to the best of my knowledge and ability.

**Councillor's Declaration**

I, CD, do hereby promise that I will faithfully execute the office of Parish Councillor to the best of my knowledge and ability.

**SCHEDULE 3  
Parishioner's Declaration**

I, EF, declare that I am a person over the age of eighteen years who -

- (1) is baptised and is a member of the Anglican Church of Australia and of no Church which is not in communion with this Church;
- (2) has been a communicant or an accustomed worshipper at a church or chapel within the Parish or Parochial District for the preceding three months;
- (3) is not registered as a Parishioner in any other District.

Dated at this day of , .