

The Synod of
The Anglican Church of Australia
in

T H E D I O C E S E O F
W I L L O C H R A

Incorporated

C O N S T I T U T I O N

a n d

R E G U L A T I O N S

The Synod of The Anglican Church of Australia in the Diocese of Willochra Incorporated is an integral part of The Anglican Church of Australia whose Fundamental Declarations are:-

1. The Anglican Church of Australia being part of the One Holy Catholic and Apostolic Church of Christ, holds the Christian Faith as professed by the Church of Christ from primitive times and in particular as set forth in the creeds known as the Nicene Creed and the Apostles' Creed.
2. This Church receives all the canonical scriptures of the Old and New Testaments as being the ultimate rule and standard of faith given by inspiration of God and containing all things necessary for salvation.
3. This Church will ever obey the commands of Christ, teach His doctrine, administer His sacraments of Holy Baptism and Holy Communion, follow and uphold His discipline and preserve the three orders of bishops, priests and deacons in the sacred ministry.

ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF WILLOCHRA



THE CONSTITUTION

1972 : Revised 1988
Revised with gender inclusive language 1996

Pages	Last Amended
1 - 4	May 1996 (3 & 4 Reissued May 1999)
5	May 2002
6 - 8	May 1996
9	May 2003
10,12	May 1996
11,13	May 2002

**THE SYNOD OF THE ANGLICAN CHURCH OF AUSTRALIA
IN THE DIOCESE OF WILLOCHRA INCORPORATED**

PREAMBLE

WHEREAS it is expedient to provide for the regulation management and more effectual development of the affairs of this Church in the Diocese of Willochra.

NOW THEREFORE the following Constitution has been agreed upon and adopted for the government of the said Church by the Right Reverend The Bishop of Willochra by the Reverend the Clergy of the Diocese and by the Lay Representatives to Synod.

DECLARATION

The Diocese of Willochra in South Australia is an integral part of the Church known as "The Anglican Church of Australia" and accepts and agrees to the Constitution of the General Synod of the said Church.

CHAPTER I - PRELIMINARY

1. (1) The Constitution and Canons I - VII 1915 - 1972 now in force in the Diocese of Willochra are hereby repealed.
(2) Such repeal shall take effect as from the date on which this Constitution comes into effect but shall not
 - (a) affect any appointment rule order power licence or authority made exercised or given by such repealed provisions or
 - (b) revive anything not in force or existing at the time at which such repeal takes effect or
 - (c) affect the previous operation of any of the provisions so repealed or anything duly done or suffered thereunder or
 - (d) affect any right privilege obligation or liability acquired accrued or incurred under any such repealed provisions or
 - (e) affect any forfeiture penalty or punishment incurred in respect of any ecclesiastical offence committed against any such repealed provision or
 - (f) affect any investigation proceedings or remedy in respect of any of such right privilege obligation liability penalty forfeiture or punishment aforesaid.
 - (3) Notwithstanding the repeal effected by subsection (1) of this section the members of The Synod as at the date on which this Constitution comes into effect elected in accordance with the provisions of the Constitution and Canons hereby repealed shall be deemed to be members of The Synod under the provisions of this Constitution.
2. The name of the Association shall be "The Synod of The Anglican Church of Australia in The Diocese of Willochra Incorporated".

3. The object of The Synod is to provide for the order and good government of The Anglican Church of Australia within the boundaries of the Diocese in accordance with the provisions of the said Constitution of The Anglican Church of Australia or any amendment thereof.
4. The Diocese is a member diocese of the said The Anglican Church of Australia and where this Constitution or any Regulation made thereunder is inconsistent with the Constitution of The Anglican Church of Australia or any Canon or Rule made thereunder and which is in force in or applies to or has force and effect in or is not excluded from operation within the Diocese the latter shall prevail and the former shall to the extent of the inconsistency have no effect.
5. The provision of this Constitution and of every Regulation and resolution of The Synod respecting the affairs of The Anglican Church of Australia within the Diocese including all advowson and right of patronage (so far as it may be lawful for The Synod so to provide) shall be binding on The Bishop the clergy every member of this Church and every person in communion therewith residing within the Diocese but only so far as such Regulation or resolution may concern the position rights duties and liabilities of any cleric or member of this Church or any person in communion therewith with respect to ministry membership or communion or may concern the advowson or right of patronage in or management of the property of The Anglican Church of Australia within the Diocese.

CHAPTER II - THE SYNOD

6. The Synod shall consist of:
 - The Bishop
 - The Chancellor
 - The Registrar who shall also be the Public Officer
 - The Diocesan Treasurer
 - All Clergy licensed by The Bishop
 - Lay members of Synod representing each parish of the Diocese elected in such manner as shall be determined by Regulation.
7. (1) Subject to the provisions of this Constitution the Synod shall have the following powers:
 - (a) To make alter and repeal regulations and resolutions relating to the order and good government of The Anglican Church of Australia within the Diocese and without limiting the generality of the foregoing to make Regulations in respect of:
 - (i) the election or appointment of lay members of Synod
 - (ii) the election of a bishop
 - (iii) the regulation of the proceedings of the Diocesan tribunal

7. (1)(a) (iv) the recognition organization and administration of parishes
(v) the provision of long service leave and other benefits to clergy
(vi) the election of representatives to the General Synod of The Anglican Church of Australia
(vii) the conduct of proceedings of The Synod
(viii) the appointment or election of officers and dignitaries
(ix) the appointment and regulation of committees
(x) the assessment and collection of moneys from parishes and other bodies within the Diocese
(xi) the adoption or exclusion of any Canon of The General Synod of The Anglican Church of Australia
(xii) The Willochra See Endowment Fund;
- (b) To purchase take on lease or in exchange hire or otherwise and hold any real or personal property including any rights and privileges;
- (c) To erect buildings and to remove repair reconstruct alter improve add to and demolish any buildings or structures now or hereafter vested in The Synod;
- (d) To sell exchange lease let mortgage pledge hire dispose of turn to account or otherwise deal with all or any of the real and personal property of The Synod upon such terms and either with or without valuable consideration as The Synod may in its absolute discretion deem proper;
- (e) To accept donations whether real or personal estate and devises and bequests whether or not such donations devises or bequests are subject to any trusts;
- (f) To raise or borrow money and secure the repayment thereof in grants mortgages charges and securities upon or charging all or any of the property whether real or personal present or future of The Synod and to redeem or pay off either wholly or in part any existing or future security;
- (g) To receive moneys on deposit current account or otherwise with or without allowance of interest and to receive on deposit title deeds leases and other securities of any description;
- (h) To lend or advance money to any person or body either at interest or without interest and with or without security and in particular to persons, parishes and organizations within the diocese and generally to receive hold invest and lay out moneys or securities for money upon and subject to such terms and conditions without any restrictions whatever as The Synod may determine;

- 7.(1)(i) To give any guarantee in relation to mortgages loans investments and securities whether made or effected or acquired through the agency of The Synod or otherwise and generally to guarantee or become surety for the performance of any contracts and obligations;
- (j) To invest and deal with the moneys of The Synod not immediately required upon such securities and in such manner as may from time to time be determined by The Synod and for that purpose to acquire and hold shares stocks debentures debenture stock bonds obligations securities or notes issued or guaranteed by any company or corporation constituted or carrying on business in Australia and debenture stock bonds obligations and securities issued or guaranteed by any government commission public body or authority municipal local or otherwise in Australia and to acquire any such shares stock debentures debenture stock bonds obligations notes or securities by original subscription tender purchase exchange or otherwise and to guarantee the subscription thereof and to exercise and enforce all rights and powers conferred by and incidental to the ownership thereof;
- (k) To hold and administer any property on trust;
- (l) To appoint regulate and dissolve such committees for such purposes as The Synod may from time to time determine;
- (m) To delegate to any person or body any right authority or power conferred upon or exercisable by The Synod save and except the making altering or repealing of any regulation and the exercise of any right authority or power to which The Synod shall by Regulation declare that this paragraph shall not apply;
- (n) To employ and dismiss such officers and employees as may from time to time be required;
- (o) To do all such things as may be required by the provisions of any trust deed relating to Church property or the exercise of patronage;
- (p) To do such other acts matters or things as shall be or may appear to be incidental or conducive to the order and good government of The Anglican Church of Australia in the Diocese.
- (2) Nothing herein contained shall be deemed to restrict or in any way limit the powers conferred upon the Synod by virtue of the provisions of the Associations Incorporation Act 1956 - 1965 or by any other law of the State of South Australia or the Commonwealth of Australia.

8. (1) No person shall vote for the election of a lay member of Synod unless at the time of such election that person :
- (a) is a communicant and
 - (b) is a member of a congregation in the parish or ministry district for which the election is conducted and
 - (c) shall have signed a declaration in the form contained in the first schedule hereto and
 - (d) has attained the age of eighteen years.
- (2) No person shall be elected a lay member of Synod pursuant to the provisions of Section 6 of this Constitution unless at the time of such election that person :
- (a) is a communicant and
 - (b) is a member of the parish in or for which the election is conducted and
 - (c) has attained the age of eighteen years.
- The election shall not be effective until that person shall have signed a declaration in the form contained in the third schedule hereto.
- (3) A person shall cease to be a lay member of Synod if that person :
- (a) by notice in writing to the Registrar resigns or
 - (b) ceases to be a communicant or
 - (c) without leave of The Bishop fails to attend any session of The Synod and The Bishop declares the seat to be vacant.
9. (1) Lay members of Synod shall be elected or appointed for a period of three years unless The Synod is dissolved in the exercise of The Bishop's discretion.
- (2) Lay members of Synod shall be elected or appointed in such manner as The Synod shall by Regulation determine and notwithstanding section 9 (1) shall hold office until their successors are appointed.
- (3) Any vacancy among the lay members of Synod shall be filled in such manner as The Synod shall by Regulation determine.
9. (4) The Registrar shall keep a register of all members of Synod. Unless The Synod shall otherwise determine such register shall be conclusive evidence as to whether any person is entitled to be a member of The Synod and whether that person has been duly and lawfully elected or appointed.
- 10.(1) The Synod shall meet at least once in every calendar year.
- (2) The Synod shall meet at such other times as the Bishop shall determine.

- 10.(3) The Synod shall meet if the Diocesan Council shall so recommend when requested in writing by any ten members of The Synod representing not less than five parishes. Any such request shall be directed in writing to the Registrar.
11. A quorum of The Synod shall comprise not less than one third of the total number of clergy and not less than one third of the total number of lay members of Synod entitled to be present.
12. At every meeting of The Synod The Bishop or a person nominated by The Bishop shall preside. In the absence of The Bishop the Administrator or in the absence of the Administrator the senior Archdeacon able and willing to act or if there be no such person present the next senior cleric licensed to an office in the Diocese able and willing to act shall preside. Seniority shall be reckoned from the date of appointment as Archdeacon or appointment to an office in the Diocese as the case may be.
- 13.(1) Except as otherwise provided in this Constitution or in the election of a Bishop the decision of Synod shall be the decision of the majority of those persons present and voting. The president of Synod whenever The Synod does not vote by orders shall have a casting as well as a deliberative vote.
 - (2) Except as otherwise provided in this Constitution any member of Synod may at any time before a vote is taken require a vote by orders.
 - (3) In the event of a vote by orders being required the question shall be put first to the lay members of Synod voting separately then to the clergy voting separately and then to The Bishop if present and no question shall be deemed to be resolved in the affirmative unless it is so resolved by a vote of the majority of those present in each of the orders of lay members of Synod and clergy and by The Bishop if present.
 - (4) All questions concerning the appropriation of funds within the control of The Synod shall be decided by a majority of The Synod not voting by Orders.
14. (1) The Synod may proceed to the despatch of its business notwithstanding the failure of any parish to provide for its representation or any casual vacancy among the lay members of Synod and notwithstanding a vacancy in the office of Bishop or Registrar.
 - (2) No Regulation or exercise of power of The Synod shall be vitiated by reason only of the fact that any person elected appointed or summoned to The Synod has not been elected appointed or summoned by reason only of any informality with respect to the election appointing or summoning.

15. A Regulation shall be made altered or repealed by resolution passed in accordance with the following procedure:-
- (1) Unless The Synod shall otherwise determine a copy of the resolution shall have been sent to each member of Synod no less than fourteen days before the first day of the session of Synod at which the resolution is to be presented.
 - (2) The resolution when passed shall come into effect immediately unless The Bishop be absent or the See be vacant in which case it shall come into effect only when it is confirmed at a subsequent call of the Synod.

CHAPTER III - THE DIOCESAN COUNCIL

16. There shall be a Diocesan Council which shall consist of:
- The Bishop
 - the Registrar
 - the Diocesan Treasurer
 - the Archdeacon(s)
 - so many members of The Synod as The Synod shall by Regulation determine.
17. The Diocesan Council shall be a council of advice to the Bishop and subject to the provisions of the several Regulations of The Synod and to any general or special direction of The Synod shall have power in the name and on behalf of The Synod to exercise or perform all or any of the rights authorities and powers of The Synod save and except the making altering or repealing of any part of the Constitution or of any Regulation and the exercise of any right authority or power to which The Synod shall by Regulation declare that this section shall not apply.
18. The election or appointment of members to and the regulation of the affairs of the Diocesan Council shall be prescribed by Regulation of The Synod.

CHAPTER IV - PARISHES

19. For the purpose of this constitution a parish shall consist of members of this Church -
- (1) who reside and worship within a specified area or who by reason of their other association shall be desirous of becoming a parish and
 - (2) shall have been recognised as such by The Synod in such a manner as The Synod shall by Regulation determine.

20. The conditions for recognition of a parish and for termination of such recognition and the qualifications of people for membership of such parish shall be determined and may be varied from time to time in such manner as the Synod shall by Regulation determine.
21. The fee simple or any other right title or interest of the Synod of any parish or of any member of this Church in any land used for the purpose of this Church within the Diocese shall be vested in The Synod or in such other trustee or trustees as The Synod shall approve.

CHAPTER V - THE SEAL

22. The Sealholders of The Synod shall comprise The Bishop and six members of The Synod of whom not less than two shall be clergy and not less than three shall be lay members of Synod and who shall be appointed by the Diocesan Council.
23. Any deed instrument or document required to be made or executed under the seal of The Synod shall be deemed not to be duly made or executed unless at least two of the sealholders for the time being shall have countersigned the same.
24. The seal shall not be affixed to any deed instrument or document without the authority of the Diocesan Council. The Bishop together with the Registrar or the Treasurer may give written authority to affix the seal when the Diocesan Council is not sitting.

CHAPTER VI - AMENDMENT OF THE CONSTITUTION

25. This Constitution may be amended or repealed by measure passed in accordance with the following procedure:
 - (1) A copy of the measure shall have been sent to each member of Synod not less than fourteen days before the first day of the session of Synod at which the measure is to be presented.
 - (2) Voting on the measure shall be by orders in accordance with the provisions of Section 13 of this Constitution provided that the measure shall be deemed not to have passed unless it is agreed to by two thirds of those present in each of the orders of lay members of Synod and clergy and by The Bishop and unless it is confirmed in like manner at a subsequent session of Synod.

CHAPTER VII - MISCELLANEOUS

26. In this Constitution and in Regulation unless the context or subject matter otherwise indicates:

"The Administrator" means the administrator of the Diocese during any incapacity or absence from the Diocese of The Bishop or during any vacancy of the See and shall be the person appointed by The Bishop or if no such appointment has been made the senior Archdeacon of the Diocese able and willing to act or if there be no such person the next senior cleric licensed to an office in the Diocese able and willing to act. Seniority in this clause shall be reckoned from the date of appointment as Archdeacon or appointment to an office in the diocese as the case may be.

"Archdeacon" means a person appointed to such office by The Bishop and who shall have such powers and functions as The Bishop may from time to time determine.

"The Bishop" means The Bishop of the Diocese for the time being and shall except for the purposes of Sections 12 13 15 and 25 of this Constitution include the Administrator during any incapacity or absence from the Diocese of The Bishop or during any vacancy of the See.

"Chancellor" means the person appointed to such office by The Bishop in accordance with the Chancellors Canon of the General Synod of The Anglican Church of Australia.

"Cleric (plural "Clergy")" means a bishop priest or deacon holding a licence under the seal of The Bishop

- [i] to the position of Parish Priest
- [ii] as an assistant in a Parish or Ministry District
- [iii] as a District Priest in a Ministry District
- [iv] to exercise either a particular or general ministry within the Diocese.

"Communicant" means a member of this Church who receives the Holy Communion not less than three times in the year including at least once during the season of Easter.

"Diocesan Treasurer" means the Treasurer for the time being of the Diocese appointed in such manner as the Synod shall by Regulation determine.

"The Diocese" means the Diocese of Willochra.

"Lay member of Synod" means a member of The Synod other than The Bishop and Clergy and includes if The Synod shall by Regulation provide for the appointment or election of such person a Reserve Lay member of Synod.

"Member of this Church" means a baptised person who attends public worship of The Anglican Church of Australia and who declares membership of the said Anglican Church of Australia and of no Church which is not in communion with this Church.

"Parish" includes parishes or such other pastoral or administrative units within the Diocese as The Synod may from time to time by Regulation determine.

"Person in Communion" means a person who is not a member of The Anglican Church of Australia but is admitted to the Holy Communion in terms of the General Synod "Admission to Holy Communion" Canon 1973 namely having been baptised in the name of the Holy Trinity and being a communicant member of another Church which professes the Apostolic Faith.

"Registrar" means the Registrar for the time being of the Diocese appointed in such manner as The Synod shall by Regulation determine.

"The Synod" means The Synod of The Anglican Church of Australia in the Diocese of Willochra Incorporated.

"This Church" means The Anglican Church of Australia.

THE FIRST SCHEDULE [Section 8 (1)]

I, _____,

DO HEREBY DECLARE

1. That I am a member of The Anglican Church of Australia and of no Church which is not in communion with this Church;
2. That I am a member of _____
[insert name of parish or ministry district]
3. That I have received the Holy Communion not less than three times during the preceding twelve months including at least once during the season of Easter.

Signature: _____

Witness: _____

Date: ____/____/____

If Under 18 Date of Birth : ____/____/____

THE SECOND SCHEDULE [Section 26]

I, _____

DO HEREBY DECLARE

1. That I am a Person in Communion with The Anglican Church of Australia in terms of the Admission to Holy Communion Canon 1973 I am baptised in the name of the Holy Trinity and I am a Communicant member of the _____ Church which professes the Apostolic faith;

2. That I am a member of the Parish of _____ having been admitted to the Vestry of the Congregation of _____ in _____ ;

3. That I have received the Holy Communion not less than three times during the preceding twelve months including at least once during the season of Easter.

Signature: _____

Witness: _____

Date: ____/____/____

THE THIRD SCHEDULE [Section 8 (2)]

I, _____ ,

DO HEREBY DECLARE

1. That I am a member of The Anglican Church of Australia and of no Church which is not in communion with this Church;
2. That I am a communicant of the said Church;
3. That I have received the Holy Communion not less than three times during the preceding twelve months including at least once during the season of Easter.
4. That I am a member of _____ ;
[insert name of parish or ministry district]
5. That I have attained the age of eighteen years;
6. That I submit to and agree to be bound by the Constitution of The Synod of The Anglican Church of Australia in the Diocese of Willochra Incorporated and every Regulation made thereunder from time to time in force;

Signature: _____

Witness: _____

Date: ____/____/____

ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF WILLOCHRA



REGULATION ONE
SYNOD

Adopted 1997

Pages	Last Amended
1	May 2007
2 -10	May 1997

LAY MEMBERS OF SYNOD

1. Once in every three years unless the Synod shall have been dissolved pursuant to the provisions of clause 11 of this Regulation each Parish or District shall elect its Lay Members of Synod.
- 2.(1) By the last day of October in the year preceding the year in which the First Session of the Tri-ennial Synod shall take place the church wardens or secretary of every congregation shall certify to the Registrar the number of communicants in that congregation in the form of Schedule "A".
 - (2) The Registrar shall fix the number of Lay Members of Synod which the parish or district is entitled to elect according to the scale in clause 3 of this Regulation.
 - (3) By the last day of November in that year the Registrar shall cause notice thereof to be sent to the Parish Priest and to the Secretary of the Parish Council of each parish or to the District Priest and to the Secretary of each congregation in the District.
3. Where there are fewer than 50 communicants in the parish or district two Lay Members of Synod shall be elected; thereafter one Lay Member of Synod shall be elected for every additional 50 communicants or part thereof. Provided that where a parish or district desires for any reason to elect more Lay Members of Synod than here provided the matter shall be referred to the Diocesan Council which shall report the matter with its recommendation to Synod.
4. Lay Members of Synod shall be elected by any such method as the parish or district may from time to time determine provided that the election takes place no later than the last day of February.
5. The parish or district may elect Reserve Lay Members of Synod equal to the number of Lay Members of Synod provided in Clause 3. When any Lay Member of Synod of the parish or district is unable to attend a session of the Synod, notice of the attendance of a Reserve Lay Member of Synod shall be given by letter to the Bishop seeking leave of absence for that session. An order of precedence of Reserve Lay Members of Synod shall be decided by the meeting at the time of their election.
6. Upon the election of Lay Members of Synod and Reserve Lay Members of Synod the Chair of the meeting or other proper person shall forward to the Registrar by the first day of March the Certificate of Election in the form of Schedule "B".

7. Any casual vacancy shall be filled in such manner as the Parish or District may from time to time determine and notice thereof given to the Registrar within thirty days.
- 8.(1) If in any parish or district there are insufficient persons qualified and willing to be elected as Lay Members of Synod there may be elected in lieu of a Lay Member of Synod a Person in Communion as a Representative to attend sessions of the Synod other than a session called pursuant to Regulation 2. Any such election shall be in accordance with the preceding provisions of this Regulation.
 - (2) The person so elected shall be subject to the approval of the Bishop which approval may in the absolute discretion of the Bishop be revoked at any time.
 - (3) A Person in Communion elected as a Representative shall be entitled to participate in sessions of the Synod as a Lay Member of Synod but
 - (a) shall not be entitled to vote on any matter;
 - (b) shall not be entitled to be elected to any office or committee of the Synod;
 - (c) shall only be able to move or second a motion with the leave of the Synod and upon the specific request of the parish or district represented.
 - (4) Subject to this clause a Person in Communion may in like manner be elected as a Representative in lieu of a Reserve Lay Member of Synod.
9. In the event of a parish or district failing to elect a Lay Member of Synod or Representative the Bishop may appoint.

MEETINGS OF SYNOD

10. In accordance with Section 10 of the Constitution the Bishop shall summon the Synod.
11. The Bishop shall have the power to dissolve the Synod at any time, and thereupon the Registrar shall give notice to each parish or district for a fresh election of Lay Members of Synod to take place within three months of such dissolution; provided that in the case of any such dissolution all officers and members of committees appointed by Synod shall hold office until their successors be appointed.
- 12(1) The annual Session of the Synod shall be in the month of April or May. The Bishop with the consent of the Diocesan Council may alter the date of the annual Session of the Synod for due and sufficient cause. At least 8 weeks notice shall be given of the annual Session. The notice shall specify :
 - (a) A date not less than 5 weeks before Synod meets by which notices of motion, petitions and questions for inclusion on the notice paper shall be in the hands of the Registrar.

- 12(1) (b) Notices of motion arising out of reports shall be in the hands of the Registrar at least one week before Synod meets.
- (2) At least 28 days notice shall be given of a special call of the Synod
13. The minutes accounts and all other records of the Synod shall be accessible to the members of the Synod at all reasonable times at the Church Office.
14. An abstract of all receipts and of the expenditure of all funds under the control of the Synod shall be printed and published annually.
15. The discussion of the Synod, except for a synod specially called for the election of a Bishop, shall be open to the members of the public unless Synod by resolution closes the debate to the public.
16. The Synod shall be able by resolution to admit a person to take a seat on the floor of the Synod for that Session. Such a person shall have the right to speak but not to propose or second motions or vote.

SELECT COMMITTEES

17. Select Committees shall consist of not less than three nor more than five members unless by leave of Synod and shall be elected by nomination or in case more than the number required are nominated by ballot; and in all cases the consent to act of the person nominated shall be first obtained. All such Committees shall be instructed to report either to Synod or to the Diocesan Council. The mover of a motion for the appointment of a Select Committee shall if elected a member of such Committee act as convenor of the first meeting.

STANDING ORDERS FOR THE CONDUCT OF SYNOD

18. The Standing Orders for the conduct of Synod shall be as follows:-
- (1) The time of meeting for the dispatch of business shall be as ordered by the Bishop.
- (2) If a quorum be not present within half an hour after the time of meeting the Synod shall stand adjourned until the next time of meeting and if there be no quorum that day the Bishop shall adjourn the Synod to such time as the Bishop may think fit.
- (3) If at any time after the chair is taken the attention of the Bishop be formally called to the fact that a quorum is not present the Bishop shall at the end of ten minutes if a quorum be not first made up adjourn the Synod until the next time of meeting when the business shall be resumed at the point at which it was interrupted.

- 18(4) On the first day of each Session of each Synod the attendance of members having been recorded in the manner appointed by the Bishop the Order of Business after prayers shall be:-
- (a) Motions for the election of:
 1. A Clerical and a Lay Secretary
 2. A Chair of Committees
 - (b) The President shall report to Synod.
 - (c) The President shall table the statistical returns.
 - (d) The Diocesan Council shall present its report for the past year together with statements of accounts duly audited and motions connected therewith.
 - (e) Other reports and accounts shall be tabled. Motions connected therewith shall be taken in the ordinary course of business.
 - (f) Answers to questions on notice
 - (g) Petitions of which notice has been given
 - (h) Motions on the Notice Paper.
- (5) On subsequent days of each Session of each Synod the Order of Business after prayers shall be as arranged by the Committee appointed by Synod for that purpose.
- (6) Notwithstanding the above order of business at every annual Session of the Synod at 9 a.m. on the second full day of sitting or at some other time determined by the President there shall be a period of not more than 30 minutes set aside for members to speak on any matter. Each speaker shall be allowed a time not exceeding three minutes. If after a period of less than 30 minutes no member of the Synod indicates the desire to speak the President shall declare the period for such speeches closed and the Synod shall resume its business. All Standing Orders shall stand during this period except those which would prohibit or inhibit such procedure and these same shall be suspended during this special period and with regard to it only.
- (7) Orders of the Day shall be called on at the time Synod shall have determined and proceeded with. Thereafter the business on the notice paper shall be resumed at the point where it was interrupted.
- (8) The following elections shall be the first Order of the Day on the evening of the first full day of the First Session of Each Synod:-
- (a) The Diocesan Council
 - (b) The Parish Boundaries Board and Reserves
 - (c) The Diocesan Nominators and Reserves
 - (d) The Bishopric Nominators and Reserves
 - (e) The Panel of Assessors
 - (f) Representatives to Provincial Council and Reserves
 - (g) Representatives to General Synod and Reserves
 - (h) Members of any other committee that Synod may from time to time decide to appoint.

- 18(8) *(continued)* Unless the Synod determine otherwise where Reserves are elected the number of votes each received shall determine the order in which they are called.
- (9) Proposers shall obtain the consent of their nominees to act if elected. Nominations shall be in writing and shall be lodged with the Registrar. Each nomination may be accompanied by a statement in biographical form submitted by the Proposer.
- (10) The Elections shall be by ballot and the Bishop shall appoint scrutineers. The ballot shall be conducted in such manner as the Bishop shall direct.
- (11) Unless otherwise specifically provided all persons elected in accordance with this Regulation shall continue in office until their successors are appointed at the next election.
- (12) On the presentation of a Report the following Motions shall be in order:-
- (a) That the Report (if not printed and in the hands of members) be read.
 - (b) That the Report be printed and lie on the table.
 - (c) That the Report be received.
 - (d) That the Report be adopted.
 - (e) That the Report be taken into consideration on a future day.
 - (f) That the Report be referred back for reconsideration.
- (13) The Report of a Committee shall be presented by the Chair or by such other member of the Committee as the Chair may determine.

PETITIONS

- (14) Every Petition must be presented by a Member of Synod and shall contain a prayer and be signed by the Petitioner.
- (15) The only motion admissible on the presentation of a Petition shall be "That the Petition be received".

QUESTIONS AND MOTIONS

- (16) No question shall be asked except on notice duly given.
- (17) No motion shall be moved except on notice duly given.
- (18) The President shall allow to be added to the notice paper at any time any notice of question or motion which
- (a) in his opinion is of an urgent nature, or
 - (b) arises out of the President's report, or
 - (c) the Synod shall have given leave to be added to the notice paper.

- 18(19) Notices of question or motion received on the floor of Synod in accordance with clause 18(18) shall be in duplicate legibly written and signed by the mover.
- (20) If any Notice contains unbecoming expressions the President may order that it shall not be received.
- (21) Unless the President shall otherwise determine copies of additional questions or motions shall be made available to members of Synod as soon as conveniently possible.
- (22) Notices called on and not proceeded with - unless such arise from want of quorum - shall lapse.
- (23) If when a Motion is called on the mover is absent no other member shall move the same except by leave of Synod.
- (24) No motion shall be brought forward for discussion which in the opinion of the President is substantially identical to one already disposed of in the affirmative or negative during the same Session.

AMENDMENTS

- (25) A motion having been proposed may be amended; but no amendment except of a verbal character shall be put from the chair until a written copy thereof shall have been handed to the President or Chair of Committees as the case may be.
- (26) When the proposed amendment is to leave out certain words the President shall put the question "That the words proposed to be left out be left out".
- (27) When the proposed amendment is to leave out certain words in order to insert or add other words the President shall put the question "That the words proposed to be left out be left out"; which if resolved in the negative shall dispose of the amendment; but if in the affirmative another question shall be put "That the words of the amendment be inserted or added instead thereof".
- (28) When the proposed amendment is to insert or add certain words the President shall put a question "That such words be inserted or added".
- (29) Amendments may be proposed to a proposed amendment as if such proposed amendment were an original motion.
- (30) When amendments have been made the original motion as amended shall be put.
- (31) When amendments have been proposed but not made the motion shall be put as originally proposed.
- (32) An amendment proposed shall be disposed of before another amendment to the original motion can be moved.

RULES OF DEBATE

- 18(33) Every member shall address the chair when speaking and shall speak standing; and shall be entitled to be heard in silence.
- (34) Except by special permission of Synod the mover of a motion shall not speak to the motion for more than ten minutes and any member of Synod in debate shall not speak to the motion for more than five minutes.
- (35) A motion or amendment not seconded shall lapse and shall not be entered on the Minutes and the Synod shall at once proceed to the next business.
- (36) (a) No member, except as provided in clause 18(36)(b), or in Committee of the whole Synod, shall speak twice on the same motion unless in explanation of something that member has said in the debate and on which such member has been misrepresented or misunderstood, and in such explanation shall not introduce any new matter.
- (b) The mover of any original motion but not of an amendment shall be allowed to reply; such reply shall close the debate
- (c) A member who has seconded a motion or amendment without speaking to it may address the Synod on the subject of such motion or amendment at any subsequent period of the debate.
- (37)(a) At any time during the debate any member who has not yet spoken may without notice ask "whether in the opinion of the President the Question should now be put?" Whereupon or unasked the President may give Synod the opinion that the motion has been sufficiently discussed.
- (b) If after such expression of opinion by the President a Motion be made "That the motion be now put" the question on such Motion shall then be put without further debate and if such Motion be carried the President shall forthwith put the original motion to the vote; provided that whenever it is decided that any motion shall be put the mover of the original Motion shall have a right of reply.
- (38) A motion "That the debate be now adjourned" or "That the Synod do now adjourn" may be made by any member who has not spoken and if seconded shall be at once put from the chair without discussion. The member upon whose motion a debate shall have been adjourned shall be entitled to be heard first on the resumption of the debate.
- (39) A motion "That the Synod do now pass to the consideration of the next business" may be made by any member who has not spoken and if seconded shall be at once put from the chair without discussion; and if carried the main question shall drop but may be entertained upon due notice being given.

- 18(40) Whenever a motion "That the question be now put" or for the adjournment or "That the Synod do now pass to the consideration of the next business" is negative none of these motions shall be entertained within the next fifteen minutes.
- (41) A motion or amendment may with the consent of the seconder be withdrawn by leave of the majority of Synod.
- (42) If two or more members rise to speak at the same time the President shall decide which member is entitled to speak first.
- (43)(a) If any Point of Order arise the member speaking shall be seated until it be settled. Any member may speak once specifically to that Point of Order and the President shall decide such point before the general debate continues.
- (b) Any member objecting to such ruling or decision of the President shall do so at once moving "That the Synod dissent from the President's ruling" and such question shall be determined by the Synod forthwith.

VOTING

- (44) At the close of any debate the President shall put the motion to the vote.
- (45) If no call for a vote by orders be made by any member of Synod, the President shall call for the voices of Synod and declare whether the Ayes or the Noes have it. If the decision is challenged the President shall direct the Ayes to stand and be counted and then the Noes to stand and be counted.
- (46) All members present when the question is put must vote; and no member shall leave the room whilst the votes are being taken provided that immediately before a vote is taken any member of Synod may call for a deferment of up to 30 minutes and if supported by one fifth of those present the matter shall lie on the table so that members may give the matter further consideration.
- (47) The President shall have a deliberative vote and in the case of an equality of votes a casting vote except in the case of a vote by orders.

COMMITTEE OF WHOLE SYNOD

- (48) In Committee of the whole Synod the Chair of Committees shall preside but if absent any member may be elected to the Chair; provided always that the Bishop may preside in the Committee.
- (49) The Chair of Committees shall have a casting vote only.

- 18(50) The Chair of Committees shall be invested with the same authority for the preservation of order as the Bishop when presiding in Synod.
- (51) The same rules as to quorum and order of debate shall be observed in Committee as in Synod except the rule which limits the number of times of speaking.
- (52) Motions may be made: "That Synod do now resume" or "That the Committee do now report progress and ask leave to sit again" which if seconded shall be at once put from the chair without discussion.

REGULATIONS AND ORDINANCES

- (53) The first Motion to be moved is "That The Synod do now consider a measure for (and here shall be set forth the general object of the measure)". After the speeches by the mover and seconder of the motion the President shall ask if any member of Synod wishes to ask a question of the mover or seconder and such a question or questions shall not constitute speech in debate. During such question period errors of a typographical or grammatical or verbal nature may be attended to without the necessity for amendment in Committee.
- (54) After all questions have been responded to the President shall ask if any member of Synod wishes to debate the motion in Synod and if no such wish is expressed the motion shall be put to Synod. If requested debate shall proceed and when concluded the motion shall be put to Synod.
- (55) If the motion be resolved in the affirmative the President shall ask if any member of Synod wishes to debate the measure in Committee.
- (56) If no such wish is expressed the President shall invite the mover of the original motion to move "That the measure do now pass" and on this motion being agreed to by Synod the President shall declare the measure to be passed.
- (57) If debate in Committee be requested the Synod shall without a question resolve itself into a Committee of the Whole for consideration of the measure.
- (58) When the measure has been settled in Committee it shall be reported by the Chair to Synod with or without amendment as the case may be.
- (59) When the measure is reported the adoption of the report may be immediately moved or a future day appointed for that purpose.
- (60) The adoption of the report having been carried by the Synod the President shall declare the measure to be passed.

GENERAL RULES

- (61) The minutes of each day's proceedings shall be prepared by the Secretaries and signed by the Bishop and the Secretaries and shall then be taken and accepted as the authentic record of Synod.
- (62) Any of the Standing Orders may be suspended on motion without notice duly seconded but not without the consent of a majority of the members present who have votes.
- (63) In all cases not herein provided for resort shall be had to the Standing Orders of the General Synod.

ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF WILLOCHRA



REGULATION TWO
THE BISHOP

Adopted 1994

Pages

Last Amended

1

May 1996

2 - 4

May 1994

THE ELECTION OF A BISHOP

The Bishopric Nomination Committee

1. When the See becomes vacant, or three months before the date of the retirement of the Bishop, the Administrator (as defined in Section 26 of the Constitution) shall call together the Bishopric Nomination Committee which shall nominate not less than three and not more than four persons to a special session of Synod to be called within three months of the vacancy of the See for the purpose of electing a Bishop.
2. The Bishopric Nomination Committee shall consist of the Administrator of the Diocese together with five clerical and five lay members of Synod who shall be elected at the first session of each Synod. There shall also be elected three clerical and three lay persons as reserves in the event of any member of the Committee being unavailable to serve. Any clerical member whose name is considered for nomination as Bishop shall cease to be a member of the Committee. In the event of the Administrator being nominated, the committee shall elect one of its members to chair the Committee.
3. The Administrator shall circularise all members of Synod inviting them to make submissions to the Nomination Committee.
4. A name shall not be included for nomination to the Synod unless a majority of the clerical and a majority of the lay members agree to such nomination.
5. The Nomination Committee shall present to the Synod a statement about each nominee.

Election Synod

6. The Administrator shall cause a call of the Synod to be made within three calendar months of the vacancy of the See for the purpose of electing a Bishop.
7. During the deliberations of the Election Synod only members and officers shall be allowed to be present except by special leave of the Synod. No members shall at any time disclose any information concerning the proceedings of the Election Synod or the names of the candidates or the details of any ballot.

8. The Synod by a vote of the majority of members present may at any stage in the proceedings under this regulation resolve itself into a Committee of the whole and report back to Synod or may from time to time adjourn to a time to be fixed.
9. When the Synod has assembled the Administrator shall announce that a vacancy of the See has occurred. The Administrator shall state the cause thereof and explain the procedure to be followed in filling the vacancy, namely: that Synod shall receive the names submitted to it by the Nomination Committee together with not more than one name submitted by the House of Clergy and not more than one name submitted by the House of Laity.
10. The Administrator shall then inform members of Synod of the nominations being submitted to the Synod by the Nomination Committee.
11. Each House of Synod shall then meet separately. The House of Clergy shall be chaired by the Administrator and the House of Laity by a lay member of Synod appointed by the Administrator.
12. The business of each House meeting separately is to consider the question "Do we wish to add the name of one person to the list of nominees?" If a majority in either House agree on the name of a person to be added then that name shall be added to the list of nominees.
13. When both the House of Clergy and the House of Laity have completed the business before them the Administrator shall call Synod together again. Synod shall then resolve itself into a committee of the whole for the purpose of discussing the candidature of those who have been nominated. After discussion Synod shall resume and each name shall be balloted for individually by the House of Clergy and the House of Laity voting by orders. Every name which shall fail to obtain one third of the vote of each order shall be removed from the list.
14. The names remaining on the list shall then be balloted for each voter recording a vote for one person only. The candidate obtaining two-thirds of the votes of each order shall be the Bishop elect.
15. If after three ballots as in Clause 14 no candidate receives the requisite majority and if one of the candidates shall have obtained a majority of votes in each house and if the Synod decide in the affirmative it shall be permissible to move that such candidate be elected Bishop. If this motion is carried by a two thirds majority in each house voting by secret ballot then that person shall be the Bishop elect.

16. If no such motion is agreed to or if no candidate receive the requisite majority then the Synod shall be adjourned until such time as the Nomination Committee shall have prepared a further set of nominations for Synod.
17. If the person elected as aforesaid shall decline to accept the See the Synod shall proceed again under this Regulation.

Delegation of Powers

18. If the Synod fails on two successive occasions to elect a Bishop it shall be competent for the Synod either absolutely or subject to any conditions it may think fit to impose to delegate its power and authority to elect a Bishop to the Primate, conjointly with some other Bishops of the Dioceses of the Anglican Church of Australia to be named by the Synod.
19. If no such election of a Bishop as provided for by clauses 8 to 17 of this Regulation or no appointment of a Bishop under any delegated power and authority hereinbefore referred to shall be made within a period of twelve months from the date of the vacancy of the See then the appointment of a Bishop shall for this occasion pass to the Primate conjointly with the Bishops of the Dioceses of the Anglican Church of Australia and shall be made by them.

Upon Election or Appointment

20. The Administrator shall report to the Metropolitan the result of any election or appointment in order to obtain the confirmation required by the Constitution of the Anglican Church of Australia or by any Canon of the General Synod that may for the time being be in force and binding on this Diocese.
21. The election or appointment having been made and confirmed the person elected or appointed shall if not already consecrated be consecrated as provided in the Canons of General Synod. Provided that in every case the Bishop shall take the oath of canonical obedience to the Metropolitan and shall make a declaration to be subject to the Constitution of the Anglican Church of Australia and the Canons and Determinations of the General Synod for the time being in force and binding on this Diocese and the Constitution and Regulations of the Synod.

22. Any Bishop elected shall either before consecration or if already consecrated before exercising any episcopal function in the Diocese sign and subscribe the following declaration:
I, A.B., Bishop elect of the Diocese of Willochra do promise that I will maintain and teach the doctrine and discipline of the Anglican Church of Australia and I consent to be bound by all the Constitution and Regulations of Synod now or hereafter in force and I hereby undertake immediately to resign the said Bishopric and all rights and emoluments appertaining thereto if sentence requiring such resignation shall at any time be passed upon me after due examination had by the Tribunal acknowledged by the said Synod for the trial of a Bishop in accordance with the Constitution and Canons of the Anglican Church of Australia.
Given under my hand this.....day of.....19...

THE WILLOCHRA SEE ENDOWMENT FUND

23. The present and future property of the See of Willochra known as "The Willochra See Endowment Fund" shall be vested in the Synod and shall be administered by the Diocesan Council.
24. The net income of the Fund shall be used for the expenses of the Bishop.
25. During any vacancy in the See of Willochra the Administrator shall be paid out of the said income a stipend and travelling expenses determined by the Diocesan Council.
26. If any Bishop of Willochra be lawfully deprived of the office of Bishop of Willochra the See shall immediately on the pronouncing of such sentence of deprivation be vacant and the Bishop so deprived shall from the date of deprivation have no claim for or in respect of stipend which would but for deprivation have accrued after that date: and upon such deprivation the Bishop so deprived shall peaceably hand over and deliver up possession to the Diocesan Council or to such person as the Council may appoint all real and personal property belonging to the said Fund of which the Bishop may have occupation or possession or control.
27. At the Annual Meeting of the Synod the Diocesan Council shall present accounts showing how the Fund has been administered during the preceding twelve months.

ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF WILLOCHRA



REGULATION THREE
THE ADMINISTRATION
OF THE DIOCESE

Pages	Last Amended
1	May 2003
2	May 1996
3 - 4	May 2002 (reissued 2003)
5	May 2004

Appendix One

Pages 6-26 Updated May 2008

Appendix Two

Pages 27-57 Updated May 2008

DIOCESAN COUNCIL

1. Election of the Diocesan Council

At the First Session of each triennial Synod three clerical and six lay members shall be elected by ballot to the Diocesan Council. Council members shall hold office until their successors are appointed except that the office of any member who shall be absent from three consecutive meetings of the Council, without leave of absence, shall be vacated.

2. Composition of the Diocesan Council

The Diocesan Council shall consist of the Bishop, Archdeacon(s), Registrar, Diocesan Treasurer, three clerical and six lay members of Synod. The Bishop when present and willing shall preside. The quorum shall be five, with at least one lay and one clerical member making up that number.

3. Meetings of the Diocesan Council

The Diocesan Council shall meet not less than four times each year.

4. Vacancies

- (1) In the event of any vacancy occurring among the elected members of Diocesan Council, the Diocesan Council shall appoint a person to fill the vacancy. Such person shall hold office until the conclusion of the next ordinary session of Synod, when the vacancy shall have been filled by the Synod.
- (2) Provided that the Synod is not in session, the Diocesan Council shall fill such vacancies as may from time to time occur in the various committees appointed by the Synod.
- (3) Notwithstanding anything contained in this Regulation, where a vacancy occurs in the membership of any of the committees appointed by the Synod then that committee shall have the right to nominate a person or persons for election to the committee concerned.

5. Concerning Church Property

- (a) Insurance: The Diocesan Council shall insure adequately at the cost of the Parish or Ministry District concerned all church property of every description in every Parish and Ministry District within the Diocese. All premiums payable for such insurance shall be paid as determined by Diocesan Council from time to time.

(b) Where in case of any Church the Vestry or in the case of any Parish the Parish Council desires to sell or make any voluntary disposition or exchange or purchase any land or other property such Vestry or Parish Council (as the case may be) may pass a resolution to that effect at a properly convened meeting of such Vestry or Parish Council. A copy of such resolution certified correct by the person presiding at such meeting shall be forwarded as soon as convenient to the Diocesan Council which may approve, reject or refer for further consideration any such resolution. When the Diocesan Council shall have approved any such resolution the same shall be dealt with in accordance with the Constitution. In the case of any sale the proceeds thereof shall be applied in accordance with any purpose or purposes set out in the resolution above referred to. In case no such purpose or purposes shall have been so set out the proceeds of such sale shall be applied as the Vestry or Parish Council (as the case may be) shall from time to time direct subject to the approval of the Diocesan Council.

(c) Letting: No land or buildings shall be let for any terms without the prior approval of the Diocesan Council.

6. **Finance Committee**

The Diocesan Council shall elect from its members a Finance Committee which shall transact such business concerned with the funds and the property of the Synod or with the funds and the property held in trust by the Synod as the Diocesan Council shall from time to time direct. The Finance Committee shall consist of the Bishop, Treasurer and Registrar together with not more than two clerical and two lay members who shall hold office subject to the pleasure of the Diocesan Council. Any member of the Finance Committee ceasing to be a member of the Diocesan Council shall also cease to hold office on the Finance Committee.

7. **Steering Committee for Synod**

(a) The Diocesan Council shall at its first meeting after the first session of each triennial Synod appoint a Committee to be known as the Steering Committee consisting of the Bishop (who shall be ex-officio Chair), Registrar, one clerical and one lay member of Synod for the purposes of preparing the business of the Synod. If the Bishop be not present the Committee shall elect one of its own number to preside.

- (b) The Steering Committee shall examine all notices of motion, notices of question and petitions and may recommend to any person submitting the same the adoption of an alternative form of notice of motion, notice of question or petition and shall arrange all notices of motion notices of question and petitions so submitted in a suitable order for the notice paper.
 - (c) The preparation of the notice paper shall be completed in sufficient time to enable the same to be despatched to members not less than 4 weeks before each Session of Synod.
8. **Diocesan Council Report**
At each ordinary session of the Synod the Diocesan Council shall present its report for the past year together with the statements of accounts duly audited.
9. **Annual Budgets**
The Diocesan Council shall present to each session of the Synod an estimate of Synodal expenses and income for the current year and the following year.

THE ADMINISTRATOR

10. The Bishop may appoint an Administrator who shall exercise the powers vested in the Bishop in the event of the death, resignation, incapacity or absence of the Bishop from the Diocese. Such appointment shall be under the seal and duly registered in the Diocesan Registry. If no such appointment has been made the Administrator shall be the person defined in Section 26 of the Constitution.

THE VICAR GENERAL

11. While the See is filled the Bishop may appoint a Vicar General who shall exercise such powers as the Bishop shall delegate at any or at such specified times as the Bishop shall decide. Such appointment shall be under seal and shall be duly entered in the Diocesan Registry.

ARCHDEACONS

12. The Bishop may appoint an Archdeacon or Archdeacons to assist in the administration of the Diocese. They shall exercise such authority as shall be committed to them by the Bishop to execute any or all of the following functions and such other functions as the Bishop may assign them.

- (a) To visit Parishes and Ministry Districts as the Bishop may determine, to inspect the registers, inspect the fabric of churches, halls, housing for clergy and other buildings and property, to consult with the clergy and churchwardens and to report thereon to the Bishop.
- (b) To call the attention of the Churchwardens to any necessary repairs or improvements which should be made to the buildings or the grounds,
- (c) To examine and report to the Bishop and the Diocesan Council upon all proposals and plans for the building, restoration or alteration of churches and other buildings belonging to the parish.
- (d) To inform the Bishop of any case or need for the exercise of ministry or authority.
- (e) To represent the Bishop and the Diocese on special occasions in any parish. To represent the Bishop at the Vestry or other parish meetings if the Bishop so desires. To execute any commission entrusted to them by the Bishop. To advise the clergy in their ministrations.

And when specially requested by the Bishop to exercise such authority as shall be deputed to them.

CANONS

- 13. The Bishop may appoint a Canon or Canons to share in the concern for the evangelistic missionary and teaching work of the Diocese.

THE CHANCELLOR

- 14. The Bishop may appoint a Chancellor under the terms of Canon No. 4 of 2001.
 - (a) The Chancellor is the principal confidential adviser to the Bishop in legal and related matters.
 - (b) Subject to the Chancellor's overriding duty to the Bishop, the Chancellor may provide advice to The Synod and other agencies of the Diocese.
 - (c) The Chancellor may preside in the Diocesan Tribunal as Deputy President, if appointed so to do by the Bishop pursuant to section 54(1) of the Constitution of the Anglican Church of Australia
 - (d) The Chancellor has such other powers duties and responsibilities and holds such other positions as may be prescribed by the Constitution of the Anglican Church of Australia or the Constitution and Regulations of the Diocese.

RURAL DEANS

15. The Bishop may group parishes into Deaneries and appoint Rural Deans. The Rural Dean shall be the Chairman of meetings of the Rural Deanery clergy (the Chapter) and of the Ruri-Decanal Conferences. Ruri-Decanal Conferences of the clergy and representatives of the laity in the Deanery shall be held at the request of two or more Parish Councils or of the clergy or of the Bishop. The Ruri-Decanal Conference lay representatives shall consist of the Churchwardens, Pastoral Assistants, Lay members of Synod and such other members of the Rural Deanery as may desire to be present.

DIOCESAN TREASURER

16. The Diocesan Treasurer shall be appointed by the Diocesan Council before the first session of each triennial Synod and shall take office at the conclusion of such session. The appointment shall not take effect until the person appointed shall have signed a declaration in the form contained in the third schedule of the Constitution. In the event of a casual vacancy occurring in this office, Diocesan Council shall appoint a Diocesan Treasurer to serve for the remainder of the triennium.

DIOCESAN REGISTRAR

17. The Diocesan Registrar shall be appointed by the Bishop. Such appointment shall not take effect until the person appointed shall have signed a declaration in the form contained in the third schedule of the Constitution. The Registrar shall exercise such authority and execute such functions as the Bishop may assign.

OTHER OFFICERS

18. The Bishop in consultation with the Diocesan Council may appoint such other officers as the Bishop or Council shall think necessary.

PROFESSIONAL STANDARDS

19. This Diocese of Willochra has adopted and is committed to implementing the procedures relating to Professional Standards recommended by the Church Law Commission. (See Appendix One)

APPENDIX ONE

PROFESSIONAL STANDARDS

within the Anglican Church of Australia, and for other purposes
as recommended by the Church Law Commission
amended to February, 2008

Part 1 - Preliminary

1. unless the context otherwise requires:
 - “**Board**” means the Professional Standards Board established under Part 7;
 - “**child**” means anyone under the age of 18;
 - “**child abuse**” means the following conduct in relation to a child:
 - (a) emotional abuse; or
 - (b) neglect; or
 - (c) physical abuse; or
 - (d) sexual abuse; or
 - (e) spiritual abuse;
 - “**Church**” means the Anglican Church of Australia;
 - “**Church authority**” means the Bishop or a person or body having administrative authority of or in a Church body to license, appoint, authorise, dismiss or suspend a Church worker;
 - “**Church body**” includes a parish, school, any body corporate, organization or association that exercises ministry within, or on behalf of, the Church;
 - “**Church worker**” means a person who is or who at any relevant time was:
 - (a) a member of the clergy; or
 - (b) a person employed by a Church body; or
 - (c) a person holding a position or performing a function with the actual or apparent authority of a Church authority or Church body;but excludes a bishop subject to the jurisdiction of the Special Tribunal of the Church;
 - “**Code of Conduct**” means a code of conduct approved from time to time under Part 2;
 - “**Director**” means the Director of Professional Standards appointed under Part 5;
 - “**emotional abuse**” means acts or omissions in relation to a child where the child has suffered, or is likely to suffer, significant harm to his or her wellbeing or development;
 - “**equivalent body**” means a body of another diocese exercising powers, duties or functions equivalent to those of the PSC or the

Board as the case may be, or where there is no such body, the bishop of the diocese;

“examinable conduct” means conduct wherever or whenever occurring the subject of information which, if established, might call into question:

- (a) the fitness of a Church worker, whether temporarily or permanently, now or in the future to hold a particular or any office, licence or position of responsibility in the Church or to be or remain in Holy Orders or in the employment of a Church body; or
- (b) whether, in the exercise of a Church worker’s ministry or employment, or in the performance of any function, the Church worker should be subject to certain conditions or restrictions;

“information” means information of whatever nature and from whatever source relating to:

- (a) alleged conduct of a Church worker wherever or whenever occurring involving sexual misconduct or child abuse;
- (b) alleged inappropriate or unreasonable conduct or omission of a Church worker who had knowledge of conduct of another Church worker involving sexual misconduct or child abuse; or
- (c) an alleged process failure;

“member of the Clergy” means a person in Holy Orders;

“neglect” means the neglect of a child where the child has suffered, or is likely to suffer, significant harm to his or her wellbeing or development;

“physical abuse” means the physical assault of a child other than lawful discipline by a parent or guardian;

“national register” means any national register established pursuant to a Canon of General Synod or a resolution of the Standing Committee of General Synod for the purpose of recording determinations of the Board and other equivalent bodies;

“process failure” means the failure by a Church body or Church authority prior to *this document* coming into effect to deal appropriately with or to investigate matters referred to in paragraphs (a) or (b) of the definition of information;

“Professional Standards Committee” or **“PSC”** means the Professional Standards Committee established under Part 4;

“prohibition order” means an order prohibiting a Church worker from holding a specified position or office in or being employed by a Church body or Church authority or from carrying out any specified functions in relation to any office or position in the diocese or in relation to employment by a Church body;

“protocol” means the protocol approved from time to time by the *Diocesan Council* under Part 3;

“**referring body**” means the PSC or an equivalent body which refers a question or questions under section 54 to the Board;

“**respondent**” means a Church worker whose alleged conduct or omission is the subject of information.

“**sexual abuse**” means sexual misconduct in relation to a child;

“**sexual misconduct**” means sexual assault, sexual harassment or sexually inappropriate behaviour in relation to an adult;

“**spiritual abuse**” means the mistreatment of a child by actions or threats when justified by appeal to God, faith or religion where the child has suffered, or is likely to suffer, significant harm to his or her wellbeing or development;

2. For the purposes of this document -

(a) a person employed by a Church body; or

(b) a person holding a position or performing a function with the actual or apparent authority of a Church authority or Church body;

will be taken to be engaged by a Church authority.

3. The Diocesan Council may enter into such agreements or arrangements as it sees fit with the relevant authority of another diocese as to the terms on which the powers and functions of the equivalent bodies or persons of that diocese are to be exercised by the persons holding office in or as delegates of the PSC, or by the members or the secretary of the Board.

Part 2 – Code of Conduct

4. The Synod or the Diocesan Council shall from time to time by resolution approve a Code of Conduct for observance by Church workers in the diocese.

5. The Diocesan Council through the PSC and by such other means as may be considered appropriate shall take such steps as may be necessary or desirable to promote the knowledge, understanding and observance in this Church of any code of conduct applicable in the diocese.

Part 3 – The Protocol

6. (1) The Diocesan Council shall from time to time consider and approve a protocol for implementation in relation to information.

(2) The protocol must include:

(a) procedures for receiving information;

(b) the appointment, role and function of contact persons;

(c) provision for informing complainants and victims of alleged conduct the subject of information, and respondents, of rights, remedies and relevant procedures available to them;

- (d) provision for assisting or supporting, as appropriate, all persons affected by alleged conduct the subject of information;
 - (e) an explanation of the processes for investigating and dealing with information;
 - (f) provisions for dealing fairly with respondents;
 - (g) processes for referral to mediation and conciliation in appropriate circumstances;
 - (h) processes for dealing with alleged process failure;
 - (i) provisions for regular information, reports, advice and recommendations to the Bishop and any other relevant Church authority at each stage of the process of dealing with information;
 - (j) procedures for working, where necessary, with law enforcement, prosecution or child protection authorities of the States and Territories and of the Commonwealth of Australia.
7. The Diocesan Council through the PSC and by such other means as it may consider appropriate shall take such steps as may be necessary or desirable to promote throughout the community a knowledge and understanding of the protocol.

Part 4 – Professional Standards Committee

8. There shall be a Professional Standards Committee for the diocese.
9. The members of the PSC shall be appointed and shall hold office on such terms and conditions as may be determined by the Diocesan Council from time to time or in accordance with any Regulations of the Diocesan Council.
10. (1) The PSC shall have at least three members.
(2) The membership of the PSC shall be constituted so as collectively to provide:
- (a) experience in law;
 - (b) experience in the ordained Ministry; and
 - (c) experience and appropriate professional qualifications in child protection, social work or counselling.
- (3) The PSC shall include at least one person who is not a member of this Church and so far as it is reasonably practicable shall have an equal number of men and women.
11. (1) The convenor of the PSC will be appointed by or in the manner determined by the Diocesan Council.
(2) The PSC may meet from time to time as determined by the convenor or a majority of its members and may conduct its business by telephone or electronic communication.
(3) The procedures of the PSC shall be as determined by the PSC.
(4) A majority of the members shall constitute a quorum.

- (5) A decision taken other than at a meeting of the PSC, if supported by a majority of members of the PSC, constitutes a decision of the PSC.
- (6) The PSC shall act in all things as expeditiously as possible.
12. An act or proceeding of the PSC is not invalid by reason only of a vacancy in its membership and, notwithstanding the subsequent discovery of a defect in the nomination or appointment of a member, any such act or proceeding is as valid and effectual as if the member had been duly nominated or appointed.
13. The Synod indemnifies any member or delegate of the PSC for any act or omission by the member or delegate or by the PSC in good faith and in the exercise or purported exercise of powers or functions, or in the discharge or purported discharge of duties under this document.
14. The members of the PSC may constitute an equivalent body, either generally or for a particular case or matter.
15. Subject to the provisions of this document, a member of the PSC, a Church authority or a person employed or engaged on work related to the affairs of the PSC must not divulge information that comes to his or her knowledge by virtue of that office or position except:
- (a) in the course of carrying out the duties of that office or position;
 - (b) as may be authorised by or under this document;
 - (c) in any proceedings before a diocesan tribunal, a provincial tribunal or the special tribunal;
 - (d) as may be required by law; or
 - (e) to any insurer or insurance broker of a Church body or Church authority where the information may give rise to or be relevant to a claim for indemnity by the Church body or Church authority against the insurer or is relevant to obtaining or continuing insurance cover.
16. The PSC must disclose to an equivalent body relevant details of information in its possession concerning the alleged conduct of a Church worker:
- (a) which is information that is relevant to, or arising during the course of, an investigation being undertaken by the PSC where the PSC knows that the Church worker is residing in the diocese of the equivalent body; or
 - (b) which is information concerning conduct alleged to have occurred in the diocese of the equivalent body;
- and shall co-operate with any equivalent body.
17. (1) Subject to subsection (2), the PSC may release to the public such material as it may determine with respect to any information.
- (2) In relation to a matter that is the subject of a reference to the Board the PSC shall make public such information concerning the matter as the Board may direct or approve.

18. (1) Without disclosing the identity of any informant, complainant or the respondent, the PSC shall report annually to the Diocesan Council on its activities for that calendar year.
 - (2) Notwithstanding subsection (1), the report of the PSC pursuant to that subsection may identify a respondent who has been exonerated from an allegation the subject of information or who has been the subject of a determination or recommendation by the Board.
 - (3) The PSC shall, in respect of every matter with which it is dealing, report either orally or in writing to the Bishop with such frequency and as fully as the Bishop shall reasonably require.
19. (1) Subject to sub-section (2), the PSC may delegate, upon such terms and conditions as the PSC may approve, any of its powers or functions under this document to any person.
 19. (2) The PSC cannot delegate:
 - (a) its powers under subsection (1);
 - (b) its powers under section 30; or
 - (c) the power to refer a matter to the Board.
 - (3) A delegation under this Section must be made by instrument in writing signed by a member of the PSC.
20. (1) Subject to the provisions of this document the PSC has the following powers and duties:
 - (a) to implement the protocol to the extent that the protocol is not inconsistent with this document;
 - (b) to receive information;
 - (c) to act on information in accordance with the provisions of this document, and the protocol to the extent that it is not inconsistent with this document;
 - (d) to appoint suitable persons to fulfil the several roles required to implement the protocol in each particular case;
 - (e) where appropriate, to arrange for the conciliation or mediation of any complaint the subject of information;
 - (f) to investigate information in a timely and appropriate manner;
 - (g) where appropriate, to recommend to the Diocesan Council any changes to the protocol;
 - (h) subject to any limit imposed by the Diocesan Council to authorise such expenditure on behalf of the Synod or the Church body as may be necessary to implement, in a particular case, the protocol and the provisions of this document;
 - (i) to advise any relevant Church authority or Church body as to the financial or other needs of a person affected by conduct the subject of information and as to any possible or actual legal proceedings against such Church body or Church authority arising out of the alleged conduct of a Church worker;

- (j) to refer any information in its possession to a member of a law enforcement, prosecution or child protection authority of a State or Territory or of the Commonwealth of Australia to which the information is or may be relevant;
 - (k) to maintain proper records of all information received and of action taken in relation to such information;
 - (l) to exercise such other powers and functions as are conferred on it by this document.
- (2) The power and duty of the PSC to exercise its functions under this document arises in respect of:
- (a) conduct wherever it is alleged to have been engaged in by a Church worker resident or licensed in the diocese, or engaged by a Church authority;
20. (2) (b) an omission, whenever it is alleged to have occurred, by a Church worker resident or licensed in the diocese, or engaged by a Church authority;
- (c) conduct which is alleged to have occurred within the diocese wherever the Church worker involved in the alleged conduct may reside;
 - (d) conduct, wherever it is alleged to have been engaged in, or an omission, wherever it is alleged to have occurred, by a Church worker, wherever the Church worker may reside
 - (i) in respect of or affecting a person resident in the diocese; or
 - (ii) that may affect a Church body or Church authority in the diocese, or Church property or property held in trust for the benefit of or in connection with the Church or a Church body in the diocese.

Part 5 – Director of Professional Standards

21. (1) There shall be a Director of Professional Standards.
- (2) The Director shall be appointed by and shall hold office in accordance with a resolution of the Diocesan Council.
22. The Director shall have the following functions:
- (aa) to receive information on behalf of the PSC;
 - (a) to manage the implementation of the protocol in respect of any information;
 - (b) to be the executive officer of the PSC;
 - (c) to attend meetings of the PSC except for any part of a meeting which deals with conditions of employment, remuneration or performance of the Director;
 - (d) such other functions and duties as may be determined by the Diocesan Council or the PSC.
23. The Director may act in a corresponding capacity for another diocese either generally or for a particular case or matter.

Part 6 – Examinable Conduct

24. (1) A member of the Clergy and a Church authority in the diocese shall as soon as possible refer any information in his her or its possession or knowledge to the Director or to a member of the PSC unless there are reasonable grounds to believe that the information is already known to the PSC.
- (2) This section does not affect the operation of the Canon Concerning Confessions 1989 of General Synod or any other canon or legislative instrument relating to confessions in force in the diocese.
25. Subject to this document, where the PSC considers that the subject matter of information constitutes examinable conduct it shall investigate the information.
26. (1) The PSC may, if it thinks it appropriate to do so, refer the subject matter of information, or the investigation of information, to an equivalent body or bodies.
- (2) When the PSC and an equivalent body or equivalent bodies have the power and duty to investigate information concerning the alleged conduct or omission of the same Church worker and the respective bodies cannot agree on:
- (a) which body shall carry out the investigation or any parts of such investigation; or
- (b) whether a question or questions specified in section 54 should be referred to the Board or to an equivalent body which has jurisdiction;
- then the PSC shall refer the disagreement for decision by the Director and the persons acting in a corresponding capacity for every other dioceses acting together.
- (3) The PSC shall act in accordance with the unanimous decision of the persons referred to in subsection (2) or, if such persons cannot agree within a reasonable time of the disagreement being referred, in accordance with the decision of the Primate or a member of the House of Bishops appointed by the Primate.
- (4) In all matters affecting the operation of this document the PSC and the Director shall cooperate with and assist an equivalent body and a person acting in the corresponding capacity of the Director in another diocese.
- (5) In making a decision under subsection (2) the Director shall not be bound by the views or instruction of the PSC but shall take into account the most convenient course for all concerned and the proper and expeditious conduct of the investigation or referral as the case may be.
27. The PSC may refrain from further investigation of the information if:
- (a) in its opinion, the allegations the subject of the information are false, vexatious or misconceived, or their subject matter is trivial;

- (b) the subject matter is under investigation by some other competent person or body or is the subject of legal proceedings;
 - (c) the person making allegations of examinable conduct or a person affected by the conduct the subject of the information has failed to provide further particulars or to verify the allegations by statutory declaration; or
 - (d) in its opinion there is insufficient reliable evidence to warrant an investigation or further investigation.
28. For the purpose of an investigation the PSC or an investigator shall obtain such statutory declarations, written statements, recorded conversations, reports, documents and other material as the PSC or its delegate considers necessary or advisable for presentation to the Board.
29. (1) The PSC may by notice in writing to a respondent require the respondent to provide a detailed report to the PSC within the time specified in the notice in relation to any matter relevant to the investigation.
- (2) It is the obligation of a respondent:
- (a) truthfully to answer any question put by or on behalf of the PSC in the exercise of powers conferred by this document;
 - (b) not to mislead the PSC or a member or delegate of the PSC;
 - (c) not unreasonably to delay or obstruct the PSC or a member or delegate of the PSC in the exercise of powers conferred by this document.
- (3) If a respondent declines to answer a question on the ground that the answer might tend to incriminate the person a written record shall be made of the question and of the ground of refusal.
30. At any time after the PSC has commenced or caused to be commenced an investigation of information under this Part, it may, after giving the respondent an opportunity to be heard, recommend to the relevant Church authority one or more of the following:
- (a) that the respondent should be suspended from the duties or office or employment by a Church body;
 - (b) that a prohibition order be made against the respondent.
31. The relevant Church authority is authorised to give effect to a recommendation made under section 30.
32. Before making a recommendation under section 30 the PSC shall take into account:
- (a) the seriousness of the conduct alleged in the information;
 - (b) the nature of the material to support or negate the allegations;
 - (c) whether any person is at risk of harm;
 - (d) after consultation with the relevant Church body or its representative, the effect on the respondent, a relevant Church

- body and on the Church in the diocese of acting and of not acting under section 30; and
- (e) any other allegation of similar examinable conduct previously made to the PSC or to an equivalent body within the previous ten years;
- and may take into account any other relevant matter.
33. A suspension or prohibition order made by a Church authority pursuant to a recommendation under section 30 shall be terminated by the Church authority:
- (a) if the PSC terminates the investigation without referring the matter to the Board;
- (b) upon any direction to that effect given by the Board; or
- (c) upon the Church authority giving effect to a recommendation of the Board under section 69.
34. During a suspension or prohibition pursuant to the provisions of this Part or during a period when a person voluntarily stands down from a position while conduct the subject of information is dealt with under this document:
- (a) the respondent shall comply with the terms of any prohibition order;
- (b) the respondent is ineligible for appointment to any position or function covered by any suspension or prohibition order;
- (c) the relevant Church authority may fill the vacancy caused by any suspension or prohibition order, or while the respondent is standing down; and
- (d) the respondent is entitled to whatever stipend, salary, allowances and other benefits that he or she would otherwise have received and which are to be met or reimbursed from funds under the control of the Synod.

Part 7 – Professional Standards Board

35. There shall be a Professional Standards Board constituted and appointed in accordance with the provisions of this Part.
36. The members of the panel referred to in section 39 may constitute an equivalent body either generally or for a particular case or matter.
37. Subject to the provisions of this document the function of the Board is to inquire into and determine a question or questions referred to it pursuant to section 54 and questions within its jurisdiction referred to it by an equivalent body to the PSC and to make a determination referred to in section 69 and where appropriate to make a recommendation in accordance with the provisions of this document.
38. The Board has jurisdiction to exercise its functions in respect of a Church worker:
- (a) resident or licensed in the diocese, or engaged by a Church authority; and

- (b) not resident or licensed in the diocese nor engaged by a Church authority but whose conduct giving rise to the reference is alleged to have occurred in the diocese or whose omission giving rise to the reference is alleged to have occurred when the Church worker was resident or licensed in the diocese or was engaged by a Church authority.
39. The members of the Board in a particular case shall be appointed from a panel comprising:
- (a) a President and a Deputy President, both of whom shall be persons who are eligible for appointment as lay members of the Appellate Tribunal;
 - (b) five members of the clergy of at least seven years' standing; and
 - (c) five lay persons who are may or may not be members of the Church and at least three of whom are certified by the PSC as having professional experience, training or skills in sexual harassment or assault or sexually inappropriate behaviour.
40. The members of the panel shall be appointed by the Diocesan Council and shall hold office in accordance with a resolution of the Diocesan Council.
41. Any vacancy in the membership of the panel shall be filled by or in accordance with a resolution of the Diocesan Council.
42. (1) The members of the panel to be convened for any reference to the Board shall be determined by the President or, if there is a vacancy in the office of President, by the Deputy President.
- (2) For the purpose of any reference to the Board, the Board shall consist of the President or Deputy President, who shall be the presiding member, and an equal number not exceeding two of clerical and lay members of the panel.
- (3) Where possible, the Board shall include at least one man and at least one woman.
- (4) Where, in the opinion of the President, or if there is a vacancy in the office of the President, in the opinion of the Deputy President a member of the panel has a personal interest in a matter before the Board the member shall be disqualified from participating in the reference.
- (5) For the purposes of this section a vacancy in the office of President includes a situation in which the President is not able to act because of a personal interest in a matter, illness or absence from the diocese.
43. The Rules of the Board made under this Part may provide that, in relation to the exercise of specified functions, or in relation to matters of a specified class, the Board may, at the direction of the presiding member, be constituted by a single member sitting alone.
44. If a member of the Board, other than the presiding member, dies or is for any other reason unable to continue with any matter referred to the Board, the Board constituted of the presiding member and the other

- member or members may, if the presiding member so determines, continue and complete the reference.
45. The Board, separately constituted in accordance with this Part, may sit simultaneously for the purpose of matters referred to it or for conducting separate business of the Board.
 46. An act or proceeding of the Board is not invalid by reason only of a vacancy in its membership or of the membership of the panel and, notwithstanding the subsequent discovery of a defect in the nomination or appointment of members of the panel or the Board, any such act or proceeding is as valid and effectual as if the member had been duly nominated or appointed.
 47. The Synod indemnifies each of the members of the Board for any act or omission by the member in good faith and in the exercise of or purported exercise of powers or functions, or in the discharge or purported discharge of duties under this document.
 48. (1) There shall be a secretary to the Board who shall be appointed by or in accordance with a resolution of the Diocesan Council, and whose duties shall be defined by the President.
(2) The secretary to the Board may act in a corresponding capacity for another diocese either generally or for a particular case or matter.
 49. (1) In any proceedings of the Board where the Board is constituted by two or more members:
 - (a) any question of law or procedure will be determined by the presiding member; and
 - (b) any other question will be determined by majority decision of the members, and in the case of an equality of votes the opinion of the presiding member shall prevail.(2) Where the Board is constituted by a member sitting alone who is not the President or the Deputy President, any question of law that arises must be referred to the President or Deputy President for decision and any decision made on such a reference is a decision of the Board.
(3) The Board must act with fairness and according to equity, good conscience and the substantial merits of the case without regard to technicalities or legal forms and is not bound by the rules of evidence but may inform itself on any matter in such manner as it thinks fit.
(4) Without limiting the meaning and effect of subsection (3), the Board may receive evidence of a witness in the form of an affidavit, statutory declaration or a signed statement without the need for the personal attendance of the witness, and may also use electronic means such as video link or conference telephone to receive evidence and submissions.
(5) The Board may inform itself from the record of any court or tribunal and may adopt any findings, and accept as its own, the record of any court or tribunal.

50. The Board may, for the purpose of any particular reference, appoint such person or persons, including the Director, to assist it in inquiring into (but not determining) that reference as the Board thinks fit.
51. The Board must give reasons for any determination, other than by way of directions in the course of an inquiry, unless the determination is made by consent of the respondent.
52. (1) The Board has no power to award costs of any proceedings before it.
- (2) A Church worker in relation to whom a question is the subject of a reference to the Board may apply to the Diocesan Council for the provision of legal assistance.
- (3) The Diocesan Council may grant legal assistance to a Church worker on such terms and subject to such conditions as it shall determine.
53. (1) The President may make Rules of the Board reasonably required by or pursuant to this document and in relation to the practice and procedure of the Board.
- (2) Subject to this document and the relevant Rules, the practice and procedure of the Board will be as directed by the presiding member of the Board.

Part 8 – Reference of Matters to the Professional Standards Board

54. (1) After investigation in accordance with section 25 or under a corresponding provision of legislation of another diocese the PSC or an equivalent body may refer to the Board, or to an equivalent body which has jurisdiction, one or more of the following questions:
- (a) the fitness of a Church worker, whether temporarily or permanently to hold a particular or any office, licence or position of responsibility in the Church or to be or remain in Holy Orders or in the employment of a Church body;
- (b) whether in the exercise of a Church worker's ministry or employment, or in the performance of any function the Church worker should be subject to certain conditions or restrictions.
- (2) The question or questions shall be referred to the Board by delivering to the secretary of the Board a written report of its investigation signed by a member of the referring body.
- 54A. Where, after investigation in accordance with section 25 or under a corresponding provision of a *[Canon]* of another diocese, the PSC or an equivalent body forms the opinion that the allegations the subject of the information are false, vexatious or misconceived,

- then the PSC or equivalent body shall cause a copy of the opinion to be provided:
- (a) to the relevant Church authority; and
 - (b) to the respondent; and
 - (c) to the Director.
55. (1) Upon delivery of the report to the secretary of the Board, the President or Deputy President as the case may be shall as soon as possible determine the membership of the Board for the purpose of the reference.
- (2) The President or Deputy President as the case may require shall thereupon cause to be convened a sitting for the purpose of giving directions.
- (3) A person or body appearing or represented before the Board shall comply with the Rules of the Board and with any directions given by the Board.
56. Within 14 days of the date of the reference of a matter to the Board or within 14 days of the date of the document or material coming to existence, whichever is the later, the referring body shall cause to be delivered to the secretary of the Board any documents and material relevant to the reference.
57. The referring body, as soon as practicable after delivering the report referred to in section 54 to the secretary of the Board, shall cause a signed copy of the report to be delivered to the respondent.
58. The Board may at any time and from time to time give directions:
- (a) as to the inspection by and supply of copies to the respondent or any other person of the documents or material relevant to the reference;
 - (b) as to the conduct of its inquiry into the reference.
59. The Board may at any time and from time to time give directions to the referring body as to any further inquiries or investigation it requires to be carried out for the purposes of the reference and the referring body shall to the best of its ability cause such directions to be carried out.
60. (1) The Board shall deal with any reference as expeditiously as possible.
- (2) The Board may, if it sees fit, proceed with the determination of a reference notwithstanding that there may be mediation or conciliation proceedings relating to the subject matter of the reference being conducted by or at the direction of the referring body and notwithstanding that there may be criminal or other proceedings being taken against the respondent or some other person.
61. (1) The place and time of sitting of the Board comprising two or more members shall be as determined by the presiding member.
- (2) The place and time of sitting of the Board comprising one member shall be as determined by that member.

62. (1) Subject to sub-section (2), the Board must give the following persons reasonable notice of the time and place of a sitting of the Board:
- (a) the Director; and
 - (b) the respondent; and
 - (c) such other persons as the Board believes have a proper interest in the matter.
- (2) The Board is not obliged to give notice of a sitting to a person whose whereabouts cannot, after reasonable enquiries, be ascertained.
63. In any proceedings before the Board:
- (a) the referring body and any person may be represented by a legal practitioner or, with leave of the Board, by any other person;
 - (b) the referring body or its appointed representative shall do all in its power to assist the Board and shall carry out any directions of the Board;
 - (c) the Board:
 - (i) must give the referring body and the respondent a reasonable opportunity to call or give evidence, to examine or cross-examine witnesses and to make submissions to the Board; and
 - (ii) must give any other person to whom notice of the proceedings was given or who satisfies the Board that he or she has a proper interest in the matter a reasonable opportunity to make submissions to the Board.
64. (1) Subject to sub-section (2), a sitting of the Board on a reference before the Board is an open sitting.
- (2) On any such sitting before the Board, the Board has an absolute discretion:
- (a) to direct that no person other than:
 - (i) the respondent and any person representing him or her in the proceedings; and
 - (ii) witnesses or persons making submissions (while giving evidence or making those submissions); and
 - (iii) officers of the Board or persons assisting the Board; and
 - (iv) members of or persons appointed by the referring body, be present in the room while the Board is sitting; or
 - (b) to direct that a particular person (other than a person referred to in paragraph (a)) not be present in the room while the Board is sitting.
65. The Board may make a determination in any proceedings in the absence of a person affected by the determination if satisfied that reasonable efforts were made to give that person an opportunity to appear.

66. (1) The Board may require a respondent to submit within a specified time to a medical, psychiatric or psychological examination by a person approved by the Board the cost of which shall be met from funds under the control of *the Synod* of the diocese of the referring body.
- (2) A copy of the report of an examination under subsection (1) shall be provided to the respondent and to the Board.
67. The Board shall not, in the course of inquiring into any question:
- (a) inquire into any matter which is or has been the subject of any formal investigation or enquiry conducted:
- (i) under or pursuant to any provision of the Constitution;
- (ii) under or pursuant to a Canon of the General Synod, a Canon or an Ordinance of another diocese relating to the discipline of clergy or Church workers by a board of enquiry, tribunal or other body; or
- (iii) with the authority of the bishop of a diocese resulting in a formal report to the bishop with findings and which concluded or was commenced prior to the date on which this document takes effect in the diocese
- but may take into account the finding of any such formal investigation or enquiry.
- (b) inquire into, make any findings in relation to or take into account any alleged breach of:
- (i) faith of the Church, including the obligation to hold the faith;
- (ii) ritual of the Church, including the rites according to the use of the Church and the obligation to abide by such use; or
- (iii) ceremonial of the Church, including ceremonial according to the use of the Church and the obligation to abide by such use.
68. In making any determination the Board shall take into account:
- (a) the conduct of the Church worker as it finds it to have been;
- (b) in the material before the Board, any other fact or circumstance relevant to the determination of the question or questions before it; and
- (c) any failure of the Church worker to comply with a provision of this document or with a direction of the Board.
69. If, after investigating the question or questions referred to it about a Church worker, the Board is satisfied that:
- (a) the Church Worker is unfit, whether temporarily or permanently, now or in the future to hold a particular or any office licence or position of responsibility in the Church or to be or remain in Holy Orders or in the employment of a Church body; or

- (b) in the exercise of a Church worker's ministry or employment or in the performance of any function, the Church worker should be subject to certain conditions or restrictions;
- the Board may determine accordingly and may:
- (c) recommend that the Church worker be counselled;
- (d) recommend that the Church worker be suspended from office or employment or from performing the function as the case may be for such period determined by the Board;
- (e) recommend to the Church authority that the licence or authority of the Church worker be revoked;
- (f) recommend to the relevant Church authority that the Church worker's contract of employment (if any) be terminated;
- (g) recommend to the relevant Church authority that the Church worker cease to hold any office then held;
- (h) recommend to the relevant Church authority that a prohibition order be made in terms specified by the Board;
- (i) recommend to the relevant Church authority that the Church worker's holding of office or employment or performance of the function as the case may be, shall be subject to such conditions or restrictions as the Board may specify;
- (j) recommend that the operation of a determination shall be suspended for such period and upon such conditions as the Board shall specify;
- (k) recommend that the Church worker should be deposed from Holy Orders;
- (l) make such other recommendation as the Board sees fit.
- Note: Recommendations which may be made under paragraph (l) include participation in a conciliation or mediation; an apology; an admonition; retraining of a specified nature; reparation of a specified nature.
- 69A. If, after investigating the question or questions referred to it about a Church worker arising out alleged conduct within paragraph (a) of the definition of "information", the Board:
- (a) determines that the allegations the subject of the information are false, vexatious or misconceived; or
- (b) finds that it is more likely than not that the subject matter of the information did not occur;
- then the Board shall cause a copy of the determination or finding to be provided:
- (c) to the relevant Church authority; and
- (d) to the respondent; and
- (e) to the Director.
70. The Board shall cause a copy of each determination and recommendation to be provided:
- (a) to the relevant Church authority; and
- (b) to the respondent; and

- shall cause relevant details to be forwarded to the Director for entry into the national register.
71. A relevant Church authority to whom a recommendation under this document or a recommendation made by an equivalent Board applies is empowered to give effect to a recommendation of the Board and of an equivalent body having jurisdiction to make a recommendation to the Church authority.
72. A person who has been deposed from Holy Orders in accordance with this document or in accordance with the provisions of any ordinance, act, canon, constitution, statute, legislative measure or provision of the general synod or the diocesan synod of another diocese of this Church;
- (a) is incapable of:
 - (i) officiating or acting in any manner as a bishop, priest or deacon of this Church;
 - (ii) accepting or holding an office in this Church capable of being held only by a person in Holy Orders;
 - (b) ceases to have any right privilege or advantage attached to the office of bishop priest or deacon;
 - (c) shall not hold himself or herself out to be a member of the Clergy; and
 - (d) is not capable of holding an office in the Church which may be held by a lay person without the prior consent of the Bishop.
73. (1) The deposition of a person from Holy Orders by the Bishop pursuant to the recommendation of the Board or an equivalent body shall be effected by the execution by the Bishop of an Instrument of Deposition in or to the effect of the form in the Schedule.
- (2) The Bishop must forthwith:
- (a) register the Instrument in the Registry of the Diocese;
 - (b) deliver a copy of the Instrument to the Bishop of the Diocese in which the person who is the subject of the Instrument was ordained;
 - (c) deliver a copy of the Instrument to the Registrar of the Primate;
 - (d) cause relevant details to be forwarded to the Director for entry into the national register.
74. A relevant Church authority to whom this document applies shall cause relevant details to be forwarded to the Director for entry into the national register of any action taken in relation to a Church worker in accordance with a recommendation of the Board.

Part 8A — Review

74A. In this Part, unless the context otherwise requires:

“**reviewable decision**” means a determination or recommendation of the Board which, if acted upon by the relevant Church authority, may have the effect of:

- (a) deposing the respondent from Holy Orders; or
- (b) terminating the respondent's contract of employment, or removing or suspending the capacity of the respondent to gain income as a Church worker;

“Reviewer” means a barrister of not less than 5 years standing appointed at the Director's request by the President of the Bar Association of South Australia, or if the President is unwilling to appoint, or unreasonably delay doing so, appointed by the Chancellor.

74B. A respondent who is aggrieved by a reviewable decision may apply to the Director for a review of the decision.

74C. The application may be made on any one or more of the following grounds:

- (a) that a breach of the rules of natural justice happened in relation to the making of the reviewable decision which materially affected the decision;
- (b) that procedures that were required by this document to be observed in relation to the making of the reviewable decision were not observed, and the nonobservance materially affected the decision; or
- (c) that the Board did not have jurisdiction to make the reviewable decision; or
- (d) that the reviewable decision was so devoid of any plausible justification that no reasonable Board could have made it; or
- (e) the availability of fresh and compelling evidence which, if available at the time, would be likely to have materially affected the Board's decision.

74D. For a reviewable decision, a Church authority shall not act under the provisions of section 71 until the time for lodging an application for review has passed, and no application has been lodged.

74E. The making of an application for review acts as a stay of the reviewable decision pending the determination by the Reviewer.

74F. Nothing in this Part, however, affects the power of a Church authority to take any action against a respondent which would be open to the Church authority apart from its powers under this document.

74G. For a reviewable decision, the Board shall not cause the relevant details to be forwarded for entry into the national register under section 70 until:

- (a) the time for lodging an application for review has passed, and no application has been lodged; or
- (b) where an application for review has been heard and determined, the determination has been made.

74H. If a determination on review confirms or varies a reviewable decision, then the Board must cause the details of the confirmed or varied decision to be forwarded to the Director for entry into the national register as soon as it receives the Reviewer's determination.

- 74I. If a Reviewer's determination refers a matter back to the Board, then the Board must:
- (a) determine to take no further action in respect of the matter; or
 - (b) deal with the matter in accordance with Part 8 of this document, in accordance with such directions or recommendation as the Reviewer may make in the Reviewer's determination; or
 - (c) deal with the matter in accordance with Part 8 of this document applying such of the provisions of Part 8 as, in the discretion of the Board and in accordance with the Reviewer's determination, the Board sees fit.
- 74J. (1) An application to the Director for review of the reviewable decision must be made within 14 days of the respondent's being provided with a copy of the Board's determination and recommendation under clause 70.
- (2) The application for review must:
- (a) be in writing addressed to the Director; and
 - (b) set out the grounds for review in the application.
- 74K. On receipt of an application for review, the Director must immediately seek the appointment of a Reviewer.
- 74L. (1) Upon appointment of a Reviewer, the Director must ask the Reviewer for the Reviewer's estimate of the fee to be charged by the Reviewer in making a determination under this Part.
- (2) Upon receipt of advice as to the estimated fee, the Director must immediately notify the respondent.
- (3) Within 7 days of receipt of the Director's advice, the respondent must pay one half of the estimated fee to the Reviewer, or to a person nominated by the Reviewer.
- (4) If the respondent fails to make the payment, then the application for review will lapse.
- 74M. Unless otherwise specified in this document, the manner in which the review is to be conducted will be determined by the Reviewer.
- 74N. On an application for review of a reviewable decision, the Reviewer may make all or any of the following determinations:
- (a) a determination quashing or setting aside the reviewable decision;
 - (b) a determination referring the matter to which the reviewable decision relates to the Board for further consideration, subject to such directions (including the setting of time limits for the further consideration, and for the steps to be taken in the further consideration) as the Reviewer determines;
 - (c) a determination declaring the rights of the respondent in relation to any matter to which the reviewable decision relates;
 - (d) a determination directing either the respondent or the Board, to do, or to refrain from doing, anything that the Reviewer considers necessary to do justice between the parties; and shall cause a copy of the determination or finding to be provided to the Director.

74O. The Reviewer may make such order as to the costs of the review as the Reviewer thinks fit.

74P. The review shall be by way of the review of the recommendation or determination that is the subject of the review and not by way of a re-hearing of the merits, or a hearing de novo.

Part 9 – Regulations

75. The Synod may from time to time make amend or repeal Regulations, not inconsistent with the provisions of this document, providing for records arising out of or incidental to the operation of this document, and for all or any of the purposes whether general or to meet particular cases, which may be convenient for the administration of this document or which may be necessary or expedient to carry out the objects and purposes of this document.

SCHEDULE

TO

I, _____ BISHOP
OF WILLOCHRA do by these presents hereby depose you from Holy Orders (particulars of which are set out below) in accordance with the recommendation of the Professional Standards Board of the Diocese of Willochra.

PARTICULARS OF HOLY ORDERS

FULL NAME AND
ADDRESS:

	ORDAINING BISHOP	PLACE	DATE
ORDINATION AS DEACON:	_____	_____	_____
ORDINATION AS PRIEST:	_____	_____	_____
CONSECRATION AS BISHOP:	_____	_____	_____

DATED

SEALED

In accordance with Regulation Three Appendix One (Professional Standards) Part 2 – Code of Conduct – Clause 4 : The Diocesan Council has by resolution approved “Faithfulness in Service” (as printed hereunder and as amended from time to time by The General Synod) as the Code of Conduct for observance by Church workers in the Diocese of Willochra.

APPENDIX TWO

Faithfulness in Service

**A national code for personal behaviour and the practice
of pastoral ministry by clergy and church workers**

General Synod of the Anglican Church of Australia
Child Protection Committee

As adopted by General Synod, October 2004, and
last revised by General Synod Standing Committee October 2006

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The General Secretary
General Synod Office
The Anglican Church of Australia
GPO Box Q190
QVB Post Office NSW 1230

33/04

CHILD PROTECTION – 1

The General Synod:

- (a) receives the report of the Child Protection Committee;
- (b) adopts as the Church’s Safe Ministry Policy Statement:
“The Anglican Church of Australia is committed to the physical, emotional and spiritual welfare and safety of all people, particularly within its own community. The Church will:
 - carefully recruit and train its clergy and church workers;
 - adopt and encourage safe ministry practices by its clergy and lay church workers;
 - respond promptly to each concern raised about the behaviour of its clergy and lay church workers;
 - offer pastoral support to any person who has suffered abuse; and
 - provide pastoral support to and supervision of any person known to have abused a child or another vulnerable person.”
- (c) adopts the Safe Ministry Check in the Report of the Child Protection Committee as the national applicant and referee questionnaires for the selection of ordination candidates and for the screening of clergy and church workers who have contact with children in their ministry;
- (d) authorises the revision of the Safe Ministry Check by the Standing Committee;
- (e) adopts Faithfulness in Service in the Report of the Child Protection Committee as the national code for personal behaviour and the practice of pastoral ministry by clergy and lay church workers; and
- (f) authorises the revision of Faithfulness in Service by the Standing Committee.

Garth Blake – 4 Oct 04

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1. ABOUT THIS CODE

Faithfulness in service

When Jesus spoke to his disciples he said they were not to be like the rulers of the day who exercised authority over others. They were to be servants of others, even as Jesus did not come to be served, but to serve.

When Peter wrote to the Christians scattered throughout Asia Minor, he reminded them of their identity in Christ as God's chosen people, sanctified by the Spirit for obedience to Jesus Christ. The call to be holy is reflected in both the Old and New Testaments as the appropriate response to God's grace. Christians live according to the knowledge that they have been created by God and redeemed by Christ.

When Paul wrote to the Philippian Christians he rejoiced in their fellowship and prayed that their love might grow in knowledge and discernment so that they might see what was significant for their Christian vocation and be enabled to live pure and blameless lives for the day of Jesus Christ. In the light of that growing knowledge of God's love they are to live in humility and faithfulness in the power of the Holy Spirit. They live out that love in their contact with others, especially those to whom they minister in Christ's name.

The Church is the fellowship that nurtures and sustains Christians as they seek to follow Christ faithfully and participate in God's mission. Its leaders especially are to be examples of Christian faith and obedience as they exercise their vocation, in dependence on the Holy Spirit.

The personal behaviour and practices of pastoral ministry required of clergy (bishops, priests and deacons) of the Anglican Church of Australia are specified in the Holy Scriptures as well as in its Constitution, canons, ordinances, the Book of Common Prayer and the Ordinal. Although not bound by the promises made by clergy, church workers (lay persons who are employed or hold a position or perform a function within the Anglican Church of Australia) are expected to conform to the same behaviour and practices as clergy—except in areas that apply only to clergy.

Purpose

This Code is intended to identify the personal behaviour and practices of pastoral ministry that will enable clergy and church workers to serve faithfully those among whom they minister. If the behaviour and practices it outlines are followed, our communities will be safer places for everyone, where integrity is honoured, accountability is practised and forgiveness encourages healing and does not conceal misconduct.

Implementation

This Code was adopted by the General Synod of the Anglican Church of Australia in 2004 as the national code for personal behaviour and the practice of pastoral ministry by clergy and church workers.

It is important that this Code be understood by clergy and church workers. Each diocese will need to ensure that its clergy and church workers are trained in the Code and its application to personal behaviour and pastoral ministry. Clergy and church workers undertaking pastoral ministry will need to apply the standards and guidelines of this Code in their specific circumstances.

Format and presentation

Each section of this Code consists of three parts:

- a *preamble* which introduces the section;
- *standards* which state the Church's expectations for personal behaviour and the practice of pastoral ministry;
- *guidelines* which explain and illustrate best practice and highlight practical ways to achieve it.

Throughout the Code, all key terms appear in **bold text** the first time they appear in a section and their definitions are contained in the section headed 'Key Terms'. Some additional educational material and advice is included in Section 3, Children.

2. KEY TERMS

abuse in relation to an adult means the following conduct:

- bullying;
- emotional abuse;
- harassment;
- physical abuse;
- sexual abuse; or
- spiritual abuse.

bullying means the repeated seeking out or targeting of a person to cause them distress and humiliation or to exploit them. It includes:

- exclusion from a peer group;
- intimidation; and
- extortion.

child means anyone under the age of 18.

child abuse means the following conduct in relation to a child:

- bullying;
- emotional abuse;
- harassment;
- neglect;
- physical abuse;
- sexual abuse; or
- spiritual abuse.

child pornography means sexually explicit or suggestive material involving children.

Church means the Anglican Church of Australia.

church authority means the person or body having authority to ordain, license, appoint, dismiss or suspend a member of the clergy or church worker.

church body includes a parish, school, or any body corporate, organisation or association that exercises ministry within, or on behalf of, or in the name of, the Church.

church worker means a lay person:

- who is licensed or authorised by the bishop of a diocese;
- who is employed by a church body in respect of whom this Code is part of their employment contract; or
- who, for payment or not, holds a position or performs a function with the actual or apparent authority of a church authority or church body, including an office, position or function:
 - o of leadership in a parish, diocese or General Synod body;
 - o as a member of the General Synod or a diocesan synod;
 - o as a member of a body incorporated by the General Synod, a diocese or a diocesan synod;
 - o as a churchwarden, member of any parish council or member of any committee constituted by or by the authority of the General Synod, a diocesan synod or a parish council;in respect of whom the diocesan synod, the diocesan council, the church authority or the church body has adopted this Code.

civil authorities means the police and the relevant State or Territory government child protection authority.

clergy means bishops, priests and deacons of the Church.

corporal punishment means any punishment inflicted on the body.

Director of Professional Standards means the person in a diocese who has responsibility for the maintenance of professional standards of clergy and church workers.

emotional abuse means acts or omissions that have caused, or could cause emotional harm or lead to serious behavioural or cognitive disorders. It includes:

- subjecting a person to excessive and repeated personal criticism;
- ridiculing a person, including the use of insulting or derogatory terms to refer to them;
- threatening or intimidating a person;
- ignoring a person openly and pointedly; and
- behaving in a hostile manner or in any way that could reasonably result in another person feeling isolated or rejected.

grooming is the manipulative cultivation of a relationship in order to initiate or hide sexual abuse of an adult or a child. In the case of child sexual abuse, an offender may groom not only the child, but also the child's parents or guardians, and clergy and church workers.

harassment means unwelcome conduct, whether intended or not, in relation to another person where the person feels with good reason in all the circumstances offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time. It includes:

- making unwelcome physical contact with a person;
- making gestures or using language that could reasonably give offence including continual and unwarranted shouting;
- making unjustified or unnecessary comments about a person's capacities or attributes;
- putting on open display pictures, posters, graffiti or written materials that could reasonably give offence;
- making unwelcome communication with a person in any form (for example, phone calls, email, text messages) ; and
- stalking a person.

individual pastoral ministry means pastoral ministry carried out between a member of the clergy or church worker and one other person. Examples include spiritual direction, or pastoral counselling arising out of bereavement, divorce or other life crises.

neglect means the failure to provide the basic necessities of life where a child's health and development are placed at risk of harm. It includes being deprived of:

- food;
- clothing;
- shelter;
- hygiene;
- education;
- supervision and safety;
- attachment to and affection from adults; and
- medical care.

offensive language includes blasphemy, verbal harassment, racial and other forms of vilification, personal insult or comment and obscene words.

pastoral ministry means the work involved or the situation which exists when a member of the clergy or church worker has responsibility as part of their role for the wellbeing of others. This includes the provision of spiritual advice and support, education, counselling, medical care, and assistance in times of need.

pastoral relationship means a relationship between clergy or church workers and any person for the purposes of pastoral ministry.

physical abuse means any intentional or reckless act, use of force or threat to use force causing injury to, or involving unwelcome physical contact with, another person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. An injury may take the form of bruises, cuts, burns or fractures. It does not include lawful discipline by a parent or guardian.

professional supervision/consultation is a formal, collaborative process which a more senior or experienced person uses to develop and support a person in their ministry. This relationship is confidential, evaluative, and extends over time. It is preferable if the supervisor:

- has no other pastoral or personal relationship with the person being supervised; and
- has been trained in professional supervision.

prohibited material means:

- publications, films and computer games that have been classified by the Office of Film and Literature Classification as being unsuitable for a child to read, see or play;
- any other images or sounds not subject to classification by the Office of Film and Literature Classification that are considered with good reason within the Church to be unsuitable for a child to see or hear; and

- any substance or product whose supply to or use by children is prohibited by law, such as alcohol, tobacco products, illegal drugs and gambling products. prohibited substance means any substance banned or prohibited by law for use or consumption by adults.

restricted material means:

- publications, films, and computer games that have been classified as Category 1 or 2 restricted, X or RC classification by the Office of Film and Literature Classification; and
- any other images or sounds not subject to classification by the Office of Film and Literature Classification (for example, internet material) that are considered with good reason within the Church as being offensive on the grounds of violence, sex, language, drug abuse or nudity.

sexual abuse of an adult means sexual assault, sexual exploitation or sexual harassment of an adult.

sexual abuse of a child means the use of a child by another person for his or her own sexual stimulation or gratification or for that of others. It includes:

- exposing oneself indecently to a child;
- having vaginal or anal intercourse with a child;
- penetrating a child's vagina or anus with an object or any bodily part;
- sexually touching or fondling a child;
- kissing, touching, holding or fondling a child in a sexual manner;
- staring at or secretly watching a child for the purpose of sexual stimulation or gratification;
- making any gesture or action of a sexual nature in a child's presence;
- making sexual references or innuendo in a child's presence using any form of communication;
- discussing or inquiring about personal matters of a sexual nature with a child;
- exposing a child to any form of sexually explicit or suggestive material;
- forcing a child to sexually touch or fondle another person;
- forcing a child to perform oral sex;
- forcing a child either to masturbate self or others, or to watch others masturbate; and
- forcing a child to engage in or watch any other sexual activity.

Sexual abuse of a child does not include:

- sex education with the prior consent of a parent or guardian;
- age appropriate consensual sexual behaviour between peers (i.e. the same or a similar age); or
- inquiries by clergy and church workers with pastoral responsibility for a child or investigation responsibility into complaints that may involve sexual abuse.

sexual assault means any intentional or reckless act, use of force or threat to use force involving some form of sexual activity against an adult without their consent. It includes:

- having vaginal or anal intercourse with a person without their consent;
- penetrating another person's vagina or anus with an object or any bodily part without that person's consent;
- sexually touching and fondling a person without their consent;
- kissing another person without their consent;
- holding another person in a sexual manner without their consent;
- forcing a person to sexually touch or fondle another person; and
- forcing a person to perform oral sex.

sexual exploitation refers to any form of sexual contact or invitation to sexual contact with an adult, with whom there is a pastoral or supervisory relationship, whether or not there is consent and regardless of who initiated the contact or invitation. It does not include such contact or invitation within a marriage.

sexual harassment means unwelcome conduct of a sexual nature, whether intended or not, in relation to an adult where the person reasonably feels in all circumstances offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time. It includes:

- asking a person for sex;
- giving a person to understand that you would like sexual favours from them;
- making any gesture, action or comment of a sexual nature to a person directly or making a comment of a sexual nature about them in their presence;
- making jokes containing sexual references or innuendo using any form of communication;
- exposing a person to any form of sexually explicit or suggestive material;
- making unwelcome physical contact such as touching, pinching, or patting;
- making unwelcome or unnecessary inquiries about or attempts to discuss personal matters of a sexual nature;
- deliberately intruding on an individual's personal space;
- staring at or secretly watching a person for the purpose of sexual stimulation or gratification; and
- stalking a person.

spiritual abuse means the mistreatment of a person by actions or threats when justified by appeal to God, faith or religion. It includes:

- using a position of spiritual authority to dominate or manipulate another person or group;
- using a position of spiritual authority to seek inappropriate deference from others;
- isolating a person from friends and family members; and
- using biblical or religious terminology to justify abuse.

3. PUTTING THIS CODE INTO PRACTICE

Preamble

- 3.1 This Code will only be effective if it is widely known and available throughout the **Church**, practised consistently and implemented justly. **Clergy** and **church workers** will protect the safety of others and themselves by observing its standards and following its guidelines.
- 3.2 The absence of any reference to particular conduct in this Code does not imply that it is acceptable for clergy and church workers.
- 3.3 All clergy and church workers have a responsibility to ensure that personal behaviour and practices of pastoral ministry that are inconsistent with this Code are neither tolerated nor covered up.
- 3.4 Failure to meet the standards of this Code will indicate an area where clergy and church workers require guidance and specialised help. Such failures may result in formal disciplinary action if the conduct infringes an applicable disciplinary rule of the Church or is a breach of an employment contract.
- 3.5 Clergy and church workers are encouraged to follow the guidelines of this Code. Where this is impractical, the exercise of judgement will be required to ensure the safety of those to whom they minister and themselves. Wilful disregard of the guidelines may indicate an area where clergy and church workers require guidance and specialised help.

Standards for clergy and church workers

These standards state the Church's expectations for personal behaviour and the practice of pastoral ministry.

- 3.6 It is your responsibility to be aware of and meet the standards of this Code.
- 3.7 If you have overall authority in a **church body**, you are to ensure that all clergy and church workers for whom you are responsible are made aware of this Code.
- 3.8 You are not to penalise, discriminate or take action against other clergy or church workers because of any action taken in good faith under this Code.

Guidelines

These guidelines explain and illustrate best practice and highlight practical ways to achieve it.

- 3.9 If you know or have reason to believe that another member of the clergy or another church worker has failed to meet a standard of this Code, other than for **child abuse**, (the reporting of child abuse is addressed in paragraphs 5.14 and 5.15), you should:
- where you believe that a person has not suffered harm or is not at the risk of harm, approach the member of the clergy or church worker and identify the concern; or
 - where you believe that a person has suffered harm or is at the risk of harm, report this to the **church authority** having responsibility for the member of the clergy or church worker or the **Director of Professional Standards**.
- If in doubt seek advice from a colleague or supervisor or the Director of Professional Standards without identifying the member of the clergy or church worker.
- 3.10 If you know or have reason to believe that another member of the clergy or another church worker has not followed a guideline of this Code, you should approach the member of the clergy or church worker and identify the concern. If you consider that the member of the clergy or church worker is persisting in disregarding the guideline without good reason and a person has suffered harm or is at the risk of harm, you should seriously consider reporting this to the church authority with responsibility for the member of the clergy or church worker or the Director of Professional Standards. If in doubt seek advice from a colleague or supervisor or the Director of Professional Standards without identifying the member of the clergy or church worker.

4. PASTORAL RELATIONSHIPS

Preamble

- 4.1 All people are created in the image of God and are of equal value. This is the foundation of all **pastoral relationships**.
- 4.2 Clergy have authority conferred upon them by their ordination, consecration and licensing. Church workers have authority conferred upon them by their appointment. The authority and training associated with their roles means that they have power in pastoral relationships which is always to be exercised in the service of others.
- 4.3 Trust is of primary importance in the creation and maintenance of an effective pastoral relationship. Trust grows with the maintenance of physical, sexual, emotional and psychological boundaries suitable to pastoral ministry. (The issues of Children and Sexual Conduct are addressed in Sections 5 and 7 respectively.) Clergy and church workers will enhance their ability to maintain these boundaries by attending to their own wellbeing.

- 4.4 While clergy and church workers often enjoy personal friendships with those to whom they minister, their pastoral ministry responsibilities take precedence.
- 4.5 Clergy and church workers are colleagues in **pastoral ministry**: the activity of one inevitably impacts upon the ministry of others.

Standards for clergy and church workers

These standards state the Church's expectations for personal behaviour and the practice of pastoral ministry.

- 4.6 If you have overall authority in a **church body**, you are to ensure that clergy and church workers for whom you are responsible are provided with:
- a safe working environment, including safe housing, where housing is provided;
 - opportunities to maintain and enhance their ministry skills; and
 - personal encouragement, support and regular feedback.
- 4.7 When exercising pastoral ministry you are not inappropriately to discriminate between people.
- 4.8 You are not to disclose confidential information received in pastoral ministry to your spouse, family, friends, colleagues or any other person without the consent of the person providing the information, except where:
- the information is known publicly;
 - as required or allowed by law; or
 - it is in the public interest (such as to avoid the risk of serious injury or harm to any person).
- 4.9 When you are on leave or unable to fulfil your responsibilities through or any other reason, you are to make alternative arrangements for pastoral ministry.

Guidelines

These guidelines explain and illustrate best practice and highlight practical ways to achieve it.

Boundaries

- 4.10 Make sure you are clear about the requirements of your role, including the hours to be worked and the nature of your responsibilities as well as your leave and other entitlements. You need to be sure that your legitimate personal needs can be met.
- 4.11 Recognise the limits of your skills and experience. Do not undertake any ministry (such as relationship counselling, counselling for abuse

- or addictions, or an exorcism) that is beyond your competence or the role for which you have been employed or trained. If in doubt seek advice. A person who requires specialised help should be referred to an appropriately qualified person or agency.
- 4.12 Where ministry responsibilities overlap, be aware of the activities, function and style of other clergy and church workers. Consult with these colleagues and cooperate wherever possible.
- 4.13 Avoid behaviour that could give the impression of favouritism and special relationships, particularly with individual children.
- 4.14 Think carefully before providing pastoral ministry to a person with whom you already have a close personal relationship, such as a friend or member of your family. Care is needed because confusion between close personal relationships and pastoral relationships can lead to a loss of objectivity, failure to act in the other's best interest and harm to both parties.
- 4.15 Pastoral relationships can legitimately develop into romantic relationships. If this begins to happen:
- acknowledge to yourself that your personal interest and the pastoral relationship are at risk of becoming confused;
 - tell the other person that your relationship is changing and becoming romantic;
 - disclose the nature of the relationship to a supervisor or colleague to ensure accountability and prevent misunderstanding; and
 - where practicable:
 - C disclose to a supervisor or colleague any proposed alternative arrangements for ongoing **individual pastoral ministry**;
 - C make alternative arrangements for ongoing individual pastoral ministry; and
 - C cease providing individual pastoral ministry to the person.
- 4.16 If you are providing ongoing individual pastoral ministry or counselling, engage someone to provide regular professional supervision. This will help protect you and those to whom you minister.
- 4.17 When you resign or retire, you should generally terminate existing pastoral relationships. You should do this in a sensitive and timely manner to allow these responsibilities to be undertaken by your successors. Consult with your successor where the other person wishes to maintain an ongoing pastoral relationship with you.

Personal and professional development

- 4.18 Maintain a healthy lifestyle and do not overcommit yourself. Make sure you have adequate leisure time, through regularly taking time off, including your full holiday entitlement annually.

- 4.19 Try to develop interests outside your main area of ministry and continue to care for yourself and your personal and family relationships.
- 4.20 Look for, and take advantage of, opportunities to maintain and enhance ministry skills appropriate to the responsibilities of your role, through:
- regular ministry development;
 - professional supervision / consultation;
 - peer support;
 - having a mentor; and
 - regular feedback including an annual ministry review.

Confidentiality and confessions

- 4.21 When you are seeking or providing professional supervision / consultation you should not identify any person and only disclose what is necessary to obtain the supervision or advice.
- 4.22 In most cases you should tell someone who is to give you confidential information of the limits to confidentiality and the arrangements for supervision or obtaining advice. This should be done before the disclosure of the confidential information, such as at the beginning of an interview.
- 4.23 The Confessions Canon 1989 or the proviso to Canon 113 of 1603 is in force throughout the Church. These Canons make provision for the confession of sins to clergy and for the confidentiality of this confession. If you are a member of the clergy, you should be aware of the scope of, and your obligations under, the applicable Canon. For example, absolution is not automatic and may be withheld. You may require of the person making the confession of sins some appropriate action of contrition and reparation before you give them absolution.
- 4.24 There is a distinction between disclosures made in ordinary pastoral situations and disclosures made as a confession as provided in the applicable pastoral service in the Church's authorised liturgies. This service should normally be heard in a public place at advertised times or by arrangement.
- 4.25 If you are a church worker, remember that only clergy have the authority to receive a special confession of sins as provided in the applicable pastoral service in the **Church's** authorised liturgies.
- 4.26 You may have a legal obligation to report criminal offences to the applicable civil authorities (the issue of **child abuse** is addressed in Section 5). You may be subpoenaed to produce documents or to attend court to give evidence, or both. In some States or Territories, clergy may be able to claim privilege from producing documents and/or disclosing information obtained in a confession referred to in paragraphs 4.23 to 4.25.

- 4.27 You should be aware of and, when appropriate, seek advice in regard to:
- your legal obligations with regard to confidential information received during an interview or a confession, particularly in relation to criminal offences and child abuse;
 - the pastoral consequences of breaching confidentiality; and
 - the risk of physical, financial or emotional harm or hardship to another person by disclosing or not disclosing such information, particularly in writings, sermons or other public media.
- 4.28 Exercise special care that any illustrative material you use from personal experience does not involve a breach of confidentiality.

Conversations in a ministry context

- 4.29 Formal interviews and informal conversations in a ministry context are pastoral encounters. Consider the appropriateness and effect of your words and actions. For example, innuendoes or compliments of a sexual nature are always inappropriate. When a person asks questions or seeks advice around topics of a sexual nature, be discerning about the motives and needs of the other person and your own ability to assist.
- 4.30 To minimise the risk of being accused of or engaging in misconduct, particularly when conducting interviews, think carefully in advance about:
- the place of the meeting, the arrangement of furniture and lighting, and your dress;
 - whether the physical location allows for privacy of conversation while maintaining the opportunity for supervision. (For example, doors to interview rooms, if closed, should not be locked.);
 - the physical distance between you and the other person to maintain both hospitality and respect;
 - whether the circumstances would suggest a social interaction;
 - the propriety and circumstances of the interview when you are visiting or being visited alone, especially at night;
 - the personal safety and comfort of all participants;
 - establishing at the outset the interview's purpose and the boundaries with respect to the subject matter, confidentiality and its duration;
 - the appropriateness of initiating or receiving any physical contact, such as gestures of comfort, that may be unwanted or misinterpreted; and
 - whether the presence of a child's parent, guardian or another person chosen by the child is appropriate.

Record-keeping and privacy

- 4.31 If you are engaged in individual pastoral ministry, consider keeping a factual record of your daily pastoral activity. Record details such as the date, time, place, participants, subject, and any proposed action arising from each activity. Record personal remarks accurately.
- 4.32 You need to know the relevant principles of the applicable privacy legislation in relation to the collection, use, disclosure and management of personal information. These have implications for:
- the publication of personal information in church directories, newsletters, rosters and websites;
 - the recording and publication of voices and images of individuals; and
 - the use and security of all personal information, and especially sensitive information, held by clergy and church workers or in church offices.

5. CHILDREN

Preamble

- 5.1 **Children** are entitled to be safe and protected. They have the right to be respected, listened to and their particular needs addressed in all church activities, whether mixed aged or child specific.
- 5.2 Ministry where children are involved requires absolute trustworthiness.
- 5.3 **Clergy** and **church workers** with overall authority in a **church body** (e.g. incumbents and school principals) have a responsibility that cannot be delegated for the implementation and maintenance of proper systems for the safety and welfare of children participating in its pastoral ministry.
- 5.4 When they are exercising a pastoral ministry involving children in a church body, clergy and church workers (e.g. Sunday school teachers, youth group leaders) have responsibility for the safety and welfare of children in their care.
- 5.5 Clergy and church workers have authority over children because of their position and power because of their greater age, maturity, physical size and life experience. Abuse arises from the misuse of authority or power. Any form of **child abuse** is always wrong.
- 5.6 Due to the inherent imbalance of power, children are incapable of giving valid consent to abuse.
- 5.7 Appropriate physical contact is important for children's healthy development.

Standards for clergy and church workers

These standards state the Church's expectations for personal behaviour and the practice of pastoral ministry.

- 5.8 If you have overall authority in a church body, you are to ensure that:
- proper systems for the safety and welfare of children participating in the church's pastoral ministry are implemented and maintained;
 - all applicable requirements of the civil authorities, the **church authority** and the church body are complied with; and
 - all clergy and church workers for whom you have responsibility and who work with children:
 - o comply with all civil and Church screening and selection requirements;
 - o receive regular training in child protection; and
 - o are aware of the provisions of this Code relating to children.
- 5.9 If you are exercising a pastoral ministry involving children in a church body you are to take reasonable steps to ensure the safety and welfare of the children in your care.
- 5.10 You are not to abuse children.
- 5.11 When engaged in pastoral ministry you are not to administer **corporal punishment** to children in your care.
- 5.12 You are not to make available to children any **prohibited material**, except wine in the context of a Holy Communion service.
- 5.13 Before you allow a person who is currently charged with or convicted of an offence against a child to participate in activities involving children, you are to:
- consult the **Director of Professional Standards**;
 - ensure that a risk assessment is undertaken; and
 - be satisfied that no child will be at an increased risk of harm.
- 5.14 If you know or reasonably suspect that a child is at risk of harm from child abuse, you are to report this to the appropriate civil authorities.
- 5.15 If you know or reasonably suspect that another member of the clergy or a church worker has abused a child, you are to report this to the appropriate civil authorities and the Director of Professional Standards.

Guidelines

These guidelines explain and illustrate best practice and highlight practical ways to achieve it.

Recognising the characteristics and effects of child abuse

- 5.16 You need to be aware of the signs, symptoms and characteristics of child abuse and its impact on children.

Characteristics and effects of child abuse

Abuse of a child can be categorised as emotional, physical, sexual, or spiritual. It can also arise from neglect, bullying or harassment.

The signs and symptoms can include:

- **emotional abuse**—low self esteem, apathy, an over readiness to relate to anyone even strangers, unduly aggressive behaviour, withdrawn behaviour;
- **physical abuse**—bruises, bites, burns and scalds, fractures;
- **sexual abuse**—a level of sexual knowledge or desire for either contact or distance inappropriate to the child's age, self-harm, social isolation, and a sudden onset of soiling, wetting or other behavioural changes;
- **spiritual abuse**—low self esteem, high levels of anxiety and fear, excessive deference to a leader and isolation from former friends and family members;
- **neglect**—failure of a child to grow within the normally accepted pattern, failure of a parent or guardian to provide adequate food, clothing, shelter, medical care and supervision;
- **bullying or harassment**—low self-esteem, loss of trust in others, apathy, an over readiness to relate to anyone even strangers, unduly aggressive behaviour, withdrawn behaviour.

Sexual abuse of a child is often preceded by **grooming**.

The sexual abuse of a child commonly has the following characteristics:

- it usually starts with something minor and gradually builds up to more involved behaviours through a process of grooming;
- it is secretive and generally known only to the abuser and victim making it extremely difficult to detect;
- it is perpetrated by someone known to the child and/or held in a position of trust by the child or their parents or guardians; and
- it is rarely a self-contained or one-off incident but rather part of an ongoing relationship that is corrupting and distorting.

The abuse of a child commonly causes psychological and spiritual harm and is likely to lead to the impairment of their social, emotional, cognitive, spiritual and intellectual development and/or disturbed behaviour.

The effects of child abuse extend well beyond the abuser and their primary victims. The families of the victim and abusers as well as their communities can also experience a high degree of distress when revelations of abuse emerge. Often they can deny the disclosure and so reject the victim rather than face reality. Once the reality is confronted, the community will commonly experience profound shock, guilt about failing to protect the primary victim, deep hurt and disillusionment.

Recognising the characteristics of sexual offenders

5.17 You need to be aware of the characteristics of sexual offenders. A sexual offender may be a friend, a family member, a neighbour, a peer, or a person in authority.

Characteristics of sexual offenders

Sexual offenders generally:

- do not stop unless there is some intervening factor;
- believe or assert that the victim is complicit or a willing participant;
- attempt to deny, justify, minimise or excuse their behaviour by:
 - o claiming their behaviour was an expression of love for the victim;
 - o claiming their behaviour was a result of their childhood abuse;
 - o claiming their behaviour was influenced by stress, the use of alcohol or other substances; and
 - o blaming the victim;
- enjoy the activity, despite claims to the contrary; and
- are repeat offenders.

Sexual offenders who target vulnerable adults and children will often undertake a grooming process as a precursor to abusive behaviour.

Ensuring the safety of children

5.18 Taking all reasonable steps to ensure the safety and welfare of children for whom you have overall responsibility or are in your care requires you to prepare a risk management plan which considers the following issues:

- screening and selection of personnel;
- your role and capacity to perform it;
- use of external service providers;
- supervision ;
- planning and conduct of activities;
- venue;
- health and safety;
- transport;
- disciplinary arrangements;
- physical contact;
- photographs and images; and
- record keeping.

These issues are considered in paragraphs 5.19 to 5.47.

Screening and selection of personnel

5.19 If you have responsibility for compliance with civil and Church screening and selection requirements, you should exercise care with the selection of leaders involved in mixed age or children's activities. You should ensure that any parents or guardians assisting with these activities are screened.

- 5.20 Consult the Director of Professional Standards as to whether a risk assessment is required before you appoint someone who has:
- been acquitted of a charge of an offence against a child;
 - had a charge of an offence against a child not proceed;
 - had a prohibited status under applicable child protection legislation lifted; or
 - been the subject of Church disciplinary proceedings involving child abuse.

Your role and capacity to perform it

- 5.21 You need to recognise your own limits and not undertake any ministry that is beyond your competence or certification or that is not part of the role for which you have been or are being trained. Arrange for any such ministry to be provided by an experienced person or specialist agency. This applies particularly to outdoor or adventure activities such as canoeing, abseiling and hiking. Refer any child who requires specialised help (e.g. counselling for depression, abuse or addiction) to an appropriately qualified person or agency.
- 5.22 While children should be able to trust and confide in clergy and church workers— and you should expect to develop relationships of this character with children— avoid fostering inappropriate dependence on the part of a child.
- 5.23 Encourage children to develop leadership skills and undertake leadership roles that are appropriate for people of their age.

Use of external service providers

- 5.24 When you engage or use an external service provider for an activity (e.g. when you engage a specialist in outdoor education or a speaker for a camp), you should:
- make reasonable enquiries as to whether they have been screened and selected in accordance with civil and any Church requirements;
 - ensure that they are only used in a supplemental capacity; and
 - wherever practicable, ensure that they are not left alone with any child.

Supervision

- 5.25 The degree of supervision required will vary according to the nature and environment of the activity, the age and maturity of the children and the size of the group. Having multiple leaders to ensure that supervision and accountability standards are maintained is vitally important. You should:

- clearly distinguish the different levels of responsibility between you and any other supervisor and ensure that these differences are understood;
- consider the extent of supervision required taking into account:
 - C the age, number, ability and gender mix of the children; and
 - C the venue, time, duration and nature of the activity;
- have a register of all children with contact details and parents' or guardians' names for emergencies; and
- monitor and periodically review the application of Church child protection procedures.

Activities

- 5.26 You should identify and minimise all potential hazards before embarking on any activity with children. This would include:
- being aware of the fire safety and evacuation procedures;
 - ensuring that emergency exits on church premises are clearly marked and never obstructed or internally locked;
 - not permitting smoking in any church premises where the activity is held; and
 - not knowingly permitting children with serious contagious diseases to attend the activity.
- 5.27 Games or activities that emphasise gender, physical, intellectual or ethnic differences should be assessed for their appropriateness. Think about what message children may learn from the way events are organised and conducted.
- 5.28 You should review in their entirety aural and visual materials, such as videos, films, computer games, graphics, photographs and lyrics, to ensure that any elements containing violence, sexual activity or lifestyle are appropriate for the intended audience. Exercise care if a film or computer game has been recommended by the Office of Film and Literature Classification as unsuitable for viewing or playing by children of a particular age (e.g. MA, M and PG classifications). In assessing whether something is suitable you should take into account the age of the youngest child present. If in doubt, seek the advice of a supervisor or colleague.
- 5.29 To minimise the possibility of children being harmed, give careful consideration to any activities or games that require children to act alone or in pairs independent of leaders.
- 5.30 Ensure that no children's activity includes:
- secret initiation rites and ceremonies;
 - nudity or engagement in sexual conduct;
 - the use or availability of prohibited materials, except wine in the context of a Holy Communion service.

- 5.31 When taking children away from church premises, obtain the written consent of a parent or guardian and keep them informed of the place and timing of the event. If you can, include parents or guardians in a leadership team of mixed gender.
- 5.32 When meeting a child privately, you should:
- have parental or guardian consent, where practicable;
 - ensure where appropriate that a parent, guardian or suitable adult is present;
 - inform another member of the clergy, an adult church worker or another adult of the time, location and duration of the meeting;
 - not invite or have children to your home or visit children in their home when no other adult is present; and
 - make a record of the time, location, duration and circumstances of any meeting where it is impracticable to follow these guidelines.

Venue

- 5.33 Avoid working alone or in isolation with children. You should ensure that:
- all activities have defined boundaries that are easily observed or patrolled;
 - all aspects of children's activities are open to observation;
 - children are not permitted to leave church premises unsupervised; and
 - where individual or small group ministry is needed, it occurs in the presence of adults, a public place or a location with high visibility.
- 5.34 When events require children to sleep over, you should ensure that where possible:
- parents or guardians are involved in the events and their supervision;
 - sleeping accommodation is segregated between males and females;
 - sleeping accommodation is supervised by more than one person, preferably including a parent or guardian or another adult of each gender; and
 - supervisors do not sleep in close personal proximity to a child, unless they are a parent or guardian of the child.
- 5.35 Venues should allow for the privacy of all parties to be respected, particularly when changing clothes, washing and toileting. If you need to wash or toilet a child, tell another adult what you are doing.

Health and safety

- 5.36 Ensure that the risk management plan includes relevant contact details (e.g. emergency services and specialised help) and that a first aid kit appropriate to the activity is available. In the case of camps and similar activities, ensure that at least one adult present has first aid training.

- 5.37 Do not administer prescription medications to a child without the written consent of a parent or guardian.
- 5.38 Obtain information from parents or guardians about the particular physical and mental health or safety needs of children in your care (e.g. allergies, depression).

Transport

- 5.39 When making transport arrangements, take reasonable steps to ensure that:
- all drivers or operators are licensed, responsible, experienced and are not impaired by alcohol or any other mind-altering or addictive substance; and
 - all motor vehicles and other forms of transport used are registered, insured, safe and fitted with appropriate child restraints or safety devices (e.g. seat belts, life jackets).
- 5.40 To the extent practicable, avoid being alone with a child in a motor vehicle or driving a child home unaccompanied. If such a situation is unavoidable, inform another adult of the trip and the reason for it.

Discipline

- 5.41 If you have overall authority for children's ministry in a Church body you should ensure that a disciplinary strategy is developed, made known and implemented.

Disciplining children

When a child's behaviour requires correction, either for the safety and welfare of themselves or the group, it is important that:

- a warning precedes any discipline, where the situation permits;
- the discipline is explained to the child;
- the child is given an opportunity to explain;
- the discipline is appropriate to the occasion and age of the child;
- the form of discipline is not corporal punishment, does not ridicule or humiliate or is not otherwise abusive;
- very young children are not isolated as a form of discipline;
- physical restraint is only used to protect children from harm or to avoid an accident;
- when physical restraint is used, a record is kept that identifies the restraint used, the member of the clergy or church worker and child involved and any witnesses, and sets out the incident's circumstances;
- the child's parents or guardians are informed of the circumstances of the incident and discipline; and
- you make a record of the circumstances of the incident and discipline.

Physical Contact

- 5.42 In general—excluding circumstances such as immediate physical danger or medical emergency—physical contact should be initiated by the child or occur with their permission. When you make physical contact with a child, be very careful that you respect the child's feelings and privacy.
- 5.43 Ensure that any physical contact you have with children is of a non-sexual nature and appropriate to the situation. Avoid any physical contact that is sexually stimulating, or that may be construed as sexually stimulating. Children may or may not be aware of creating such situations. It is your responsibility to be alert for such situations and to cease any inappropriate physical contact immediately.

Children and physical contact

You need to be very careful when making physical contact with children.

Appropriate contact includes:

- bending down to the child's eye level, speaking kindly and listening attentively;
- gaining permission before hugging a child and respecting their right to refuse;
- taking a child's hand and leading them to an activity;
- comforting a child by placing an arm around their shoulder and giving a gentle squeeze from the side;
- praising or welcoming a child by holding the child's two hands in yours;
- patting the child on the head, hand, back or shoulder in affirmation; and
- holding a preschool child who is crying, provided that they want to be held.

Inappropriate contact includes:

- kissing or coaxing a child to kiss you;
- extended hugging or tickling;
- touching any area of the body normally covered by a swimming costume, specifically the buttocks, thighs, breasts or groin areas; and
- carrying older children, sitting them on your lap or having them rub up next to you.

Photographs and images

- 5.44 If you have overall authority in a church body, you should ensure that there is a policy requiring clergy and church workers to obtain the permission of relevant parents and guardians before making or using images (including photographs and videos) of children who are engaged in children's activities. The form of permission should clearly indicate the intended use of the images.

Record keeping

- 5.45 If you have overall authority in a church body, you should ensure that any Church screening documents:
- are treated with confidentiality and never left where they can be accessed by unauthorised persons;
 - where kept on computer, are password protected and stored for an indefinite period of time with access limited to authorised persons; and
 - where kept in paper form, are stored separately from any other documents and locked in secure place for an indefinite period of time, with access limited to authorised persons.
- 5.46 If you have overall authority in a church body, you should:
- ensure that a register of attendance of children and leaders and their emergency contact details is kept for each pastoral ministry involving children;
 - consider including such registers in the church archives; and
 - keep and store in a secure place all permission forms and records relating to discipline and private meetings.
- 5.47 If you are exercising a pastoral ministry involving children in a church body, you should keep a register of attendance of the children for whom you are responsible.

6. PERSONAL BEHAVIOUR

Preamble

- 6.1 The personal behaviour and relationships of **clergy** and **church workers** have a significant impact on the Church and the community because they are a model to others.
- 6.2 It is important for clergy and church workers to be good citizens and obey the laws of the community, except where those laws conflict with Christian convictions.

Standards for clergy and church workers

These standards state the Church's expectations for personal behaviour and the practice of pastoral ministry.

- 6.3 You are not to engage in:
- bullying;
 - emotional abuse;
 - harassment;
 - physical abuse;
 - sexual abuse; or
 - spiritual abuse.

- 6.4 You are not to **abuse** your spouse, children or other members of your family.
- 6.5 You are to be responsible in your use of alcohol and other mind altering or addictive substances or services.
- 6.6 You are not to undertake any pastoral ministry when you are impaired by alcohol or any other mind-altering or addictive substances.
- 6.7 You are not to use any **prohibited substance**.
- 6.8 You are not to take property belonging to others, including intellectual property.
- 6.9 You are not knowingly to make statements that are false, misleading or deceptive.
- 6.10 You are not knowingly to use **offensive language**.
- 6.11 Without a legitimate purpose you are not to view, possess, produce or distribute **restricted material**.
- 6.12 You are to observe the law, other than any law that:
- is contrary to the Holy Scriptures;
 - unjustly prohibits the practice of religion; or
 - prohibits civil disobedience.

Guidelines

These guidelines explain and illustrate best practice and highlight practical ways to achieve it.

- 6.13 If another person indicates by their words or actions that they feel bullied or harassed by you, review your conduct. If in doubt, cease the conduct and seek advice. When teaching, admonishing or exercising discipline as part of your pastoral ministry, be sure you do it respectfully.
- 6.14 Love and care for your family and pay particular attention to the effect of your ministry on your family relationships. Ensure that your behaviour in family relationships is consistent with this Code.
- 6.15 Take steps to prevent your spouse or children or other members of your family becoming victims of your stress. If you find yourself acting violently or abusively to any member of your family, seek professional help immediately.
- 6.16 Monitor your consumption or use of alcohol and other mind altering or addictive substances or product (e.g. gambling) to ensure your wellbeing and that of others. Seek professional help if the use of these substances or products adversely affects your ministry, personal wellbeing or relationships.
- 6.17 You should be sensitive to the effect of your language on others. Avoid using language that may be misunderstood or that bullies, threatens, belittles, humiliates or causes unnecessary offence or embarrassment. Take care when using:
- any swear word;
 - language which has sexual connotations; and
 - racial, religious or other group descriptions.

- 6.18 Exercise discretion when viewing or using restricted material. You should:
- consider the legitimate purpose of viewing or using the restricted material;
 - consider whether your conduct will damage your reputation and impair your ministry; and
 - disclose the purpose and circumstances of your conduct to a supervisor or colleague to avoid any misunderstanding.
- 6.19 When engaged in civil disobedience, do not act violently or intentionally provoke violence.
- 6.20 Be sensitive to the effect of your dress on others. Dress appropriately to the context.
- 6.21 You should comply with copyright legislation. Ensure that any licences for the use of copyright material are current and complied with and that copyright is duly acknowledged.

7. SEXUAL CONDUCT

Preamble

- 7.1 The sexual conduct of clergy and church workers has a significant impact on the **Church** and the community.
- 7.2 Sexuality is a gift from God and is integral to human nature. It is appropriate for **clergy** and **church workers** to value this gift, taking responsibility for their sexual conduct by maintaining chastity in singleness and faithfulness in marriage.
- 7.3 It is part of the role of clergy and church workers to care for, protect and respect all with whom they have a **pastoral relationship**. It is never appropriate for clergy and church workers to take advantage of their role to engage in sexual activity with a person with whom they have a pastoral relationship. Consent to such activity will not be regarded by the Church as valid, except within marriage.

Standards for clergy and church workers

These standards state the Church's expectations for personal behaviour and the practice of pastoral ministry.

- 7.4 You are to be chaste and not engage in sex outside of marriage and not engage in disgraceful conduct of a sexual nature.
- 7.5 You are not to:
- sexually abuse an adult;
 - sexually abuse a child;
 - engage in prostitution;
 - visit brothels and other places associated with the sex industry without a legitimate purpose;

- view, possess, produce or distribute **restricted material** containing sex or nudity without a legitimate purpose; and
- view, possess, produce or distribute any form of child pornography.

Guidelines

These guidelines explain and illustrate best practice and highlight practical ways to achieve it.

- 7.6 If you intend to make physical contact with another adult or speak to them about a sexual matter you should:
- take responsibility for your own actions;
 - seek permission;
 - respect the person's wishes;
 - notice and respond to the person's non-verbal communication; and
 - refrain from such conduct if in doubt about the person's wishes.
- 7.7 You should avoid situations where you are vulnerable to temptation or where your conduct may be construed as a breach of the standards of sexual conduct in this Code.
- 7.8 Any involvement in pastoral ministry to persons in the sex industry requires safeguards and a high level of accountability and collegial support. If in pastoral ministry you intend to visit people or places associated with the sex industry, you should:
- consider the legitimate purpose of visiting the person or place;
 - consider whether your conduct will damage your reputation and impair your ministry; and
 - to avoid any misunderstanding, disclose the purpose and circumstances of what you are doing to a supervisor or colleague.

8. FINANCIAL INTEGRITY

Preamble

- 8.1 In both their personal capacity and their pastoral ministry **clergy** are involved in matters of a financial nature. The ministry of **church workers** may include financial management. The financial dealings of clergy and church workers have a significant impact on the **Church** and the community.
- 8.2 Financial integrity is essential to all financial processes and transactions.
- 8.3 Clergy and church workers with overall authority for financial management in a church body are responsible for the implementation and maintenance of proper systems for financial integrity and accountability. They cannot delegate this responsibility to anyone else.

Standards for clergy and church workers

These standards state the Church's expectations for personal behaviour and the practice of pastoral ministry.

- 8.4 You are not to avoid payment of your just debts and family support obligations.
- 8.5 You are not to engage in tax avoidance.
- 8.6 You are not to seek personal advantage or financial gain for yourself or your family from your position or from a **pastoral relationship**, beyond your stipend or wage and recognised allowances and deductions.
- 8.7 You are not to allow yourself to be influenced by offers of money or financial reward.
- 8.8 You are to avoid situations of conflict between your personal financial interest and your pastoral ministry responsibilities.
- 8.9 You are to arrange your personal and church finances to ensure that clear account and transaction boundaries are maintained.
- 8.10 You are to fully disclose and be publicly accountable for all church monies which you handle.
- 8.11 If you have overall authority for financial management in a church body, you are to ensure that:
 - proper systems for financial integrity and accountability are implemented and maintained;
 - all clergy and church workers for whom you have responsibility and who have authority for financial management in a church body are informed of their roles and responsibilities; and
 - all stipends, wages and allowances payable are adequate, and paid promptly and in full.

Guidelines

These guidelines explain and illustrate best practice and highlight practical ways to achieve it.

Financial management practices

- 8.12 You should ensure that your salary packaging and the accounts of any church body for which you have responsibility are in accordance with Church and civil taxation and accounting requirements.
- 8.13 If you have overall authority for financial management in a church body, you should minimise the risk of you and other clergy and church workers being accused of or engaging in financial impropriety by:
 - having two persons unrelated by family to handle church money received;

ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF WILLOCHRA



REGULATION FOUR
CLERGY AND
OTHER MINISTERS

Pages	Last Amended
1 - 3	May 2001
4	May 2007
5	May 2003
6 - 8	May 2004
Appendix One Pages 9-12	Amended May 2004

CLERICAL APPOINTMENTS IN THE DIOCESE

1. (1) It is incumbent on all Clergy in the Diocese to keep before them the high calling of our Saviour Jesus Christ and to receive and follow the wholesome teaching set before them at their Ordination.
- (2) Prior to receiving an appointment in the Diocese all Clergy shall agree faithfully to perform their manifold duties according to "The Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church according to the Use of the Church of England together with the Psalter or Psalms of David pointed as they are to be sung or said in Churches and the Form or Manner of Making Ordaining and Consecrating of Bishops Priests and Deacons" (1662) and other formularies of this Church, to give assent to the doctrine and principles of this Church, to give canonical obedience to the Bishop and to be bound by the discipline of this Church and the Constitution and Regulations of the Synod and to sign Schedules "G" and "I".
- (3) In this Regulation the term "parish priest" refers to a stipendiary cleric licensed for ministry in a parish, but does not include assistant clergy local clergy or district priests.

APPOINTMENTS TO THE POSITION OF PARISH PRIEST

2. **The Nomination Board:** The selection and presentation of a person in Priest's orders for appointment to the position of parish priest shall be made by the Nomination Board for that Parish. The Nomination Board shall consist of Parish and Diocesan Nominators appointed as hereinafter provided.
3. **Parish Nominators:** The Parish Nominators shall be five persons who shall have been duly elected at the meeting called for the purpose of the election of lay members of Synod as provided in Regulation 1 clause 4 when held or otherwise by any such method as the parish shall from time to time determine. The parish shall elect Reserve Parish Nominators equal in number to that of Parish Nominators. When any Parish Nominator is unable to attend a meeting of the Nomination Board notice of the attendance of a Reserve Parish Nominator shall be given to the Bishop with the apology. An order of precedence of Reserve Parish Nominators shall be decided by the meeting at the time of their election. The Chair of the meeting or other proper person shall

forward to the Registrar within thirty days the Certificate of Election in the form of Schedule "C". When the office of any Parish Nominator becomes vacant it shall be the duty of the Parish Council or other proper body to fill such vacancy and to notify the Diocesan Registrar.

4. **Diocesan Nominators:** The Diocesan Nominators shall be the Bishop or his nominee and the Archdeacon of the area or in the absence of the Archdeacon the Rural Dean or in the absence of the Rural Dean some other cleric appointed by the Bishop together with one clerical and one lay nominator who shall be elected at the First Session of each Triennial Synod. The Synod shall at the same time elect a reserve for each nominator who may act if the nominator is unable to do so. When the office of any Diocesan Nominator becomes vacant it shall be filled forthwith by the Synod or if the Synod be not in session by the Diocesan Council.
5. **Parish Consultation:** When the office of parish priest is vacant or is to become vacant the Bishop shall arrange for a consultation with members of the Parish.
6. **Meeting of the Nomination Board:** As soon as is possible after the consultation the Bishop shall summon the Parish and Diocesan members of the Nomination Board of the said Parish to meet at such time and place as the Bishop shall think fit. The Bishop and those Diocesan and Parish Nominators who are present shall constitute the Nomination Board. The presence of the Bishop or the Bishop's nominee and at least three nominators, two of whom shall be Parish Nominators, shall be necessary to constitute a meeting of the Board.
7. **Duties of the Nomination Board:** The Nomination Board presided over by the Bishop or the Bishop's nominee shall select and nominate suitable clerics for the position of parish priest in the said Parish.
8. **Form of Presentation:** The Nomination Board shall nominate such clerics to the Bishop in the form of Schedule "J".
9. **Right of Presentation to Lapse:** If no cleric accept appointment within six months from the date on which the Nomination Board first met the Bishop may appoint a cleric to the position of parish priest.
10. **Admission to the position of parish priest:** The Synod shall admit the cleric when duly presented and licensed to the Parish by the Bishop

provided the cleric shall have signed the undertakings in the form of Schedules "G" & "I".

The cleric shall be Commissioned to the position of parish priest in the said Parish at a public service of worship. The form of the Commissioning shall be settled by the Bishop after consultation.

11. **Nomenclature:** The title of a cleric duly licensed to the position of parish priest in a Parish shall be that determined by the Bishop in the cleric's licence.
12. **Exchange of Parishes:** A cleric having the position of parish priest in any Parish may with the consent of the Bishop negotiate for an exchange of Parish with any other such cleric either within or outside the Diocese. Such exchange shall require the concurrence of the Nomination Boards and Diocesan Bishops concerned.

DURING A VACANCY IN THE POSITION OF PARISH PRIEST

13. **Vacancy may be Advertised:** If the Parish Nominators so determine, a vacancy in the position of parish priest shall be advertised in such manner as the Diocesan Council shall decide. Any expressions of interest shall be directed to the Bishop who shall bring the information to the Nomination Board.
14. **Bishop May Appoint during a Vacancy:** When the position of parish priest becomes or is to become vacant the Bishop in consultation with the churchwardens may appoint some duly qualified person to minister in the said Parish until the vacancy is filled. In such a case the Bishop may appoint a representative to preside at meetings of the Vestry Church and Parish Councils.

DUTIES OF A PARISH PRIEST

15. **Regular Worship:** The parish priest shall provide for regular services of worship in the parish and shall not allow services of worship to lapse for any Sunday or for the celebrations of Christmas Day Good Friday or Ascension Day without notifying the Bishop.
16. **Present in the Parish:** The parish priest shall be occupied in the affairs of the Parish and shall not be absent from the Parish for more than six consecutive days without notifying the Registrar and the Archdeacon in writing, and the appropriate Parish officers.

17. **Annual Holidays:** The parish priest shall take leave in accordance with Clause 32 of this Regulation provided that suitable arrangements for Sunday worship and pastoral care in the Parish have been made for that period by the parish priest in consultation with the Parish Council and the Churchwardens.
18. **If Absent Without Leave:** If, without the leave of the Bishop and without coming to an understanding with the Parish Council and the Churchwardens the parish priest is absent from the Parish beyond the period fixed for annual leave, payment of stipend shall cease during such absence. In such a case the Parish Council and the Churchwardens shall report the matter to the Bishop with the request that the Bishop appoint a locum tenens in the place of the parish priest so absent and the Bishop may declare the priest's appointment to have been terminated and the position of parish priest to be vacant. Such remuneration as shall be determined by the Bishop in consultation with the Parish Council and the Churchwardens of the Parish shall be payable to the locum tenens.
19. **Divine Service:** The parish priest shall determine the times of Divine Service after consultation with the congregation. If there is any dispute the matter shall be decided by the Bishop. The use of The Book of Common Prayer, An Australian Prayer Book, A Prayer Book for Australia, the particular orders or forms from them and which of their provided variations shall be decided by the Priest after consultation with the congregation at a meeting of the Vestry. If there is any dispute the matter shall be decided by the Bishop.

DISTRICT PRIESTS

20. **Licensing of District Priests**

The Bishop may license one or more clerics as District Priests to support and enable the congregations in a Ministry District to pursue their mission and ministry. A District Priest shall be appointed by the Bishop in consultation with the Diocesan Nominators and the District Nomination Committee.

21. **Duties**

As well as providing sacramental ministry, preaching and teaching within the Ministry District, District Priests shall work with, advise, encourage and assist congregations, vestries and councils within the Ministry District in the mission and ministry of the church and may attend and contribute to any meetings.

22. Conditions

The provisions of clauses 16 - 18 of this regulation shall apply (mutatis mutandis)* to the position of a District Priest, and if the District Priest is in a stipendiary appointment, the provisions of clauses 25 - 36 shall also apply. * (with the necessary changes in terminology)

LOCAL CLERGY**23. Licensing of Local Clergy**

The Bishop may license ordained persons for ministry in the area of a congregation or group of congregations as local clerics. Such licences shall be for a limited time, and be revocable in the terms provided in the licence. Local clerics are not stipendiary but shall be entitled to receive reimbursement for out-of-pocket expenses.

24. Position of Local Clergy

A local cleric shall be a member of the Vestry and, with the consent of the Vestry, may be a member of the Church Council of the congregation or congregations in which the cleric serves. The cleric shall work with other members of the ministry team in the congregation. The team shall give leadership to the congregation and the local cleric shall contribute in those areas of the congregation's life to which the cleric's gifts, abilities, ordination, and training are appropriate.

CONDITIONS IN STIPENDIARY APPOINTMENTS

25. Stipends: The stipend for all stipendiary clergy shall be as the Synod shall from time to time determine unless in a particular case other special provision is made with the approval of the Bishop and Diocesan Council.

26. Superannuation:

- (1) Every cleric on being admitted to a stipendiary position within the Diocese shall become a member of such Superannuation Fund or funds as the Diocesan Council may approve.
- (2) Unless the Diocesan Council determines otherwise the Parish Council or other body responsible for the payment of stipend shall remit to the Church Office monthly an amount equal to 18% of the stipend for payment to the superannuation account of the cleric.

27. **Long Service Leave:** The provisions of the Canon of the General Synod of The Anglican Church of Australia concerning Long Service Leave most recently adopted by this diocese shall govern long service leave taken by clergy in the Diocese and contributions made to the Long Service Leave Fund. Such contributions shall be paid in the manner decided from time to time by the Synod.

28. **Parental Leave.**

- (1) Female clergy shall be offered twelve weeks paid maternity leave.
- (2) Male clergy shall be offered four weeks paid paternity leave.
- (3) Either male or female clergy shall be offered further leave, unpaid, beyond the paid leave period for up to a total leave period of Fifty two weeks while remaining in the Rectory, provided mutually acceptable arrangements can be reached between the cleric, the Parish or Ministry District, and the Bishop.
- (4) Either male or female clergy shall be offered return to duty on a part-time basis, provided satisfactory arrangements can be agreed between the cleric, the Parish or Ministry District, and the Bishop.

Appendix One details the application of this clause.

29. **Sickness and Accident:** During any incapacity from accident or sickness a cleric shall continue to be paid by the parish or other appropriate body. Since stipendiary clergy in the Diocese are not workers in terms of the S.A. Workers Compensation Act being neither employed nor under a contract of service, the stipend of such clergy shall be covered against sickness or accident by insurance. The manner and the cost of such insurance contributions shall be determined by the Diocesan Council and shall be paid in the manner decided from time to time by the Diocesan Council. The proceeds of any such insurance shall be paid to the parish and the cost of any relieving ministry while the cleric is not able to perform duties in the parish shall be met from such proceeds.

30. **In Case of Prolonged Incapacity:** In the case of any cleric having a medically certified prolonged physical or mental incapacity the Bishop shall have the authority to terminate the cleric's appointment.

31. **Travelling:** Where it is appropriate with the agreement of the cleric concerned each parish shall either
- a. provide a car for the cleric and meet all maintenance and running expenses incurred in using it for parish business provided that the cleric be allowed reasonable personal use on an agreed basis, or
 - b. provide for the reimbursement of the cost of ministry usage of a privately-owned vehicle according to the rates fixed from time to time by the Diocesan Council.

In the event of any dispute with respect to travelling, reference shall be made to the Archdeacon or the Bishop, whose decision shall be final.

32. **Annual Holidays:** Stipendiary clergy licensed in the Diocese shall be entitled to four weeks paid leave each year including four Sundays. Leave shall be taken each year and shall not accumulate without the prior agreement of the Bishop and other proper body concerned.

33. **Weekly Refreshment:** All clergy shall have one day each week for refreshment and renewal. These days shall be taken each week and shall not accumulate without the prior agreement of the Bishop and other proper body concerned.

34. **Housing:** A suitable house shall be provided for each stipendiary cleric and the parish or body concerned shall maintain and keep the house in sound condition. The cleric shall keep the house and grounds in good tenable order.

35. **Termination of an Appointment:** A priest may resign or retire from the position of parish priest upon notice to the Bishop duly given in the terms of the licence. In such case or if the appointment be terminated by death, suspension, revocation, deprivation or any other cause all rights, privileges, emoluments and advantages in or respecting the position of parish priest together with possession of the house and other buildings, lands and appurtenances held in virtue of the appointment as parish priest come to an end.

36. **Suspension from Duty:** Further to the powers of suspension conferred in Clause 61 of the Constitution of the Anglican Church of Australia, when a charge is pending before the Diocesan Tribunal against any person licensed by the Bishop and there are concurrently criminal or

civil proceedings in relation to the same matter, the Bishop may adjourn the proceedings before the Tribunal until the outcome of any criminal or civil proceedings is known. When a person is so suspended the Synod where necessary shall pay the stipend and provide alternative accommodation.

37. **Notice of Resignation:** A cleric who wishes to resign an appointment in the Diocese shall give three months notice in writing to the Bishop. It shall be within the power of the Bishop to dispense with this rule.

OTHER MINISTERS

38. In addition to the three orders of ordained ministry within our church there are other persons who are set apart for ministry. Members of Religious Orders, Pastoral Assistants and other lay ministers licensed by the Bishop for ministry within this Diocese are to keep before them the high calling of our Saviour Jesus Christ and receive and follow the wholesome teaching set before them at the time of their admission. Clauses 25 to 36 of this Regulation shall apply to such authorised ministers as may be in stipendiary appointments.

APPENDIX ONE

Details of the application of Clergy Parental Leave

CLERGY PARENTAL LEAVE

Definitions – in this appendix

“adoption” means the adoption of a child who is not the natural child of the member of the clergy or his or her spouse, who is younger than 5 years of age, and who has not lived continuously with the member of the clergy for 6 months or longer;

“adoption leave” means leave taken for the purpose of the care of a child who has been adopted at or shortly after the date of placement of the child; adoption leave does not apply when one parent is formally adopting the child or children of the spouse;

“expected date of birth” means a day certified by a medical practitioner as the expected day of birth of a child;

“maternity leave” means leave taken by the mother of a child for the purposes of the birth and the care of the child;

“ordinary rate of remuneration” means the stipend payable to a member of the clergy together with any allowances paid in respect of housing, travel, and utilities, or together with the provision of housing and utilities, as the case may be;

“parental leave” means the leave provided for by this Ordinance;

“paternity leave” means leave taken by the father of a child at or about the time of the birth of the child; and

“service” means service as a member of the clergy in the Diocese, and includes annual leave, long service leave and sick leave.

Entitlements to Parental Leave

1. A cleric is entitled to take parental leave, under these provisions, for a period of up to 52 weeks
 - a. for the birth of a child to the cleric;
 - b. for the placement of a child with the cleric with a view to the adoption of the child by the cleric;
 - c. in order to be a care-giver to the child.

Notice of Intention to take Parental Leave

2. A cleric who wishes to take parental leave shall provide notice of intention to take parental leave in accordance with the time limits set out in these provisions for the type of leave being sought to
 - a. the Bishop;
 - b. the Registrar;
 - c. the Archdeacon of the area; and to
 - d. the Secretary of the Parish or Ministry District Council.
3. The notice of intention to take parental leave shall include details of the type of leave sought and of the dates on which such leave is proposed to be taken

Medical Certificate

4. (1) A cleric who has given notice of intention to take maternity parental leave for the birth of the child must provide the Registrar with a certificate of a medical practitioner certifying that she is pregnant, and identifying the expected date of birth.

(2) A cleric who has given notice of intention to take paternity parental leave for the birth of the child must provide the Registrar with a certificate of a medical practitioner certifying that his spouse is pregnant, and identifying the expected date of birth.

Approval of Leave

5. Parental leave or any part-time return to duty shall be agreed between the cleric, the Parish or Ministry District Council and the Archdeacon; and in default of agreement, shall be determined by the Bishop.

Maternity Leave

6. A cleric who wishes to take maternity leave shall provide notice of her intention to do so not less than 17 weeks before the expected date of birth.

7. The date of commencement of Maternity leave shall be agreed to at least 13 weeks before the expected date of birth.
8. The first 12 weeks of maternity leave shall be paid parental leave.
9. Subject to subclause 16(2), any further maternity leave shall be unpaid leave.
10. If, during the period of paid leave, the cleric wishes to take additional maternity leave, then
 - a. she shall give notice thereof in accordance with clause 3; and
 - b. agreement shall be reached as to the duration of any such further maternity leave, in accordance with clause 5.

Paternity Leave

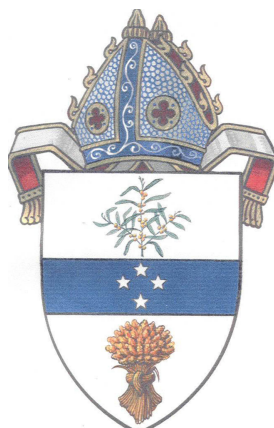
11. A cleric who wishes to take paternity leave shall provide notice no later than four weeks prior to the expected date of birth.
12. Paternity leave for a period of up to 4 weeks (which period does not need to be continuous), shall be paid parental leave. Subject to clause 17, paternity leave shall not be taken other than in the period commencing one week before the expected date of birth, and concluding six weeks after the actual date of birth.

Adoption Leave

13. A cleric who wishes to take adoption leave shall provide notice not later than eight weeks prior to the date on which he or she seeks to commence such leave, together with:
 - a. evidence of the approval of his or her application for adoption, and of the anticipated date of placement; and
 - b. evidence of the date of birth of the child.
14. (1) If a cleric wishes to take maternal adoption leave, the period of paid parental leave shall be up to twelve weeks.

(2) If a cleric wishes to take paternal adoption leave, the period of paid parental leave shall be up to four weeks.

ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF WILLOCHRA



REGULATION FIVE
PARISHES and
MINISTRY DISTRICTS

Adopted May 2000

Clauses 1 - 5	Principles
Clauses A1 - A23	Provisions relating to Parishes
Clauses B1 - B25	Provisions relating to Ministry Districts
Clauses C1 - C28	Material applicable to both Parishes & Ministry Districts

Pages	Last Amended	Pages	Last Amended
1	May 2000	13 - 15	May 2000
2 - 3	May 2007	16	May 2007
4	May 2000	17	May 2004
5	May 2001	18	May 2000
6 - 8	May 2000	19 - 21	May 2007
9	May 2001	22 - 26	May 2000
10 - 11	May 2000	27 - 28	May 2007
12	May 2007	29 - 31	May 2000

Appendix One
Pages 32 - 33

Endorsed
May 2007

Appendix Two
Pages 34 - 37

Endorsed
May 2007

A - PROVISIONS RELATING TO PARISHES

A 1. Parish responsibilities

Each Parish shall

- (1) agree to abide by the Constitution and Regulations of the Synod.
- (2) have its lands vested in the Synod
- (3) pay all synodal dues and assessments.
- (4) recognize and support, in prayer and giving, the mission of the Church within the Diocese and beyond.
- (5) provide a stipend for the Parish Priest.
- (6) make adequate arrangements for the Parish Priest's travelling in accordance with Regulation 4 Clause 31.
- (7) provide suitable housing for the Parish Priest in accordance with Regulation 4 Clause 34.

A 2. Reviews

- (1) Every three years there shall be a review of the parish at either parish or congregational level led by a person or persons not of that Parish and approved by the Bishop.
- (2) In the event of a Parish being unable to meet any of the provisions of Clause A 1 of this Regulation for a period of two consecutive years the matter shall be referred to the Boundaries Board which shall take such steps as are deemed necessary.

THE VESTRY

A 3. Composition of the Vestry

There shall be a Vestry consisting of the Parish Priest, Assistant Clergy, Churchwardens and such other members of the Congregation as are or shall be qualified in accordance with the Constitution and Regulations of the Synod. In special circumstances on request of the Vestry and with the approval of the Bishop it shall be possible for members of the Congregation who are Persons in Communion to be admitted to the Vestry and to hold office even though their names do not appear on the roll of members of Vestry.

A 4. Responsibilities and powers of Vestry

- (1) The Vestry shall
 - (a) be responsible for the general direction of the affairs of the Congregation,
 - (b) shall support the Parish Priest in the pastoral, educational, evangelistic and missionary work of the Congregation and
 - (c) shall have and exercise such powers and duties as are prescribed by this Regulation.

- (2) In all cases not specifically provided for, the Vestry shall have the general management, control, power of appropriation and disposal of the property of the Congregation subject to the Constitution and Regulations of the Diocese of Willochra.

A 5. Roll of Members of Vestry

Each year prior to the Annual Vestry Meeting the Parish Priest and Churchwardens shall invite members of the Congregation to sign the Vestry Roll in the form of the First Schedule of the Constitution. A communicant may apply at any time to the Parish Priest to sign the Roll. There shall be a right of appeal to the Bishop regarding the insertion or removal by the Parish Priest of any name in the said Roll.

A 6. The calling of Vestry meetings

- (1) A meeting of the Vestry may be called at any time by the Parish Priest or, on the neglect, refusal or inability of the Parish Priest, by the Churchwardens or, on their neglect or refusal or inability, by any five members of the Vestry. Notice calling the meeting shall state the time and place and object of the meeting and shall be signed by the Parish Priest or Churchwardens or five members of the Vestry. At least two weeks' notice of each Vestry meeting shall be given to the Congregation at all services on the two Sundays prior to the day of such meeting and by a notice placed on the Church door or the usual Church notice board or in writing to each of the members of the Vestry.
- (2) No decision shall be taken by the Vestry or combined Vestries on any matter specifically requiring the decision of a Vestry or Vestries unless due notice of the matter has been given.
- (3) If the Parish Priest or Churchwardens neglect to call any Vestry meeting the Bishop or the Archdeacon may at any time summon a meeting of the Vestry after notice thereof has been sent to the Parish Priest and Churchwardens. The Bishop or the Archdeacon or the Bishop's nominee shall preside at such meeting.

A 7. Chairing Vestry meetings

- (1) At all meetings of the said Vestry, except in cases hereinafter mentioned, the Parish Priest shall chair the meeting if present and willing to act. Should the Parish Priest be absent or decline to preside a person to chair the meeting shall be elected.
- (2) The Chair shall have a deliberative vote only.

- (3) When the office of Parish Priest is vacant or in a newly constituted Parish prior to the commissioning of a Parish Priest the Bishop or the Bishop's nominee shall preside at all meetings of the Vestry.

A 8 Voting

- (1) Every person over the age of 16 years who has signed the Vestry Roll for the year commencing the First Day of January shall be a member for that year and entitled to vote at all Vestry meetings for that year on matters with which the Vestry is by virtue of the Constitution and Regulations competent to deal.
- (2) At every meeting of the Vestry the votes of a majority of persons present, qualified to vote and voting shall decide every question unless the Vestry itself decides otherwise or unless the Bishop's counsel is sought by the Parish Priest, the Churchwardens or any five parishioners and the Bishop requires a two-thirds majority of persons present and qualified to vote.
- (3) Members of the Congregation not yet 16 years of age are entitled to be present and speak at all Vestry Meetings.

A 9. Quorum

- (1) At every Vestry meeting at least one quarter of the members, but not fewer than five, shall be present, except where the Vestry consists of fewer than ten members when at least one half must be present.
- (2) If such quorum is not present the meeting shall adjourn for a period not exceeding twenty eight days with the usual notice for a Vestry meeting given and those attending the adjourned meeting shall have the power to proceed.

A 10. Adjournment of meetings

A Vestry meeting shall be adjourned only by the vote of the majority of members present. At the adjourned meeting the only business to be transacted shall be that which was left unfinished at the prior meeting unless fresh notice be given in the manner aforesaid.

A 11. Minutes

Minutes shall be kept of all meetings of the Vestry and shall be available to members of the Vestry.

A 12. Annual Meeting of the Vestry

An Annual Meeting of the Vestry shall be held each year no later than the last day of February at which after Prayer the following business shall be transacted:

- (1) The reading of the definition of a member of the Vestry:
A member of this Vestry is a communicant member of the Anglican Church of Australia and of no Church which is not in communion with this Church and a member of the Parish of.....and the Congregation of and has signed the Vestry Roll.
- (2) The confirmation of the minutes of the preceding Annual and any other Vestry Meeting, unless previously published and confirmed.
- (3) The presentation of the written reports of the Parish Priest and Churchwardens to cover the areas of
 - (a) Worship
 - (b) Education
 - (c) Pastoral Care
 - (d) Outreach and Service
 - (e) Stewardship
- (4) Such other written reports as the person chairing the meeting may determine.
- (5) The tabling of audited financial statements of all Parish and Congregational groups and organizations.
- (6) The presentation by the Treasurer or Churchwardens of the audited Financial Statements and Budgets for both the Congregation and the Parish.
- (7) The declaration that all offices be vacant and the appointment of a Churchwarden by the Parish Priest. If at the Annual Vestry Meeting the Parish Priest neglect or decline to appoint a Churchwarden then the Vestry shall have the authority to elect both Churchwardens.
- (8) The election of a Churchwarden by the meeting. If the Vestry neglects or refuses or is unable to elect a Churchwarden then the Parish Priest shall have authority to appoint both Churchwardens.
- (9) The determination by the meeting of the number of Church Councillors in accordance with Clause A 20 (1) of this Regulation and the election of the same.

- (10) The election or appointment of a person to audit the church accounts.
- (11) The election of such other officers as are considered necessary for the management of the affairs of the Congregation or as are required to be elected or appointed by the Constitution or Regulations of the Diocese.
- (12) The appointment by the Parish Priest of such other officers as may be appropriate.
- (13) Other business as agreed to by the meeting, subject to Clause A 6(2) of this Regulation
- (14) Closing of the meeting with Prayer.

A 13. Returns

The Chair of the Annual Meeting of the Vestry shall ensure that the names of officers appointed or elected together with the declarations duly made and signed by them, such Annual Returns as shall be required from time to time by the Synod, and the Financial and Statistical Returns (Clause C 20 of this Regulation) are forwarded to the Diocesan Registrar before the first day of March.

A 14. Combined meetings of Vestries

- (1) The Parish Priest or Wardens of the Vestries concerned may call a combined meeting of two or more Vestries within a Parish.
- (2) At such meeting the quorum shall be one quarter of those entitled to attend except where a matter is to be dealt with by individual Vestries when Clause 14 of this Regulation shall apply.
- (3) The Vestries may vote separately and shall vote separately for the purposes of elections and matters pertaining to the respective Congregations.

CHURCHWARDENS

A 15. Qualifications

Each Churchwarden shall be a communicant member of the Anglican Church of Australia except as is provided in Clause A 3 of this Regulation. The appointment or election of a Churchwarden shall not be effective until the Churchwarden has signed the declaration as in the Third Schedule of the Constitution or the Bishop has granted approval for a person to hold the office of Churchwarden pursuant to Clause A 3 of this Regulation.

A 16. Appointment

The positions of two Churchwardens shall be filled at the Annual Vestry Meeting, one being appointed by the Parish Priest and the other being elected by the Vestry. Should the office of Churchwarden remain unfilled for a period in excess of two months the Bishop may make the appointment.

A 17. Casual vacancies

- (1) In case of a casual vacancy in the office of Churchwarden appointed by the Parish Priest, the Parish Priest shall appoint a qualified person to fill such vacancy.
- (2) If the vacancy be in the office of Churchwarden elected by the Vestry then the Vestry shall fill the vacancy at a meeting called for that purpose.

A 18. Duties of Churchwardens

The Churchwardens shall:

- (1) Work with the Parish Priest in the initiation, conduct and development of the work of the Congregation.
- (2) Provide due care and support for the Parish Priest and family
- (3) Ensure that all things necessary for the conduct of Divine Service and the administration of the Sacraments and Rites of the Anglican Church of Australia are provided.
- (4) Keep order in church and provide for the seating of the people and for the collection of alms and other offerings.
- (5) Ensure adequate provision is made for an inventory of and for the proper preservation and safe custody of the church registers, records and church plate and other valuables and movables belonging to the church.

- (6) Make available all books and records for inspection by the Bishop or the Archdeacon and supply to them any information or explanation when so requested.
- (7) Hand over to their successors the custody of everything for which they had responsibility as Churchwardens together with the inventory.
- (8) Report to the Church or Parish Council on any expenditure necessary to keep the fences and grounds in order or necessary to preserve the fabric and furniture of the Church and other buildings.
- (9) Report to the Bishop any irregularities in the performance of Divine Service or the wilful neglect of duty or serious misconduct on the part of the Parish Priest.
- (10) See that the accounts of any funds belonging to the Church of which they are Churchwardens are made up and closed on the last day of December in each year and that an audited statement of such accounts is presented to the Annual Meeting of the Vestry.
- (11) Act as Executive Officers in a Parish on behalf of the Synod. If either or both Churchwardens shall neglect or refuse or be unable so to act then the Parish Priest or some suitable person with the consent of the Bishop shall be appointed to do so.

GENERAL PROVISIONS FOR CHURCH AND PARISH COUNCILS

A 19 Provisions

- (1) Every member of Church and Parish Councils shall be a member of a Vestry within the Parish. Persons not members of the Anglican Church of Australia may be appointed as provided in Clause A3 of this Regulation.
- (2) At all meetings of the Church and Parish Councils the Parish Priest if present and willing to act shall preside. Should the Parish Priest be absent or decline to preside a person to chair the meeting shall be elected
- (3) When the office of Parish Priest is vacant or in a newly constituted Parish prior to the commissioning of the Parish Priest the Bishop or the Bishop's nominee shall preside at all meetings. Should the Bishop or the Bishop's nominee be absent or decline to preside a person to chair the meeting shall be elected.
- (4) Each Church and Parish Council shall elect either separately or conjointly, a Secretary and Treasurer, whose name(s) shall be forwarded to the Registrar by the first day of March each year or immediately following election.

- (5) Church and Parish Councils shall meet at least once in every three months. The first meeting shall be convened by the Parish Priest who shall determine the time and place. Thereafter meetings shall be held at such time and place as the Church or Parish Council may determine.
- (6) The Parish Priest may at any time convene a meeting of any Council within the Parish and shall do so on receipt of a written request signed by the majority of the members.
- (7) Where meetings of Church Councils are not practicable, their formation may be dispensed with or varied as the Bishop may approve.
- (8) At all meetings of any Council a majority of members shall constitute the quorum.
- (9) Minutes shall be kept of all meetings of Parish and Church Councils and shall be available to all members of the Parish.
- (10) In the event of a casual vacancy occurring in a Church Council the Council may appoint a suitable person if the vacancy occurs in the number of those elected by the Vestry. If the vacancy occurs in the number appointed by the Parish Priest then the Priest may appoint a replacement. In the event of a casual vacancy occurring in a Parish Council the Vestry concerned shall fill the vacancy.
- (11) Each Council shall cause financial records to be kept and made up to the last day of December. Such records shall be audited and presented to the Annual Meetings of the Vestries.
- (12) Before entering any agreement relating to the purchase, taking on lease, sale, tenancy, renovation, alteration or substantial repair, or other action with respect to its property a Church Council shall consult the Vestry concerned and a Parish Council shall consult all the Vestries in the Parish. In every case the Registrar shall be consulted and shall bring the matter to the Diocesan Council for its approval.
- (13) No organization or society shall be formed or disbanded nor any action undertaken in the name of any Parish or Congregation without prior approval of the Parish Priest and the appropriate Council or other proper body.

CHURCH COUNCILS

A 20. Appointment of Church Councils

- (1) Except as provided in Clause A 19(7) of this Regulation for every Congregation recognized by Synod there shall be a Church Council which shall consist of the Parish Priest the Churchwardens and four eight or twelve additional members and the number of such additional members shall be decided

by the Annual Meeting of the Vestry. Three fourths of these additional members shall be elected at the Annual Meeting of the Vestry and one fourth shall be appointed by the Parish Priest. If the Parish Priest declines or neglects to appoint then the Vestry shall have authority to appoint the remaining number of councillors and if the Vestry declines or neglects or is unable to appoint its quota then the Parish Priest shall have authority to appoint the remaining number of councillors.

- (2) Assistant Clergy, members of the Church staff and Congregation may be present at meetings of the Church Council. They may speak at the invitation of the chair, but may not vote.

A 21. Powers and Duties of Church Councils

The Church Council subject to any direction of the Vestry shall:

- (1) Work with the Parish Priest in the initiation, conduct and development of the work of the Congregation for the love and service of God and of all people.
- (2) Control the administration of all church moneys and funds.
- (3) Make provision for the payment to the Parish Council of the contribution allocated according to Clause A 23(2) of this Regulation.
- (4) Keep the Church and other buildings in good order and repair and pay all rates and taxes
- (5) Pay emoluments as determined by the Vestry to all persons holding office in or about the Church.

PARISH COUNCILS

A 22. Appointment of Parish Councils

- (1) Where in any Parish there is more than one Congregation there shall be a Parish Council consisting of the Parish Priest the Churchwardens and two delegates from each Church Council elected by the Vestry. The Bishop may approve a variation in the number of representatives from a Congregation if requested by the Parish Council, or by the Vestry of the Congregation concerned.
- (2) Assistant Clergy shall attend and may speak but not vote at meetings of the Parish Council.
- (3) Members of the Parish Staff and of the Congregations may be present at meetings of the Parish Council.

A 23. Powers and duties of Parish Councils

- (1) The Parish Council shall manage and control all matters which affect the Parish as a whole including:
 - (a) The initiation, conduct and development of the work and worship of the Parish for the love and service of God and of all people.
 - (b) The payment of the stipend of the Parish Priest and other staff.
 - (c) The provision and upkeep of a residence as required in Regulation 4 Clause 34.
 - (d) The provision for travel as required in Regulation 4 Clause 31.
 - (e) The satisfaction of all Diocesan Claims in accordance with the Constitution and Regulations of the Diocese and any other expenses which should be met by the Parish as a whole.
 - (f) The appointment of a person to audit parish accounts.
- (2) The Parish Council shall prepare a budget each year and allocate the amounts to be contributed by each Congregation.
- (3) The Parish Council may call a Meeting of the Parish:
 - (a) to consider matters placed within the management and control of the Parish Council in sub-clauses (1) and (2) above
 - (b) to receive and consider any reports which are the concern of the whole Parish as well as the concern of the Vestries.
 - (c) to elect the lay members of Synod as provided for in Regulation 1 Clauses 4 and 5 and Parish Nominators as provided for in Regulation 4 Clause 3.
 - (d) to request the Bishop to license or endorse the licences of Pastoral Assistants.
- (4) Minutes shall be kept of all meetings of the Parish and made available to each Congregation.
- (5) In those Parishes where the Parish Council is the receiver of church funds the Parish Council shall accept the financial obligations laid on the Churchwardens and the Church Councils of the Parish.

B - PROVISIONS RELATING TO MINISTRY DISTRICTS

MINISTRY DISTRICTS

B 1. Mission

In Ministry Districts each congregation is responsible, under the oversight of the Bishop, for pursuing the mission and ministry of the Church in the area served by that congregation, and for the administration of the Church there. However, congregations may agree to operate in groups for the mission and administration of the Church within those areas.

B 2. Responsibilities

Each congregation in a Ministry District shall

- (a) agree to abide by the Constitution and Regulations of the Synod.
- (b) have its lands vested in the Synod.
- (c) recognize and support, in prayer and giving, the mission of the Church within the Diocese and beyond.
- (d) make such contribution towards synodal dues and assessments and to the support of District Priests and other Ministry Development persons as shall be allocated by the District Committee in accordance with Clause B 25(1) of this regulation.

THE VESTRY

B 3. Composition of the Vestry

There shall be a Vestry consisting of the Churchwardens and such other members of the Congregation as are or shall be qualified in accordance with the Constitution and Regulations of the Synod. In special circumstances on request of the Vestry and with the approval of the Bishop it shall be possible for members of the Congregation who are Persons in Communion to be admitted to the Vestry and to hold office even though their names do not appear on the roll of members of Vestry.

B 4. Responsibilities and powers of Vestry

- (1) The Vestry shall be responsible for the general direction of the affairs of the Congregation, including the pastoral, educational, evangelistic and missionary work of the Congregation, and shall have and exercise such powers and duties as are prescribed by this Regulation.

- (2) In all cases not specifically provided for, the Vestry shall have the general management, control, power of appropriation and disposal of the property of the Congregation subject to the Constitution and Regulations of the Diocese of Willochra.

B 5. Roll of Members of Vestry

Each year prior to the Annual Vestry Meeting the Churchwardens shall invite members of the Congregation to sign the Vestry Roll in the form of the First Schedule of the Constitution. A communicant may apply at any time to the Churchwardens to sign the Roll. There shall be a right of appeal to the Bishop regarding the insertion or removal by the Churchwardens of any name in the said Roll.

B 6. The calling of Vestry meetings

- (1) A meeting of the Vestry may be called at any time by the Churchwardens or, on their neglect or refusal or inability, by any five members of the Vestry. The notice of meeting shall state the time and place and object of the meeting and shall be signed by those who have called it. At least two weeks' notice of each Vestry meeting shall be given to the Congregation at all services on the two Sundays prior to the day of such meeting. Those who call the meeting shall take appropriate steps to ensure that members of the Vestry are informed concerning the meeting.
- (2) No decision shall be taken by the Vestry or combined Vestries on any matter specifically requiring the decision of a Vestry or Vestries unless due notice of the matter has been given.
- (3) If the Churchwardens neglect to call any Vestry meeting the Bishop or the Archdeacon may at any time summon a meeting of the Vestry after notice thereof has been sent to the Churchwardens. The Bishop or the Archdeacon or the Bishop's nominee shall preside at such meeting.

B 7. Chairing Vestry meetings

- (1) Unless the Bishop otherwise directs, all meetings of the Vestry shall be chaired by one of the Churchwardens. Should the Churchwardens be absent or decline to preside a person to chair the meeting shall be elected.
- (2) The person who chairs the meeting shall have a deliberative vote only.

B 8. Voting

- (1) Every person over the age of 16 years who has signed the Vestry Roll for the year commencing the First Day of January shall be a member for that year and entitled to vote at all Vestry meetings for that year on matters with which the Vestry is by virtue of the Constitution and Regulations competent to deal.
- (2) At every meeting of the Vestry the votes of a majority of persons present, qualified to vote and voting shall decide every question unless the Vestry itself decides otherwise or unless the Bishop's counsel is sought by the District Priest, the Churchwardens or any five parishioners and the Bishop requires a two-thirds majority of persons present and qualified to vote.
- (3) Members of the Congregation not yet 16 years of age are entitled to be present and speak at all Vestry Meetings.

B 9. Quorum

- (1) At every Vestry meeting at least one quarter of the members, but not fewer than five, shall be present, except where the Vestry consists of fewer than ten members when at least one half must be present.
- (2) If such quorum is not present the meeting shall adjourn for a period not exceeding twenty eight days with the usual notice for a Vestry meeting given and those attending the adjourned meeting shall have the power to proceed.

B 10. Adjournment of meetings

A Vestry meeting shall be adjourned only by the vote of the majority of members present. At the adjourned meeting the only business to be transacted shall be that which was left unfinished at the prior meeting unless fresh notice be given in the manner aforesaid.

B 11. Minutes

Minutes shall be kept of all meetings of the Vestry and shall be available to members of the Vestry.

B 12. Annual Meeting of the Vestry

An Annual Meeting of the Vestry shall be held each year no later than the last day of February at which after Prayer the following business shall be transacted:

- (1) The reading of the definition of a member of the Vestry: A member of this Vestry is a communicant member of the Anglican Church of Australia and of no Church which is not in communion with this Church and a member of the Congregation of and has signed the Vestry Roll.
- (2) The confirmation of the minutes of the preceding Annual and any other Vestry Meeting, unless previously published and confirmed.
- (3) The presentation of the written reports of the District Priest, the District Committee and Churchwardens to cover the areas of responsibility which may include
 - (a) Worship
 - (b) Education
 - (c) Pastoral Care
 - (d) Outreach and Service
 - (e) Stewardship
- (4) Such other written reports as the person chairing the meeting may determine.
- (5) The tabling of audited financial statements of all groups and organizations connected with the congregation.
- (6) The presentation by the Treasurer or Churchwardens of the audited Financial Statements and Budgets for the Congregation, together with financial information for the Ministry District.
- (7) The declaration that all offices be vacant and the election of two Churchwardens.
- (8) The determination by the meeting of the number of Church Councillors in accordance with Clause B 20(1) of this Regulation and the election of the same. Where the formation of a Church Council is not practicable its formation may be varied as the Bishop may approve.
- (9) The election or appointment of a person to audit the church accounts.
- (10) The election of such other officers as may be appropriate or as are required to be elected or appointed by the Constitution or Regulations of the Diocese.
- (11) Other business as agreed to by the meeting, subject to Clause B 6(2) of this Regulation
- (12) Closing of the meeting with Prayer.

B 13. Returns

The Chair of the Annual Meeting of the Vestry shall ensure that the names of officers appointed or elected together with the declarations duly made and signed by them, such Annual Returns as shall be required from time to time by the Synod, and the Financial and Statistical Returns are forwarded to the Diocesan Registrar before the first day of March.

B 14. Combined meetings of Vestries

- (1) Where the respective Vestries have agreed (and all agreements are still in force) the Vestries of a number of related congregations may be called to meet at the same time and place.
- (2) The combined meeting shall conduct its business as a whole, except for elections and for matters which pertain to a particular congregation, when the Vestries shall vote separately.
- (3) At such meeting the quorum shall be one quarter of those entitled to attend except where a matter is to be dealt with by individual Vestries when Clause B 9 of this Regulation shall apply.
- (4) The meeting shall elect one of those present to chair the combined meeting.

CHURCHWARDENS**B 15. Qualifications**

Each Churchwarden shall be a communicant member of the Anglican Church of Australia except as is provided in Clause B 3 of this Regulation. The appointment or election of a Churchwarden shall not be effective until the Churchwarden has signed the declaration as in the Third Schedule of the Constitution or the Bishop has granted approval for a person to hold the office of Churchwarden pursuant to Clause B 3 of this Regulation.

B 16. Appointment

The positions of two churchwardens shall be filled at the Annual Vestry Meeting. If the office of Churchwarden remain unfilled for a period in excess of two months the Bishop may make the appointment.

B 17. Casual Vacancies

A casual vacancy in the office of Churchwarden shall be filled by a meeting of the Vestry called for that purpose. The notice of the remaining Churchwarden shall be sufficient for the calling of such meeting.

B 18. Duties of Churchwardens

The Churchwardens shall:

- (1) Show leadership in the initiation, conduct and development of the work of the Congregation.
- (2) Ensure that all things necessary for the conduct of Divine Service and the administration of the Sacraments and Rites of the Anglican Church of Australia are provided.
- (3) Keep order in church and provide for the seating of the people and for the collection of alms and other offerings.
- (4) Ensure adequate provision is made for an inventory of and for the proper preservation and safe custody of the church registers, records and church plate and other valuables and movables belonging to the church.
- (5) Make available all books and records for inspection by the Bishop or the Archdeacon and supply to them any information or explanation when so requested.
- (6) Hand over to their successors the custody of everything for which they had responsibility as Churchwardens together with the inventory.
- (7) Report to the Church Council on any expenditure necessary to keep the fences and grounds in order or necessary to preserve the fabric and furniture of the Church and other buildings.
- (8) Report to the Bishop any irregularities in the performance of Divine Service .
- (9) See that the accounts of any funds belonging to the Church of which they are Churchwardens are made up and closed on the last day of December in each year and that an audited statement of such accounts is presented to the Annual Meeting of the Vestry.
- (10) Act as Executive Officers on behalf of the Synod in the area of their congregation. If either or both Churchwardens shall neglect or refuse or be unable so to act then the Bishop shall appoint some suitable person to do so.

GENERAL PROVISION FOR CHURCH COUNCILS**B 19 Provisions**

- (1) Every member of a Church Council shall be a member of the Vestry. Persons not members of the Anglican Church of Australia may be appointed as provided in Clause B 3 of this Regulation.

- (2) A Church Council meeting shall be chaired by one of the Churchwardens. If the Churchwardens are absent or decline to preside, the meeting shall then elect one of its members as Chair.
- (3) Each Church Council shall elect a Secretary and Treasurer, either separately or conjointly, whose names shall be forwarded to the Registrar by the first day of March each year or immediately following election.
- (4) A Church Council shall meet at least once in every three months.
- (5) At all meetings of any Council a majority of members shall constitute the quorum.
- (6) Minutes shall be kept of all meetings of Church Councils and shall be available to all members of the Vestry.
- (7) In the event of a casual vacancy occurring in a Church Council the Council may appoint a suitable person.
- (8) Each Council shall cause financial records to be kept and made up to the last day of December. Such records shall be audited and presented to the Annual Meetings of the Vestries.
- (9) Before entering any agreement relating to the purchase, taking on lease, sale, tenancy, renovation, alteration or substantial repair, or other action with respect to its property a Church Council shall consult the Vestry concerned. In every case the Registrar shall be consulted and shall bring the matter to the Diocesan Council for its approval.
- (10) No organization or society shall be formed or disbanded nor any action undertaken in the name of any Parish or Congregation without prior approval of the appropriate Council or other proper body.

CHURCH COUNCILS

B 20. Appointment of Church Councils

- (1) Except as provided in Clause B 12(8) of this Regulation for every Congregation recognized by Synod there shall be a Church Council which shall consist of the Churchwardens and such additional members as shall be decided by the Annual Meeting of the Vestry. The Vestry shall elect such members at each Annual Vestry Meeting.

B 20 (2) Members of the Church staff and Congregation may be present at meetings of the Church Council. They may speak at the invitation of the chair but may not vote.

B 21. Powers and Duties of Church Councils

The Church Council subject to any direction of the Vestry shall

- (1) Assist the Churchwardens in the initiation, conduct and development of the work of the Congregation for the love and service of God and of all people.
- (2) Control the administration of all church moneys and funds.
- (3) Make provision for payments to the Diocese and Ministry District.
- (4) Keep the Church and other buildings in good order and repair and pay all rates and taxes.
- (5) Pay emoluments as determined by the Vestry to all persons holding office in or about the Church.

DISTRICT COMMITTEES

The primary place of decision making in a Ministry District is the Congregation. Church Councils are responsible for most issues of ministry, mission and administration (see B21). However, to enable efficiency and cooperation in areas of mutual concern, each Ministry District shall appoint a Ministry District Committee.

B 22 Formation

- (1) At the Annual Vestry meeting, each congregation shall elect representative(s) and reserve(s) to serve on the District Committee. The number of representatives shall be the same for each congregation, and shall be determined by the District Committee. The number of reserves shall be determined by each congregation.
- (2) District Priests and Assistant Clergy shall be non-voting members of the District Committee.
- (3) Local clergy are eligible to be elected by their Congregation as the congregational representative to the District Committee.
- (4) At the first meeting of the District Committee after 28th Feb each year, a District Committee shall appoint a Chair, Secretary and Treasurer. These officers need not be representatives of Congregations but must be members of a Congregation within the Ministry District.
- (5) Any member of a Congregation within a Ministry District may attend District Committee meetings in which case they may speak but not vote, nor propose nor second motions.

B 23 Powers of District Committees

The primary task of the District Committee is to act as a consultative body for Congregations and it should not be equated with a Parish Council under Regulation 5A. Any recommendations not covered in Reg.5 B 24 (2) should be ratified by Church Councils. In case of irreconcilable differences between the recommendations of the District Committee and one or more Church Councils, the Bishop or his nominee, shall determine the resolution of the matter.

B 24 Duties of District Committees

- (1) The District Committee shall meet regularly, and not less than four times a year.
- (2) The District Committee acts in the common interests of the Congregations in making decisions about
 - (a) The support of any District Priests
 - (b) The provision and upkeep of housing for District Priests and Assistant Clergy.
 - (c) The maintenance of Synod property which is held for the benefit of the Ministry District as a whole.
 - (d) The suggested allocation of financial responsibilities amongst the Congregations of the District, including ministry costs and contributions to the Diocese.
 - (e) Allocation of fair and representative Synodal membership for the District according to the total representation determined by the Registrar.
- (3) At each meeting of the District Committee the District Priest(s) shall table a written report on his or her activity in ministry and mission.
- (4) The District Committee shall act as the Nomination Committee for the District unless the District Committee determines to appoint a Nomination Committee using a different formula. Such alternative formula must ensure equality of representation amongst the Congregations within the Ministry District and have the approval of the Bishop.
- (5) The Ministry District Committee Treasurer shall each year prepare a budget and checked financial statement which will be available for presentation to congregation Annual Vestry Meetings.
- (6) An Annual Report of the activities of the District Committee will be prepared for presentation to congregation Annual Vestry Meetings.”

C - MATERIAL APPLICABLE TO BOTH PARISHES AND MINISTRY DISTRICTS

RECORDS

C 1. The keeping of Records

- (1) Every congregation shall keep Records as follows:
 - (a) A Vestry Book for the recording of every
 - (i) Service
 - (ii) Baptism
 - (iii) Confirmation
 - (iv) Reception
 - (v) Marriage
 - (vi) Burial
 - (b) Minute Books for the recording of the minutes of
 - (i) The Annual Vestry Meeting
 - (ii) Other Vestry Meetings
 - (iii) Church Council Meetings
 - (c) Columnar Cash Book or similar for the entry of all moneys received and paid.
- (2) Every Parish shall have:
 - (a) Adequate registers for the recording of every:
 - (i) Baptism
 - (ii) Confirmation and Reception
 - (iii) Marriage
 - (iv) Burial
 - (b) Minute Book for the recording of the Minutes of all Parish Council and other Parish Meetings.
 - (c) Columnar Cash Book or similar for the entry of all moneys received and paid.

In a Ministry District it shall be sufficient for a group of congregations to hold registers for the rites and activities mentioned in this sub-clause.

- (3) Those officiating at services shall be responsible for the prompt making of entries in the Vestry Book and in the Baptism, Confirmation, Marriage and Burial Registers.

CHURCHES AND OTHER BUILDINGS

C 2. Faculties

Faculties in relation to Churches and furnishings may be issued by the Bishop upon application made on the decision of the Vestry. Such application is to be made through the Archdeacon as provided for in the form of Schedule "H". In the case of parishes the application is to be made by parish priest and churchwardens, while in the case of a Ministry District, by the Churchwardens accompanied by comments from the District Priest.

C 3. Erection of Churches and other buildings

No building shall be erected without the approval of the Diocesan Council. No building intended as a church shall be erected without the sanction of the Bishop given by faculty.

C 4. Buildings to be adequately equipped

No building shall be licensed as a church until it has been equipped with all that is requisite for the celebration of Divine Service according to the law and usage of the Anglican Church of Australia.

C 5. Dedication of Churches

No building shall be dedicated as a church until a petition has been sent to the Bishop signed by the Parish Priest (if any), Churchwardens and other members of the Vestry and a licence has been issued by the Bishop.

C 6. Consecration of Churches

No building shall be consecrated as a church unless it be built of stone, brick, concrete or other durable material approved by the Diocesan Council and until a petition has been sent to the Bishop signed by the Parish Priest (if any), Churchwardens and other members of the Congregation and a licence has been issued by the Bishop. The land on which the building is erected shall be vested in the Synod.

C 7. Use of Churches

A church that has been consecrated shall be used for the celebration of Divine Service the Administration of the Sacraments the performance of the Rites and Ceremonies of the Anglican Church of Australia and for any other purpose as the Bishop may approve upon the application of the Parish Priest (if any) and Churchwardens acting on the decision of the Vestry.

C 8. Abandonment of Services

Where services are held regularly in any place whether in a church or other building they may not permanently be abandoned without the consent of the Bishop.

C 9. Services in Churches

No person shall be permitted to celebrate Divine Service administer the Sacraments perform any other Rite or Ceremony of the Anglican Church of Australia or preach any sermon in any church in the Diocese of Willochra unless such person first be licensed or approved by the Bishop.

C 10. Alterations to Churches

- (1) No renovation, extension or alteration shall be made to the fabric, furnishings or internal arrangement of a church except with the sanction of the Bishop to be given by faculty.
- (2) No ornament or monument or memorial shall be placed in any church nor removed therefrom except with the sanction of the Bishop to be given by faculty.
- (3) The Churchwardens may allow temporary loans of furnishings of their churches for suitable purposes.

C 11. Alterations to Buildings

No renovations extensions or substantial repairs shall be made to any building without the approval of the Diocesan Council.

C 12. Sale or demolition

No sale or demolition of any building may take place without the approval of the Diocesan Council. No sale or demolition of any church may take place without the sanction of the Bishop obtained by faculty.

C 13. Work of an urgent nature

Work that requires either the approval of the Diocesan Council or the sanction of the Bishop shall not be commenced until such approval or sanction has been received except where the Archdeacon, the Bishop, and the Registrar are satisfied that the work is of an urgent nature.

RIGHTS OF THE BISHOP

C 14. Use of Churches by the Bishop

The Bishop has the right at all times to enter each and every licensed church or chapel and every building licensed for public worship within the Diocese for the purpose of saying public prayers, administering the sacraments, preaching and performing all other rites and ceremonies according to the use of the Anglican Church of Australia.

C 15. Presence of the Bishop at meetings

The Bishop or the Bishop's nominee has the right to be present at all meetings at a Congregational, Parochial, Ministry District and Diocesan level.

FINANCE

C 16. Financial Year

The financial year of the Diocese shall begin on the first day of January and shall close on the last day of December.

C 17. Accountability

- (1) All moneys received at Church Services and Functions shall be counted and recorded by two duly appointed persons.
- (2) All Church moneys shall be deposited with a bank or recognised financial institution or with the Diocesan Council for safekeeping.
- (3) Each Congregation, Parish, and Ministry District and all Church Organizations shall keep a record of all financial transactions.

C18 Investments

Money raised or set aside for development or other purposes shall be forwarded to the Diocesan Council for investment on behalf of the Congregation, Parish or Ministry District concerned. Such moneys together with the interest accrued thereon shall be held in trust by the Diocesan Council and shall be released upon the request of the Vestry, Parish Council or Ministry District Committee. In special circumstances, the Diocesan Council at the request of the Vestry, Parish or Ministry District Committee may authorize certain funds to be held locally subject to such conditions as the Diocesan Council may from time to time determine.

C 19 Loans

No debt shall be incurred upon any building or property belonging to the Church in any Parish or Ministry District without the consent of the Diocesan Council. No overdraft shall be established in any church or parish account or money borrowed without the consent of the Diocesan Council.

C 20 Financial and Statistical Returns

- (1) By the first day of March each year every congregation in a Ministry District and the Parish Council in a Parish shall forward to the Registrar Returns in such form as the Diocesan Council shall from time to time determine. Such Returns shall be accompanied by a copy of the audited financial records of Congregations, District Committee or Parish Council and all Church Organizations.
- (2) The annual income of a Congregation or Parish or Church Organization means all the moneys raised by, payable or contributed to, such Congregation or Parish or Church Organization (including income from endowments whether received by the Parish Priest or the Churchwardens) and shall be the basis for determining the Diocesan Ministry Quota.
- (3) In the absence of such returns the annual income shall be deemed to be the figure determined by Diocesan Council.

C 21. Payments to the Synod

- (1) Diocesan Ministry.
Each Parish or Ministry District shall pay to the synod its quota of the amount determined by Synod to cover all expenses necessarily and properly incurred in the administration of the Diocese in accordance with the Constitution and Regulations together with such other expenses as the Synod may from time to time determine to be Synodal Expenses.

- (2) Contra payments
Each parish, ministry district, or congregation shall also pay the total amount paid on its behalf by the Synod for
 - (a) insurance (of buildings and contents, for public liability, and for stipend continuance);
 - (b) long service leave contributions;
 - (c) superannuation of stipendiary clergy in accordance with the provisions of Regulation 4 clause 24;
 - (d) repairs to and maintenance of properties pertaining to that parish, ministry district or congregation;
 - (e) any other amounts that the Synod shall determine shall be paid by the Synod on behalf of the parish, ministry district or congregation;
 - (f) gifts to be forwarded by the diocese to various missionary organizations.

C 22. Notice of amounts payable

The Registrar shall by the last day of October or such other date as is determined by Diocesan Council notify the Parish Council or District Committee of the amounts calculated under clauses C 21(1) and C21(2).

C 23 Objections

- (1) Within one calendar month of receiving such notice any Parish Council or District Committee which is dissatisfied with the amounts so notified may object in writing.
- (2) The Diocesan Council shall consider such objection and notify the Parish Council or district Committee of its decision. If this decision meets with further objection the diocesan council shall report to the next meeting of Synod recommending a course of action which the synod may follow in determining the amounts payable.

C 24. Determination of Diocesan Ministry Quotas

- (1) Each annual session of the Synod shall determine, on the basis of the income of each Parish or Ministry District taken from the previous year's annual return, the quotas for the current year and for the following year.
- (2) Income shall be the total annual income for the Parish or Ministry District save that
 - (a) moneys collected specifically for Missions and
 - (b) moneys raised specifically for major capital expenditure as approved by Diocesan Council, shall not be regarded as income

- (3) Income shall be divided into two parts:
 - (a) income up to a threshold equal to the diocesan clergy stipend rate of the year following that year which is the basis of the determination in clause C 24(1); and
 - (b) income above that threshold.
- (4) The rate shall be divided into two parts:
 - (a) on income up to the threshold the rate shall be 7.5%.
 - (b) The annual session of the Synod shall determine the rate on income above the threshold.

CHURCH CEMETERIES

C 25. The control and management of Church Cemeteries

The Synod of the Diocese is deemed by the various legislative acts of the South Australian Parliament to be the Controlling Authority in respect to Church Cemeteries within the Diocese.

Rules for the control and running of Church Cemeteries:

- (1) The Cemetery shall be conducted in accordance with State Legislation.
- (2) The Synod shall in consultation with the Vestry appoint a Curator for a term of three years.
- (3) The Curator shall
 - (a) At all times carry out and comply with the orders and directions of the Controlling Authority and observe perform and comply with the provisions of this regulation and cause them to be observed by all other persons in or about the Cemetery.
 - (b) Keep a Register of Burials and shall from time to time enter therein the date of every burial or interment in the Cemetery, the name, the age and last place of abode of the deceased person whose remains are buried or interred, the number, location and depth of the grave or vault and the type of coffin, casket or urn. The Curator shall also enter particulars in the Register of Burials of every exhumation and reburial in the Cemetery.
 - (c) Keep a map of the plots showing the plots leased and indicating those used.
 - (d) As far as possible ensure that used plots are marked.

- (e) Issue a licence on receipt of the appropriate fees and keep a record of the same.
 - (f) Provide for the Annual Vestry Meeting of the Congregation an audited statement showing the financial assets of the Cemetery and income and expenditure for the year ending the last day of December.
- (4) The tenure of the licence shall be 50 years from the date of issue with a right of renewal, subject to any Act of Parliament which may vary this period. This period of tenure may be varied by the Controlling Authority at the request of a Vestry.
 - (5) Right of burial or interment of ashes may be assigned at the discretion of the Controlling Authority, by the original licence holder or executors, on payment of the current fee.
 - (6) No burial or interment of ashes shall take place in any portion of the Cemetery in respect of which a licence for the exclusive right of interment has been granted, unless such licence (or written declaration that the licence has been lost or destroyed) is provided to the Curator.
 - (7) The licensee of any plot shall not place upon such plot any monument or other erection until the design of such monument or erection and any proposed inscription has been approved by the Controlling Authority.
 - (8) The licensee or the licensee's next of kin shall be responsible for the maintenance, repair and removal of damaged or deteriorated memorial work and shall ensure that the plot is kept tidy and free from weeds and shall not plant anything thereon unless authorized by the Curator.
 - (9) Imitation flowers of plastic, porcelain or other material are not permitted to be placed on the plot.
 - (10) A committal service according to the Rites of the Anglican Church of Australia or a Rite approved by the Bishop shall be held at all burials and interments of ashes.
 - (11) Any additional conditions required by a Vestry to apply to a particular Cemetery must be approved by the Controlling Authority.
 - (12) A copy of these rules and any approved conditions must be made available to the licensee at the time of purchase of the licence.

ECUMENICAL PROJECTS

C 26. Principles of ecumenical projects

Vestries may co-operate with members of Congregations of other Denominations in the following ways:

- (1) When a common purse finances the total ministry provided by several Congregations of different Denominations each Congregation maintaining its own life and agreeing from time to time on what work, witness or worship shall be done in common.
- (2) When ministry is given to all worshippers by one minister or by one team of ministers under one leader and where there are stated areas of corporate action and agreed limits of corporate financial responsibility.
- (3) When Congregations of two or more Denominations combine for worship, work and witness and where all communicant members of each Church share in the communion of every Church involved as members in communion.
The terms of such co-operation shall be expressed in a Covenant or Agreement. There is no provision for creating a Congregation outside the authority of the co-operating Churches and in every case members maintain their own denominational identity and shall receive the Occasional Offices of their own Church.

C 27. Ecumenical Authority

- (1) Any schemes for co-operation proposed under this Regulation shall come under the oversight of an Ecumenical Authority which shall consist of diocesan delegates and delegates from each of the other Denominations involved and with provision for local representation. (See Appendices)
- (2) The Ecumenical Authority must have the endorsement of and shall be accountable to the Diocesan Council. The other Denominations involved shall define the endorsement and accountability required by them.
- (3) This Authority shall determine how the provisions of this Regulation shall apply to such co-operating Congregations as shall come under its oversight.

C 28. Inauguration

The establishment of co-operative ventures shall proceed as follows:

- (1) A meeting of the Vestry shall advise the Diocesan Council and other Congregations involved in the project
 - (a) of the desire to take this step
 - (b) of the intentions and goals envisaged.
- (2) Within three months the Vestry shall report in writing to the Diocesan Council concerning the proposal. If such report is not received within this period the Diocesan Council shall respond to the Vestry.
- (3) After the response of the Diocesan Council and the other Congregations involved there shall be a joint meeting of ordained ministers and worshippers involved in the proposal. When such meeting has set the minimum terms for a Covenant or Agreement these terms shall be submitted to the appropriate authorities in each Denomination.
- (4) When the appropriate Denominational Authorities have approved the Covenant the Diocesan Council shall formally release that Congregation from direct obedience to the provisions of this Regulation and commit it to the care of the Ecumenical Authority established under Clause C 27 of this Regulation.
- (5) Changes to or dissolution of the Covenant or Agreement shall be made with the approval of the Ecumenical Authority and with the consent of the contracting parties and the authorities of each Denomination involved in the project.

1 Principles of parish organization

- (1) Congregations of members of the Church meeting within the Diocese of Willochra shall either be included in Parishes or Ministry Districts as determined by the Boundaries Board.
- (2) The provisions of Clauses A 1 - A 23, and C 1 - C 28 apply to parishes
- (3) The provisions of Clauses B 1 - B 25, and C 1 - C 28 apply to Ministry Districts.

2. Recognition of Parishes, Ministry Districts and Congregations

- (1) Whenever it is proposed to alter the name of a Parish, to define or change the boundaries of a Parish, to consider dissolution or the formation of a Ministry District, the decision shall be made by the Boundaries Board. Before making any decision the Board shall consult with the parties affected and the Parish Priests of the area. The Board shall consider any submissions made to it on the matter and is empowered to call for evidence and to decide any question concerning boundaries. Its decision shall be binding subject nevertheless to an appeal to Synod. Decisions of the Board shall be reported to Synod.
- (2) Whenever a body of persons professing to belong to the Anglican Church of Australia shall request by memorial in the form of schedule "F" to be recognized by the Synod as a Congregation and shall engage to be bound by the Constitution and Regulations of the Diocese, the Archdeacon of the area shall investigate the application and report thereon to the Bishop and to the Diocesan Council which shall if it think fit place such a Congregation on the list of Congregations recognized by the Synod.
- (3) The Boundaries Board shall then place the said congregation within an existing Parish or Ministry District, or establish the said congregation as a new Parish or Ministry District and assign its boundaries.

3. Register

The Registrar shall keep a Register of the Parishes and Congregations recognized by the Synod.

4. Representation in Synod

Each Parish or Ministry District shall be represented in the Synod according to the scale determined by Regulation 1 Clauses 3 - 9.

5. Boundaries Board

The Boundaries Board shall consist of the Bishop, the Registrar, the Archdeacon of the area and two clerical and two lay members elected by the Synod.

APPENDICES

APPENDIX 1 Operating Rules for the Regional Council for Anglican and Uniting Church co-operation.

APPENDIX 2 Guidelines for Anglican and Lutheran congregations who desire to practice Eucharistic hospitality and share Pastoral Care.

OPERATING RULES FOR THE REGIONAL COUNCIL FOR ANGLICAN AND UNITING CHURCH CO-OPERATION

Presbytery of South Australia, Uniting Church in Australia (UCA) Diocese of Willochra, Anglican Church of Australia

This Council functions with the authority of the Synod of the Anglican Church of Australia in the Diocese of Willochra and the Synod of the UCA (SA) within the boundaries of the Diocese of Willochra.

The Regional Council shall consist of

- ~ The Bishop of Willochra or his delegate, and the Chairperson of the Presbytery of South Australia of the UCA or his/her delegate, who shall be considered the Executive Officers.
- ~ Three representatives from the Diocese of Willochra appointed by the Diocesan Council.
- ~ Three representatives appointed by the Presbytery of South Australia of the UCA.
- ~ Other representatives appointed by the Chairperson of the Presbytery of SA of the UCA and the Bishop of Willochra in equal numbers.

Officers

The Regional Council shall be chaired by the two Executive Officers in rotation each year.

A secretary shall be appointed by the Council each year for a one year term.

Meetings

The Regional Council shall meet at the discretion of the two Executive Officers who shall jointly call the council together. The Council shall meet at least twice a year.

Quorum

The quorum shall be four members, being equal representation from the UCA and the Diocese of Willochra.

The Regional Council shall

1. Oversee and accept responsibility for, and ensure adequate pastoral support for those Churches/Parishes/Ventures where the Anglican Church and the Uniting Church are co-operating in ministry within the boundary of the Diocese of Willochra.
2. Initiate co-operation in further areas for provision of ministry.
3. Undertake on behalf of the Presbytery of South Australia and the Diocese of Willochra to conduct reviews of joint ventures and co-operating ventures under its oversight and care.
4. Explore ways and means of recognition of the ministries of each Church by the other.
5. Be responsible to seek consensus between the denominations, the Council, and the parish for the appointment of ministers/priests to those parishes where joint/co-operating work is presently recognized or about to commence.
6. Be responsible for the length of such appointments taking into consideration the normal practice of each denomination.
7. Ensure that any co-operative ministry shall safeguard and present the doctrines, practices and traditions of each Church in such a way that they can be recognized and appreciated.
8. Negotiate and authorize agreements or other such documents or working papers as proposed by each Church/Parish/Venture where co-operation is presently functioning or hereafter is promoted.
9. Attend to other matters pertaining to co-operative work as the Regional Council and/or the two member Churches shall see fit.

Changes

Any changes, including termination, to these Operating Rules must have the approval of the Synod of the Anglican Diocese of Willochra and the South Australian Synod of the UCA.

**GUIDELINES FOR ANGLICAN AND LUTHERAN CONGREGATIONS
WHO DESIRE TO PRACTISE EUCHARISTIC HOSPITALITY
AND SHARE PASTORAL CARE.**

PREAMBLE

For many years Anglicans and Lutherans in Australia have been engaged in theological discussions. The culmination of these deliberations was the publication of the document *“Common Ground: Covenanting for Mutual Recognition and Reconciliation between the Anglican Church of Australia and the Lutheran Church of Australia.”* This report was launched at a special evening service conducted in St. Peter’s Cathedral, Adelaide, on 1 April, 2001.

Subsequently, *“Common Ground”* was adopted by the General Synods of both churches: Lutheran in 2003 and Anglican in 2004. *“Common Ground”* is not a declaration of church union, but a solemn pledge to work towards that goal. However, *“Common Ground”* does enable Anglicans and Lutherans to serve one another. Shared pastoral care and Eucharistic hospitality between local Anglican and Lutheran communities living in rural, regional or remote areas may be practised after consultation with the Anglican Diocesan Bishop and the Lutheran District President.

Any such initial local agreement is secured on the joint authority of the Diocesan Bishop and the District President, but does not have diocesan-wide or District-wide application.

A meeting of the Anglican-Lutheran Consultation (August, 2005) decided to encourage Bishops and Presidents to pursue actively situations where cooperation between Anglican and Lutheran congregations can take place.

SOME SUGGESTED GUIDELINES

- 1 Where Lutherans and Anglicans wish to have joint worship and/or pastoral care, or where they wish to practise Eucharistic hospitality, approval is obtained from the respective Anglican Diocesan Bishop and the Lutheran District President.
- 2 Local Agreements are to be made on the following basis:
 - a. joint public profession, by participating congregations, of the catholic faith as contained in the Nicene Creed.
 - b. an undertaking to respect the distinctive traditions enshrined in the Augsburg Confession and the Book of Common Prayer with the Thirty-nine Articles of Religion.
 - c. joint commissioning of clergy by the local Anglican Bishop and Lutheran President.
- 3 A statement of Local Agreement is drawn up and signed by the Bishop and the President, by the local pastor and local parish priest, and by representative lay leaders of both congregations.

- 4 Such a Local Agreement implies ongoing pastoral care and Eucharistic hospitality in a local area for an agreed period, and is not to be understood as occasional Eucharistic hospitality (provided for by the Anglican General Synod Canon 14 of 1973.) Rule xxiii made pursuant to Canon 14, 1973, already makes possible sustained Eucharistic hospitality for Lutherans.
- 5 When services are conducted by an Anglican minister, an authorised Anglican liturgy is used. When services are conducted by a Lutheran pastor, an authorised Lutheran liturgy is used.
- 6 Anglican and Lutheran congregations, and in particular the clergy of both churches, are encouraged to study together “Common Ground”, which forms the basis for this agreement.
- 7 Anglican and Lutheran congregations, and their clergy are asked to note the following additions to “Common Ground” made by the respective General Synods.

Lutheran General Synod, October, 2003

The General Synod of the Lutheran Church of Australia adopted the recommendations of the Anglican-Lutheran Dialogue in regard to a National Covenant with the insertion of the following clause as recommended by the General Pastors’ Conference:

“The Lutheran Church of Australia requires that wherever arrangements for local eucharistic hospitality are being considered, the College of Presidents will ensure that there is agreement on baptismal regeneration and the real presence of Christ’s body and blood in the Lord’s Supper, and that the position of the LCA on the ministry of Word and Sacrament and the ordination of women is not compromised.”

Anglican General Synod, October, 2004

The Anglican General Synod adopted the recommendations of the Anglican-Lutheran Dialogue in regard to a National Covenant with the insertion of the following clause:

“The Anglican Church affirms its willingness to work with the Lutheran Church in the process of developing a distinct Episcopal office.”

- 8 Where joint worship and Eucharistic hospitality and shared pastoral care between Anglicans and Lutherans take place, both groups are encouraged to share with one another church literature such as bulletins, newsletters and church papers.
- 9 In accordance with the suggestion in the “Second Report from the Anglican-Lutheran Dialogue” (2002), the Anglican-Lutheran Consultation will monitor local cooperation between Anglicans and Lutherans where Eucharistic hospitality and joint worship and shared pastoral care takes place, and submit reports to the House of Bishops and the College of Presidents.

LOCAL AGREEMENT

BETWEEN

**THE ANGLICAN CHURCH OF AUSTRALIA
IN THE DIOCESE OF WILLOCHRA**

AND

**THE LUTHERAN CHURCH OF AUSTRALIA,
.....DISTRICT**

CONCERNING

**EUCHARISTIC HOSPITALITY AND SHARED PASTORAL CARE
BETWEEN THE CHURCHES IN****PREAMBLE**

“Common Ground, Covenanting for Mutual Recognition and Reconciliation between the Anglican Church of Australia and the Lutheran Church of Australia”, acknowledges that Anglicans and Lutherans recognise each other as continuing in the apostolic faith and ministry. Paragraph 4.1 makes this important affirmation:

We recognise each other as churches that, despite our failings, stand in the community of apostolic faith and ministry. We acknowledge that in each other's ordained ministries gospel oversight and administration of the means of grace are authentic and effective. We pledge to work together to develop joint participation in mission and witness, and to continue to seek ways of manifesting the unity that is ours in Christ.

Furthermore, paragraph 4:2 states:

In particular, we believe that this agreement in faith and order we have reached is sufficient basis for a national Covenant by which regional agreements for eucharistic hospitality and recognition of ministry may be entered into. Under this covenant each church may invite and welcome the members of the other church in a particular locality to share in Holy Communion and to receive pastoral care according to need.

THE LOCAL AGREEMENT

Anglicans and Lutherans in
have heard the same prompting of the Holy Spirit in their local pastoral situation.

We have studied together “Common Ground” as the basis of this local agreement.

Recognising this local initiative, an agreement is hereby established between

the Anglican parish of.....
and
theLutheran congregation
in

who agree to:

- 1 extend eucharistic and pastoral hospitality to each other's members in this local community.
- 2 use only the authorised liturgy of the minister conducting the worship i.e. when services are conducted by a Lutheran pastor, a Lutheran liturgy will be used and when services are conducted by an Anglican minister, an Anglican liturgy will be used.
- 3 allocate offerings according to the wishes of the Anglican and Lutheran congregations.
- 4 ensure that Anglican and Lutheran clergy liaise regarding the pastoral care of members.
- 5 review this local agreement in months/years.

Signed by Date.....

Bishop of the Diocese of

Signed by..... Date.....

President of the Lutheran Church of Australia,District

Lutheran Pastor

Chair of Congregation

.....

.....

Anglican Incumbent

Churchwarden

.....

.....

TO GOD BE THE GLORY

ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF WILLOCHRA



REGULATION SIX
DISCIPLINE

Adopted May 1999

The Diocesan Tribunal

1. In accordance with chapter IX of the Constitution of the Anglican Church of Australia, there shall be a Diocesan Tribunal established as set out hereafter to hear and determine charges of breaches of faith ritual ceremonial or discipline and of such other offences as specified by regulation.
2. The Diocesan Tribunal shall consist of the President or Deputy President, as the case may be, and one priest and one layperson selected from the Panel of Assessors in the manner prescribed by Clause 18 of this Regulation. The panel shall be elected by Synod in accordance with Regulation 1.18.

Panel of Assessors

3. (1) The Panel of Assessors shall consist of
 - (a) five clergy who have been in priests' orders for a period of not less than five years and
 - (b) five laypersons who are either lay members of synod or who are qualified to be elected as lay members of synod.
- (2) Within one month of election each assessor shall sign the declaration contained in Schedule "M". Should any assessor fail to sign the declaration as required the position shall be declared vacant and shall be filled at the next sitting of Synod.

Powers of the Diocesan Tribunal

4. The Diocesan Tribunal in addition to the powers conferred on it by section 54 (2) of the Constitution of The Anglican Church of Australia and any canon of the General Synod of The Anglican Church of Australia may hear and determine charges made in respect of the breach of any provision of the Constitution or of any Regulation alleged to have been committed by any cleric holding the licence of the Bishop or by any person in Holy Orders resident in the Diocese, or of conduct unbecoming the office and work of a priest or deacon, or of racial abuse or harassment, or of sexual abuse or harassment, and shall have such other powers as the Synod shall by regulation determine.

The Promotion of Charges

5. Subject to the provisions of section 54 of the Constitution of The Anglican Church of Australia a charge in respect of any matter over which the Diocesan Tribunal has jurisdiction may be promoted by a person appointed by the Bishop in accordance with the Rules of the General Synod of The Anglican Church of Australia relating to charges against a cleric or by any five adult communicants resident within the Diocese.

The Charge

6. (1) A charge shall be in writing in the form contained in Schedule "K" or in a form of like effect and shall
 - (a) be addressed to the Bishop
 - (b) contain a statement of the facts alleged to constitute the offence
 - (c) contain the names of witnesses (if any) proposed to be called in support of such facts
 - (d) be accompanied by copies of any documents relevant to the charge
- (2) The charge shall be lodged in triplicate with the Registrar at the Church Office.
- (3) The charge shall be deemed to have been made when it is lodged with the Registrar at the Church Office.
- (4) Upon lodgement of the charge the Bishop shall refer the charge to a Board of Enquiry constituted as hereinafter provided.
- (5) The Registrar shall forward a copy of the charge to the respondent who shall be requested to submit a response within one month to the Registrar who shall forward it to the relevant Board of Enquiry.

The Board of Enquiry

7. (1) The Bishop shall within one month of the lodgement of the charge appoint a Board of Enquiry.
 - (2) The Board of Enquiry shall consist of two clergy (one of whom shall preside) and one lay member of Synod, provided that no member of the Panel of Assessors shall be eligible for appointment to the Board of Enquiry.
8. The Board of Enquiry shall remain in office until it has reported in accordance with the provisions of clause 12 hereof and shall be deemed to be a board of enquiry for the purposes of section 54 of the Constitution of The Anglican Church of Australia.

Procedure for the Board of Enquiry

- 9.(1) The Chair of the Board of Enquiry shall convene a meeting or meetings of the Board and shall submit to the board the charge, the accompanying documents (if any) and the respondent's response. The Board may call for such other documents or signed statements of witnesses as it thinks fit and may require any or all of the witnesses to give an undertaking in the form of Schedule "L".

- 9.(2) The Board of Enquiry shall have power to amend any charge in the light of the information placed before it, but if it determines to amend the charge (or permits the complainant or complainants to amend the charge) it shall advise the respondent of the amended charge and permit the respondent an opportunity to respond to the amended charge.
10. The proceedings of the Board of Enquiry shall be in camera.
11. The decision of the Board of Enquiry shall be that of the majority.

The Report of the Board of Enquiry

12. The Board shall report in writing to the Bishop whether in its opinion there is or there is not a charge proper to be heard by the Diocesan Tribunal and the findings shall be entered in the Bishop's Register.
13. If the Board believes there is no charge to be heard the Bishop shall forthwith dismiss the charge and shall inform the person or persons making the charge and the respondent accordingly.
14. If the Board believes that there is a charge proper to be heard by the Diocesan Tribunal, the report of the Board shall
- (a) identify the charge (whether it be the original charge or an amended charge or a charge arising out of the consideration of the material brought before the Board of Enquiry).
 - (b) set out the material that it considered in reaching its determination.
15. The Board shall also forward to the Bishop all documents and signed statements of witnesses, transcripts of proceedings and any other matters considered by the Board in reaching its determination.
16. Upon receipt of a report from the Board of Enquiry that there is a proper charge to be heard, the Bishop shall convene a Diocesan Tribunal as set out hereunder.

Meeting for Selection of Diocesan Tribunal

17. The Registrar shall by notice in writing served upon the person or persons making the charge and on the respondent appoint a time and place for the selection of members of the Diocesan Tribunal and such parties or their duly appointed representatives shall be entitled to attend the selection of such members.

Presidency of the Diocesan Tribunal

18. (1) In the case of a charge made by a person appointed by the Bishop the Diocesan Tribunal shall comprise a Deputy President appointed by the Bishop and one priest and one layperson to be selected from the Panel of Assessors in the manner hereinafter provided.
- (2) In the case of any other hearing the Diocesan Tribunal shall comprise the Bishop as President or a Deputy President appointed by the Bishop and one priest and one layperson to be selected from the Panel of Assessors in manner hereinafter provided.

Selection of Members of the Diocesan Tribunal

19. The selection of members of the Diocesan Tribunal shall be made in the following manner :
- (a) The Bishop shall strike off from the Panel of Assessors the name of any member who is a person making the charge, a witness named in the charge, the respondent, a person who for the purposes of the hearing has been appointed Deputy President of the Diocesan Tribunal by the Bishop, or the name of any other member whom the person(s) making the charge and the respondent jointly agree for whatever reason should be struck from the Panel of Assessors.
- (b) The names of the remaining clerical members of the Panel of Assessors written on separate pieces of paper shall then be placed in a box and shaken and the Registrar shall draw out one piece of paper and the person named thereon shall be the clerical member of the Diocesan Tribunal.
- (c) The lay member of the Diocesan Tribunal shall be selected in like manner from the names of the remaining lay members of the Panel of Assessors.
- (d) (i) Should the Bishop so decide a second name shall be drawn in the same manner as set out in Clauses 19 (b) and 19 (c). The persons whose names are drawn second shall act as reserves to the persons whose names were drawn first. The reserve members shall sit with the members of the Diocesan Tribunal and hear the evidence but shall not participate in the deliberations of the Diocesan Tribunal unless either of the selected members is, for any reason, unable to continue to fulfil the duties as a member of the Diocesan Tribunal. In such case the appropriate reserve member shall take the place of the incapacitated member and shall thereafter continue as a member of the Diocesan Tribunal.

- 19 (d) (ii) Should the President or Deputy President (as the case may be) of the Diocesan Tribunal be unable to continue to fulfil the duties as a member of the Diocesan tribunal the President shall select one of the two remaining members to preside and the appropriate reserve shall take the place of the member chosen to preside.

Hearing of Charge

20. The President of the Tribunal shall appoint a time and place for the hearing of the charge and shall cause notice thereof to be served on the person or persons making the charge and on the respondent.
21. At the first hearing the respondent shall be asked whether the charge is admitted in whole or in part. If the respondent denies the charge in whole or in part the Diocesan Tribunal shall proceed to hear and determine the charge.

Procedure for a Hearing by the Diocesan Tribunal

22. The hearing before the Diocesan Tribunal shall be in camera provided however that the Tribunal may, and on the application of the respondent shall, direct that the hearing be in public.
23. At the hearing the person or persons making the charge and the respondent may at his or her or their own cost appear by counsel solicitor or agent provided however that where a charge is made by a person appointed by the Bishop the cost of this representation shall be a diocesan expense and provided also that if the charge shall be not proved the Diocesan Tribunal may order the payment to the respondent of such costs as it shall determine and any such costs shall be a diocesan expense.
24. (1) Except as specifically provided in this Regulation the Diocesan Tribunal may hear and determine the charge in such manner in all respects as the Diocesan Tribunal in its discretion thinks best suited for that purpose and may admit as evidence matter that is not in law admissible where in equity and good conscience it considers that such matter should be so admitted.

- 24 (2) The Diocesan Tribunal shall have power generally to give all such directions including directions of an interlocutory nature and to do all such things as it deems necessary or expedient in the proceedings and without in any way limiting the foregoing may give directions upon such terms (if any) as it considers expedient relating to the trial of separate issues, the joinder of charges, the amendment of the charge or response, discovery and inspection of documents, examination of witnesses and the place, time and mode of hearing.
25. The Diocesan Tribunal may proceed to hear and determine the charge or enquire into the circumstances of an offence in the absence of any party thereto and may dismiss a charge or refrain from further hearing or from determining the matter if it appears that such matter is trivial or that in the public interest further proceedings by the Diocesan Tribunal are not necessary or desirable.
26. The Diocesan Tribunal shall cause a transcript to be produced of all its proceedings.
27. In the exercise of any powers under the provisions of this Regulation the Bishop and the Diocesan Tribunal may seek legal advice and assistance and for that purpose the legal advisor so consulted may sit with and take part in the proceedings of the Diocesan Tribunal.
28. The decision of the Diocesan Tribunal shall be that of the majority.
29. The Diocesan Tribunal shall report in writing to the Bishop

Procedure where the charge is admitted

30. In respect of any charge or any portion thereof which has been admitted by the respondent the Diocesan Tribunal shall make such enquiries into the circumstances of the offence as it deems necessary.

Findings and Sentence

31. If the Tribunal finds the charge proved whether following a hearing or by admission it shall make such recommendation as to sentence in accordance with the provisions of section 60 of the Constitution of the Anglican Church of Australia as it thinks just in the circumstances.

32. The Bishop as soon as practicable after the Diocesan Tribunal shall have made its findings shall pronounce the sentence (if required) and the respondent shall thereupon be served with a copy thereof under the hand and seal of the Bishop.

Appeal

33. Subject to the provisions of the Constitution of The Anglican Church of Australia there shall not be any appeal for mere error or defect in form in any proceeding verdict or sentence.

34. Subject to the provisions of clause 33 of this Regulation an appeal shall lie from every determination of the Diocesan Tribunal to the Appellate Tribunal of The Anglican Church of Australia.

Costs

35. The reasonable costs and expenses of members of the Diocesan Tribunal shall be paid by the Synod in such amounts as the Diocesan Council shall determine.

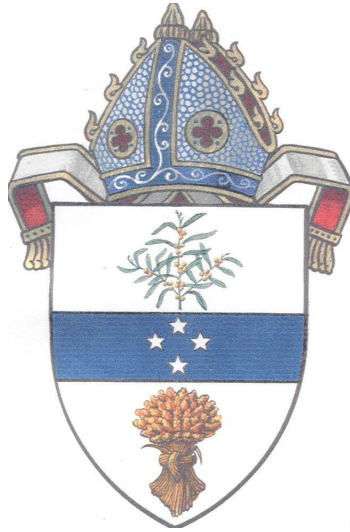
Other

36. Any notice or other document required to be served to the respondent or the person or persons making the charge shall be delivered personally or by certified mail. If sent by certified mail such notice or document shall be addressed to the last known address in South Australia of each of the persons or to such other address as nominated in writing by each or any of the persons. In the case of the Bishop or Registrar, service shall be effected by leaving the same at, or by posting the same in manner aforesaid to, the Church Office. The date of service of any document shall in the case of personal service be the date on which it is delivered and in the case of service by post shall be the date upon which in the normal course of post the document would have been received by the person served.

37. If the time limited for any purpose mentioned in this Regulation shall expire on a Saturday, Sunday or public holiday, such time shall be deemed to be extended to the next business day.

38. The Bishop shall have the power to adjourn the proceedings of the Board of Enquiry or the Diocesan Tribunal for specified reasons for a specified time.

ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF WILLOCHRA



REGULATION SEVEN
CAMP
WILLOCHRA

Adopted May 2004

Pages

1-2

Last Amended

May 2004

CAMP WILLOCHRA, MELROSE

1. Camp Willochra is a camp and conference centre of the Synod of the Anglican Church of Australia in the Diocese of Willochra Incorporated. The object of Camp Willochra is to provide a place for education, recreation and leisure, celebrating the wonder and glory of creation.

MANAGEMENT COMMITTEE

2. The Management Committee of Camp Willochra shall consist of twelve persons, namely :
 - (1) The Registrar of the Diocese of Willochra who shall be the Executive Officer
 - (2) Two persons appointed by the Bishop after the first session of each Triennial Synod.
 - (3) Eight persons appointed by the Diocesan Council at its first meeting after the first session of each Triennial Synod.
 - (4) The Warden when appointed.
3. A quorum shall consist of a majority of members.
4. Members of the Committee shall hold office until their successors are appointed.
5. Any vacancy occurring in the Committee, other than in the office of Warden, shall be filled by the Bishop or the Diocesan Council respectively.
6. A vacancy shall be deemed to occur when a member of the Committee fails to attend three consecutive meetings of the Committee without leave of absence.
7. The Bishop may attend, speak and vote at meetings of the Committee.

POWERS AND DUTIES OF THE COMMITTEE

8. The Committee shall meet at least five times each year at the time and place of its own determining. Minutes of all proceedings of the Committee shall be kept, and shall be held at the Diocesan Office and shall be available for inspection by any member of the Committee or of the Diocesan Council at any reasonable time.
9. The Committee shall elect from among its members a Chair and a Secretary. If the Chair is not present at any meeting of the Committee the members shall elect one of their number to preside at such meeting.
10. The Committee shall be responsible for the proper conduct and management of Camp Willochra and shall report to the Synod each year.
11.
 - (1) The financial affairs of Camp Willochra shall be administered by the Synod.
 - (2) The Committee shall prepare a budget each year for submission to Synod.
 - (3) The Committee shall recommend the fees to be paid for the use of Camp Willochra, to be ratified by the Diocesan Council.
12. The Committee shall appoint a Warden for the on-site management of Camp Willochra and shall determine the duties and salary of such Warden. The Warden shall report to each meeting of the Committee concerning the day to day affairs of Camp Willochra.

ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF WILLOCHRA



REGULATION EIGHT
THE
WILLOCHRA HOME

Adopted May 2005

Pages	Last Amended
1 - 3	May 2005
Appendix One Page 4	Approved May 2007

THE WILLOCHRA HOME

1. The Willochra Home is a Hostel for the aged and is a community service of the Synod of the Anglican Church of Australia in the Diocese of Willochra Incorporated. The object of the Home is to provide care and support for aged people in the Diocese always reflecting Christian values and ideals. The Willochra Home is an affiliate of Anglicare Willochra.

THE BOARD OF MANAGEMENT

2. The Board of Management of the Home shall consist of twelve persons
 - (1) The Residential Care Manager
 - (2) The Registrar of the Diocese of Willochra who shall be the Finance Officer of the Home.
 - (3) Two persons appointed by the Bishop after the first session of each Triennial Synod
 - (4) Six persons, one of whom shall be a member of *the Committee of Management of Anglicare Willochra*, appointed by the Diocesan Council at its first meeting after the first session of each triennial Synod.
 - (5) One member of the Willochra Home staff elected by the staff in March each year.
 - (6) One member of the Auxiliary elected by the Auxiliary in March each year.
3. The Chair shall be appointed by the Bishop from amongst the members of the Board. If the Chair is not present at any meeting of the Board the members shall elect one of their number to preside at such meeting.
4. A quorum shall consist of five members.
5.
 - (1) Appointed members of the Board shall hold office until their successors are appointed.
 - (2) Elected members of the Board shall hold office until their successors are elected.
6. Any vacancy occurring in the Board shall be filled by the body or person who appointed or elected the retiring member.
7. A vacancy shall be deemed to occur when a member of the Board fails to attend three consecutive meetings of the Board without leave of absence

POWERS AND DUTIES OF THE BOARD

8. The Board shall meet at least six times each year at the time and place of its own determining. Minutes of all proceedings of the Board shall be kept, and shall be held at the Diocesan Office and shall be available for inspection by any member of the Board or of the Diocesan Council at any reasonable time.
9. The Board shall appoint a Secretary.
10. The Board shall be responsible for the proper conduct and management of the Home in accordance with Federal and State Legislation and shall report to the Synod each year.
11. The Board shall appoint the Residential Care Manager in consultation with the Bishop and Registrar.
12. The Board may appoint an Assistant Residential Care Manager in consultation with the Residential Care Manager.

MANAGEMENT OF THE HOME

13. The Residential Care Manager shall appoint all staff other than the Assistant Residential Care Manager. All such persons shall be employed under the terms of the relevant award.
14. The Residential Care Manager shall report to each meeting of the Board concerning the day to day affairs of the Home.
15.
 - (1) The financial affairs of the Home shall be administered by the Synod.
 - (2) The Board shall prepare a Budget each year for submission to Synod.
 - (3) The Board shall determine the fees to be paid by the residents.
16. Financial appeals for the Home shall be subject to the approval of the Diocesan Council.

THE VISITOR

17. The Visitor of the Home shall be the Bishop of Willochra who shall have the right to attend, speak and vote at meetings of the Board.

AUXILIARY

18. The purpose of The Willochra Home Auxiliary is to support the residents, staff and management of The Willochra Home by fund raising and by voluntary assistance in care for the residents. The Auxiliary shall be accountable to the Board of Management. (See Appendix).

DISSOLUTION

19. In the event of winding up or dissolution of the Home any assets or property remaining after the satisfaction of all liabilities shall be transferred to some institution which is a public benevolent institution for the purposes of the Commonwealth Income Tax Law or to any of the funds, institutions or authorities within the provisions of Section 78 (1) (a) of the Income Tax and Social Services Contribution Assessment Act.

APPENDIX

Rules for The Willochra Home Auxiliary

APPENDIX ONE

The Synod of the Anglican Church of Australia in the Diocese of Willochra Incorporated

***RULES for The Willochra Home Auxiliary
operating as***

“Friends of The Willochra Home”

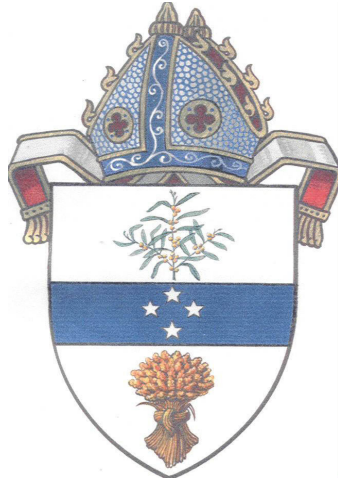
(Last Amended : 20 March, 2007)

- PURPOSE** To support the residents, staff and management of The Willochra Home by voluntary assistance in care for the residents and by fund raising.
- AIMS**
1. To take an interest in The Willochra Home and to render assistance in a voluntary capacity.
 2. To encourage members of other churches and the community to support The Home.
 3. To raise moneys towards the cost of equipment, furnishings and ongoing expenses.
- MEMBERSHIP** Membership is open to any concerned member of the community who wishes to support The Willochra Home and has enrolled as a Friend.
- OPERATING PRINCIPLES** Friends will meet informally with the Assistant Residential Care Manager (ARCM), on a monthly basis. As a general rule, the business and activity of Friends will be informal.
- ACCOUNTABILITY** Friends of The Willochra Home shall be accountable to the Board of Management of the Home.
The ARCM will record any decisions taken from time to time with respect to formal fundraising activities.
Friends shall elect a Treasurer who shall keep account of moneys raised through fundraising activities and present the books for audit in July of each year.
- ANNUAL GENERAL MEETING** The Chairman of the Board of Management shall convene a formal Annual General Meeting in July of each year.
At the Annual General Meeting the Friends shall elect a person to be treasurer for a term of one year and two other persons to be signatories (two of the three to sign).
- FINANCE** Funds raised by the Friends shall be banked in the name of The Willochra Home Auxiliary (ABN 13 438 908 357)
- RULES** Any change of Rules shall be adopted by a formal general meeting of the Friends and approved by the Board of Management before coming into effect.

Adopted by a meeting of Friends : 20th March, 2007

Approved by The Board of Management : 20th March, 2007

ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF WILLOCHRA



REGULATION NINE
ANGLICARE
WILLOCHRA

Adopted May 2002

Pages

1 - 3

Last Amended

May 2003

Anglicare Willochra has been established by the Synod of the Anglican Church of Australia in the Diocese of Willochra Incorporated to help the Diocese express God's concern for the needs of individuals, families and communities. Anglicare Willochra, a member of Anglicare Australia Incorporated, shall act in cooperation with Anglicare SA Incorporated.

1. Vision

Anglicare Willochra seeks to express this concern by

- a. making a positive difference to quality of life;
- b. identifying and understanding needs and issues;
- c. responding in ways which enhance dignity and integrity;
- d. promoting social justice.

2. Objects

Anglicare Willochra aims to achieve its vision by encouraging parishes and ministry districts and liaising with Anglicare SA Incorporated, Anglicare Australia, and through facilitating and promoting

- a. community outreach;
- b. appropriate responses to those in need;
- c. responses to justice and equity issues;
- d. community development;
- e. reconciliation;
- f. advocacy;
- g. brokering;
- h. co-operative development.

3. Committee of Management

(1) Anglicare Willochra shall be managed on behalf of the Synod by a Committee of Management.

(2) The Committee of Management shall consist of

- (i) a person appointed by the Bishop with the consent of the Diocesan Council to chair the committee for the triennium. This person shall be deemed to be the delegate appointed from the Diocese of Willochra to the Board of Anglicare SA Inc.;

- (2) (ii) two persons appointed by the Bishop after the first session of each triennial Synod;
- (iii) four persons appointed by the Diocesan Council after the first session of each triennial Synod, two of whom shall be clerics and two of whom shall be lay persons;
- (iv) one person appointed by Anglicare SA Inc.;
- (v) up to two persons appointed by the Committee of Management for terms of one year.
- (3) A quorum shall consist of the majority of members.
- (4) Members of the committee shall hold office until their successors are appointed.
- (5) Any vacancy occurring in the committee shall be filled by the Bishop or the Diocesan Council respectively.
- (6) A vacancy shall be deemed to occur when a member of the committee dies, resigns, or fails to attend three consecutive meetings of the committee without leave of absence.
- (7) The Bishop may attend, speak and vote at meetings of the committee.

4. Powers and Duties of the Committee of Management

- (1) The committee shall meet at least five times a year.
- (2) The financial affairs of Anglicare Willochra Committee of Management shall be administered by the Synod. Where Anglicare Willochra is involved in any project or activity which involves funds whether such funds come from within the Diocese of Willochra or from a source outside the Diocese, the Committee of Management shall in respect of such activity or project
 - a. identify its aims in writing;
 - b. prepare a budget with respect to it;
 - c. comply with any requirements of Anglicare Australia;
 - d. provide to the Diocesan Council details of the aims, budget, and sources of funds.
- (3) Where an affiliate of Anglicare Willochra initiates any project or activity, it shall liaise with the Committee of Management, providing an outline of the project, aims, budget, and source of funds.
- (4) The Committee of Management shall report to Synod each year. The report shall include a full set of Financial Statements for the activities of Anglicare Willochra and its affiliates.

- (5) The Committee of Management shall prepare a budget each year for submission to Synod.
- (6) Minutes of all proceedings of the Committee of Management shall be kept and shall be held at the Diocesan Office and shall be available for inspection by any member of the committee or the Diocesan Council at any reasonable time.
- (7) Anglicare Willochra shall have the power to allow parish-based or other caring agencies within the Diocese which share the vision and objects of Anglicare Willochra to affiliate with it, and so use the Anglicare Willochra title in their name.

Auditing

The financial affairs of Anglicare Willochra and each affiliated agency shall be audited in the same manner as those of the Synod of the Anglican Church of Australia in the Diocese of Willochra Inc.

ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF WILLOCHRA



SCHEDULES
to the REGULATIONS

Adopted May 1999

Pages	Last Amended
1 - 4	May 1999
5	deleted May 1995
6 - 9	May 1999
10	May 2001
11 -13	May 1999

DIOCESE OF WILLOCHRA

SCHEDULE "A" RETURN OF COMMUNICANTS

[Regulation One. Clause 2(1)]

I, _____, Churchwarden / Secretary
of _____ congregation
at _____

do hereby certify that the number of persons from this congregation
entered in the Roll Book as communicants who have signed the first
schedule of the Constitution as at the last day of September preceding is
_____ .

Signed _____ Churchwarden / Secretary

___ / ___ / _____ Date

DIOCESE OF WILLOCHRA

SCHEDULE "B" ELECTION OF LAY MEMBERS OF SYNOD

[Regulation One. Clause 6]

I, _____, hereby certify to the Registrar that the following were elected as Lay Members of Synod for the

Parish / Ministry District of _____ in accordance with the provision of Regulation 1, and that they have signed the Third Schedule of the Constitution.

Lay Members of Synod

Name	Postal Address	Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Reserve Lay Members of Synod

Name	Postal Address	Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signed _____ Chair of the meeting
or other proper person.

____/____/____ Date

DIOCESE OF WILLOCHRA

SCHEDULE "C" ELECTION OF NOMINATORS

[Regulation Four Clause 3]

I, _____, hereby certify to the Registrar that the following were elected as Nominators for the

Parish / Ministry District of _____ in accordance with the provisions of the Regulations 1 and 4, and that they have signed the Third Schedule of the Constitution.

Nominators (5 persons)

Name	Postal Address	Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Reserve Nominators (5 persons)

(Numbers indicate order of precedence as decided by meeting).

Name	Postal Address	Telephone
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____

Signed _____ Chair of the meeting
or other proper person.

_____/_____/_____ Date

DIOCESE OF WILLOCHRA

SCHEDULE "D" RETURN OF CHURCH OFFICERS

[Regulation Five Clause 18]

I, _____, Chair / Secretary of the Annual Meeting
of the Vestry of _____ Church at _____
do certify that the following officers for this congregation were appointed or
elected at the Meeting held on the ____ day of _____ / ____ and that
they have signed the Third Schedule of the Constitution if such be required
by the Regulations.

Office	Name	Address	Telephone
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Signed _____ Chair / Secretary

____ / ____ / ____ Date

DIOCESE OF WILLOCHRA

SCHEDULE "E"

WAS

DELETED

MAY 1995

DIOCESE OF WILLOCHRA**SCHEDULE "G" FORM OF UNDERTAKING AND ENGAGEMENT
UPON ENTRY TO THE DIOCESE**

[Regulation Four Clause 1(2)]

I, _____, hereby engage and undertake to surrender and yield up to the Synod of the Anglican Church of Australia in the Diocese of Willochra Incorporated on demand of the Bishop or of the said Synod possession of all real and personal estate and effects which I may hold or be entitled to under Synod or in virtue of my office at the time if and when sentenced according to the Constitution and Regulations of the said Diocese to deprivation or suspension and that I will in all other respects conform to and abide by the said Constitution and Regulations. And in order to facilitate the recovery of possession by the said Synod of the said real and personal estate I hereby admit and acknowledge myself to be a tenant at will thereof of the said Synod.

As witness my hand this ____ day of _____/_____

Signed _____

DIOCESE OF WILLOCHRA

SCHEDULE "H" APPLICATION FOR FACULTY

[Regulation Five Clause 42]

To the Bishop of Willochra.

We, the undersigned, Priest and Churchwardens

of the Church of _____

in the Parish / Ministry District of _____

request you to grant a Faculty for _____

to be placed in the said Church of _____

Signed _____ Priest

_____ Churchwarden

_____ Churchwarden

_____/_____/_____ Date

DIOCESE OF WILLOCHRA**SCHEDULE "I" DECLARATION OF ASSENT**

[Regulation Four Clause 1 (2)]

The Anglican Church of Australia, being an Apostolic Church, receives and retains the Catholic Faith, which is grounded in Holy Scriptures and expressed in the Creeds, and within its own history, in the Thirty-Nine Articles, in the Book of Common Prayer and in the Ordering of Bishops, Priests and Deacons.

Accordingly, I, _____ do solemnly make the following declaration:-
I firmly and sincerely believe in the Catholic Faith and I give my assent to the doctrine of the Anglican Church of Australia as expressed in the Thirty-Nine Articles, the Book of Common Prayer and the Ordering of Bishops, Priests and Deacons; I believe that doctrine to be agreeable to the Word of God: and in public prayer and administration of the sacraments I will use the form in the said book prescribed, and none other, except as far as shall be ordered by lawful authority.

Signed _____

AND**PROMISE OF OBEDIENCE**

I, _____ do promise that I will faithfully obey my Ordinary in all things lawful and canonical.

Signed _____

_____ signed the above declaration and the Form of Undertaking and Engagement upon entry into the diocese on the ___ day of _____ on receiving the Bishop's licence as _____

_____ *Witness*

DIOCESE OF WILLOCHRA

**SCHEDULE "J" FORM OF NOMINATION TO THE
POSITION OF PARISH PRIEST**

[Regulation Four Clause 8]

to the Right Reverend the Bishop of Willochra

We the undersigned duly authorised to nominate clerics to the position of
Parish Priest in the Parish of _____

do hereby request you to invite the following persons in the order listed for
appointment in the said parish.

1. _____

2. _____

3. _____

4. _____

5. _____

Dated this _____ day of _____ / _____

Signatures of Nominators

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

DIOCESE OF WILLOCHRA

SCHEDULE "K" FORMAT OF CHARGE

[Regulation Six Clause 6]

To The Right Reverend The Bishop of Willochra:

I/We _____

of _____

do hereby charge the Reverend _____

of _____

with having committed the ecclesiastical offence(s) of
(Here state the offence or offences charged)

1. The facts which it is alleged constitute the said offence(s) are :-

*(Here set out in numbered paragraphs)
(particulars of the facts alleged)*

2. The witnesses proposed to be called in support of such facts are:-

*(Here set out the names and addresses)
(of the witnesses to be called)*

3. Copies of the following documents are submitted in support of such charge:-

(Here list the documents [if any] submitted)

AND I/We desire that this charge be duly heard and I/We do solemnly and sincerely declare that I/We do not make this charge from any private ill-will towards the said _____ or with any view to my/our own profit and I/We further declare that I/We believe the charge(s) laid to be substantially true.

Signature(s) _____

Witness(es) _____

Date ____/____/____

DIOCESE OF WILLOCHRA

SCHEDULE "L" FORM OF UNDERTAKING
[Regulation 6 Clause 9(1)]

IN THE MATTER of the Reverend _____

of _____

I, _____

of _____

do solemnly intend to attend as a witness and give evidence on the trial of
the above matter before the Diocesan Tribunal.

Signed _____

Date ___ / ___ / _____

DIOCESE OF WILLOCHRA

SCHEDULE "M"

DECLARATION

[Regulation 6 Clause 3(2)]

I, _____

do solemnly and sincerely declare that I will well and truly hear and determine any matter referred to a Diocesan Tribunal of which I am selected as a member and that I will find according to the evidence to the best of my judgement and ability.

Signed _____

Date ____/____/____

CLERICAL APPOINTMENTS IN THE DIOCESE

1. (1) It is incumbent on all Clergy in the Diocese to keep before them the high calling of our Saviour Jesus Christ and to receive and follow the wholesome teaching set before them at their Ordination.
- (2) Prior to receiving an appointment in the Diocese all Clergy shall agree faithfully to perform their manifold duties according to "The Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church according to the Use of the Church of England together with the Psalter or Psalms of David pointed as they are to be sung or said in Churches and the Form or Manner of Making Ordaining and Consecrating of Bishops Priests and Deacons" (1662) and other formularies of this Church, to give assent to the doctrine and principles of this Church, to give canonical obedience to the Bishop and to be bound by the discipline of this Church and the Constitution and Regulations of the Synod and to sign Schedules "G" and "I".
- (3) In this Regulation the term "parish priest" refers to a stipendiary cleric licensed for ministry in a parish, but does not include assistant clergy local clergy or district priests.

APPOINTMENTS TO THE POSITION OF PARISH PRIEST

2. **The Nomination Board:** The selection and presentation of a person in Priest's orders for appointment to the position of parish priest shall be made by the Nomination Board for that Parish. The Nomination Board shall consist of Parish and Diocesan Nominators appointed as hereinafter provided.
3. **Parish Nominators:** The Parish Nominators shall be five persons who shall have been duly elected at the meeting called for the purpose of the election of lay members of Synod as provided in Regulation 1 clause 4 when held or otherwise by any such method as the parish shall from time to time determine. The parish shall elect Reserve Parish Nominators equal in number to that of Parish Nominators. When any Parish Nominator is unable to attend a meeting of the Nomination Board notice of the attendance of a Reserve Parish Nominator shall be given to the Bishop with the apology. An order of precedence of Reserve Parish Nominators shall be decided by the meeting at the time of their election. The Chair of the meeting or other proper person shall

forward to the Registrar within thirty days the Certificate of Election in the form of Schedule "C". When the office of any Parish Nominator becomes vacant it shall be the duty of the Parish Council or other proper body to fill such vacancy and to notify the Diocesan Registrar.

4. **Diocesan Nominators:** The Diocesan Nominators shall be the Bishop or his nominee and the Archdeacon of the area or in the absence of the Archdeacon the Rural Dean or in the absence of the Rural Dean some other cleric appointed by the Bishop together with one clerical and one lay nominator who shall be elected at the First Session of each Triennial Synod. The Synod shall at the same time elect a reserve for each nominator who may act if the nominator is unable to do so. When the office of any Diocesan Nominator becomes vacant it shall be filled forthwith by the Synod or if the Synod be not in session by the Diocesan Council.
5. **Parish Consultation:** When the office of parish priest is vacant or is to become vacant the Bishop shall arrange for a consultation with members of the Parish.
6. **Meeting of the Nomination Board:** As soon as is possible after the consultation the Bishop shall summon the Parish and Diocesan members of the Nomination Board of the said Parish to meet at such time and place as the Bishop shall think fit. The Bishop and those Diocesan and Parish Nominators who are present shall constitute the Nomination Board. The presence of the Bishop or the Bishop's nominee and at least three nominators, two of whom shall be Parish Nominators, shall be necessary to constitute a meeting of the Board.
7. **Duties of the Nomination Board:** The Nomination Board presided over by the Bishop or the Bishop's nominee shall select and nominate suitable clerics for the position of parish priest in the said Parish.
8. **Form of Presentation:** The Nomination Board shall nominate such clerics to the Bishop in the form of Schedule "J".
9. **Right of Presentation to Lapse:** If no cleric accept appointment within six months from the date on which the Nomination Board first met the Bishop may appoint a cleric to the position of parish priest.
10. **Admission to the position of parish priest:** The Synod shall admit the cleric when duly presented and licensed to the Parish by the Bishop

provided the cleric shall have signed the undertakings in the form of Schedules "G" & "I".

The cleric shall be Commissioned to the position of parish priest in the said Parish at a public service of worship. The form of the Commissioning shall be settled by the Bishop after consultation.

11. **Nomenclature:** The title of a cleric duly licensed to the position of parish priest in a Parish shall be that determined by the Bishop in the cleric's licence.
12. **Exchange of Parishes:** A cleric having the position of parish priest in any Parish may with the consent of the Bishop negotiate for an exchange of Parish with any other such cleric either within or outside the Diocese. Such exchange shall require the concurrence of the Nomination Boards and Diocesan Bishops concerned.

DURING A VACANCY IN THE POSITION OF PARISH PRIEST

13. **Vacancy may be Advertised:** If the Parish Nominators so determine, a vacancy in the position of parish priest shall be advertised in such manner as the Diocesan Council shall decide. Any expressions of interest shall be directed to the Bishop who shall bring the information to the Nomination Board.
14. **Bishop May Appoint during a Vacancy:** When the position of parish priest becomes or is to become vacant the Bishop in consultation with the churchwardens may appoint some duly qualified person to minister in the said Parish until the vacancy is filled. In such a case the Bishop may appoint a representative to preside at meetings of the Vestry Church and Parish Councils.

DUTIES OF A PARISH PRIEST

15. **Regular Worship:** The parish priest shall provide for regular services of worship in the parish and shall not allow services of worship to lapse for any Sunday or for the celebrations of Christmas Day Good Friday or Ascension Day without notifying the Bishop.
16. **Present in the Parish:** The parish priest shall be occupied in the affairs of the Parish and shall not be absent from the Parish for more than six consecutive days without notifying the Registrar and the Archdeacon in writing, and the appropriate Parish officers.

17. **Annual Holidays:** The parish priest shall take leave in accordance with Clause 32 of this Regulation provided that suitable arrangements for Sunday worship and pastoral care in the Parish have been made for that period by the parish priest in consultation with the Parish Council and the Churchwardens.
18. **If Absent Without Leave:** If, without the leave of the Bishop and without coming to an understanding with the Parish Council and the Churchwardens the parish priest is absent from the Parish beyond the period fixed for annual leave, payment of stipend shall cease during such absence. In such a case the Parish Council and the Churchwardens shall report the matter to the Bishop with the request that the Bishop appoint a locum tenens in the place of the parish priest so absent and the Bishop may declare the priest's appointment to have been terminated and the position of parish priest to be vacant. Such remuneration as shall be determined by the Bishop in consultation with the Parish Council and the Churchwardens of the Parish shall be payable to the locum tenens.
19. **Divine Service:** The parish priest shall determine the times of Divine Service after consultation with the congregation. If there is any dispute the matter shall be decided by the Bishop. The use of The Book of Common Prayer, An Australian Prayer Book, A Prayer Book for Australia, the particular orders or forms from them and which of their provided variations shall be decided by the Priest after consultation with the congregation at a meeting of the Vestry. If there is any dispute the matter shall be decided by the Bishop.

DISTRICT PRIESTS

20. **Licensing of District Priests**

The Bishop may license one or more clerics as District Priests to support and enable the congregations in a Ministry District to pursue their mission and ministry. A District Priest shall be appointed by the Bishop in consultation with the Diocesan Nominators and the District Nomination Committee.

21. **Duties**

As well as providing sacramental ministry, preaching and teaching within the Ministry District, District Priests shall work with, advise, encourage and assist congregations, vestries and councils within the Ministry District in the mission and ministry of the church and may attend and contribute to any meetings.

22. Conditions

The provisions of clauses 16 - 18 of this regulation shall apply (mutatis mutandis)* to the position of a District Priest, and if the District Priest is in a stipendiary appointment, the provisions of clauses 25 - 36 shall also apply. * (with the necessary changes in terminology)

LOCAL CLERGY**23. Licensing of Local Clergy**

The Bishop may license ordained persons for ministry in the area of a congregation or group of congregations as local clerics. Such licences shall be for a limited time, and be revocable in the terms provided in the licence. Local clerics are not stipendiary but shall be entitled to receive reimbursement for out-of-pocket expenses.

24. Position of Local Clergy

A local cleric shall be a member of the Vestry and, with the consent of the Vestry, may be a member of the Church Council of the congregation or congregations in which the cleric serves. The cleric shall work with other members of the ministry team in the congregation. The team shall give leadership to the congregation and the local cleric shall contribute in those areas of the congregation's life to which the cleric's gifts, abilities, ordination, and training are appropriate.

CONDITIONS IN STIPENDIARY APPOINTMENTS

25. Stipends: The stipend for all stipendiary clergy shall be as the Synod shall from time to time determine unless in a particular case other special provision is made with the approval of the Bishop and Diocesan Council.

26. Superannuation:

- (1) Every cleric on being admitted to a stipendiary position within the Diocese shall become a member of such Superannuation Fund or funds as the Diocesan Council may approve.
- (2) Unless the Diocesan Council determines otherwise the Parish Council or other body responsible for the payment of stipend shall remit to the Church Office monthly an amount equal to 18% of the stipend for payment to the superannuation account of the cleric.

27. **Long Service Leave:** The provisions of the Canon of the General Synod of The Anglican Church of Australia concerning Long Service Leave most recently adopted by this diocese shall govern long service leave taken by clergy in the Diocese and contributions made to the Long Service Leave Fund. Such contributions shall be paid in the manner decided from time to time by the Synod.

28. **Parental Leave.**

- (1) Female clergy shall be offered twelve weeks paid maternity leave.
- (2) Male clergy shall be offered four weeks paid paternity leave.
- (3) Either male or female clergy shall be offered further leave, unpaid, beyond the paid leave period for up to a total leave period of Fifty two weeks while remaining in the Rectory, provided mutually acceptable arrangements can be reached between the cleric, the Parish or Ministry District, and the Bishop.
- (4) Either male or female clergy shall be offered return to duty on a part-time basis, provided satisfactory arrangements can be agreed between the cleric, the Parish or Ministry District, and the Bishop.

Appendix One details the application of this clause.

29. **Sickness and Accident:** During any incapacity from accident or sickness a cleric shall continue to be paid by the parish or other appropriate body. Since stipendiary clergy in the Diocese are not workers in terms of the S.A. Workers Compensation Act being neither employed nor under a contract of service, the stipend of such clergy shall be covered against sickness or accident by insurance. The manner and the cost of such insurance contributions shall be determined by the Diocesan Council and shall be paid in the manner decided from time to time by the Diocesan Council. The proceeds of any such insurance shall be paid to the parish and the cost of any relieving ministry while the cleric is not able to perform duties in the parish shall be met from such proceeds.

30. **In Case of Prolonged Incapacity:** In the case of any cleric having a medically certified prolonged physical or mental incapacity the Bishop shall have the authority to terminate the cleric's appointment.

31. **Travelling:** Where it is appropriate with the agreement of the cleric concerned each parish shall either
- a. provide a car for the cleric and meet all maintenance and running expenses incurred in using it for parish business provided that the cleric be allowed reasonable personal use on an agreed basis, or
 - b. provide for the reimbursement of the cost of ministry usage of a privately-owned vehicle according to the rates fixed from time to time by the Diocesan Council.

In the event of any dispute with respect to travelling, reference shall be made to the Archdeacon or the Bishop, whose decision shall be final.

32. **Annual Holidays:** Stipendiary clergy licensed in the Diocese shall be entitled to four weeks paid leave each year including four Sundays. Leave shall be taken each year and shall not accumulate without the prior agreement of the Bishop and other proper body concerned.

33. **Weekly Refreshment:** All clergy shall have one day each week for refreshment and renewal. These days shall be taken each week and shall not accumulate without the prior agreement of the Bishop and other proper body concerned.

34. **Housing:** A suitable house shall be provided for each stipendiary cleric and the parish or body concerned shall maintain and keep the house in sound condition. The cleric shall keep the house and grounds in good tenable order.

35. **Termination of an Appointment:** A priest may resign or retire from the position of parish priest upon notice to the Bishop duly given in the terms of the licence. In such case or if the appointment be terminated by death, suspension, revocation, deprivation or any other cause all rights, privileges, emoluments and advantages in or respecting the position of parish priest together with possession of the house and other buildings, lands and appurtenances held in virtue of the appointment as parish priest come to an end.

36. **Suspension from Duty:** Further to the powers of suspension conferred in Clause 61 of the Constitution of the Anglican Church of Australia, when a charge is pending before the Diocesan Tribunal against any person licensed by the Bishop and there are concurrently criminal or