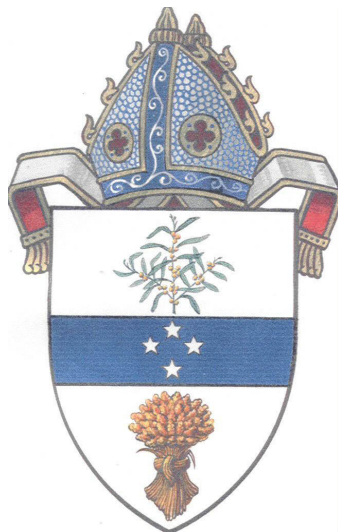


ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF WILLOCHRA



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.

