



# **RULES OF THE DIOCESE OF JOHANNESBURG**

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## PREAMBLE TO THE DIOCESAN RULES

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Our vision, as the Anglican Diocese of Johannesburg, is:

To achieve a shared vision and practice of the ministry of all believers. This means that every parishioner takes responsibility to contribute in an effective way to the life of the faith community and to be an effective Christian presence and witness in the broader community.

This requires the spiritual growth of all believers, which leads to a deepening relationship with God, others, oneself, and creation. Central to this formation is the development of Gospel values in our lives. Spiritual formation involves, among other things, personal prayer, Bible study, regular communion and worship, work for justice and reconciliation, concern for people and the environment, speaking about Jesus openly as the Lord whom we know, giving financially to support the work of the church, giving personal service to the church and the community, and living holy and healthy sexual lives. All this involves a lifelong process of growth and learning.

This formation will require visionary servant leaders in all aspects of the church's life, whose example empowers others to live and grow as disciples and servants of Jesus Christ.

The spiritual growth and ministry of all believers is dependent on vibrant Christian community:

- in which all are welcome to belong and participate
- in which the active participation of young people and children is valued and encouraged
- in which worship is dynamic and includes the whole worshipping community
- in which healing and reconciliation are a visible reality
- in which the humanity of each member grows in relation with others
- in which dynamic small groups build up the individual into community
- in which the love of Christ is experienced, made visible, and given to the world.

Our vision of the ministry of all believers spiritually formed in Christian community requires that we:

1. Respond to the HIV pandemic. Therefore, we commit ourselves to;
  - substantially reducing the HIV infection rate in our communities by living holy and healthy sexual lives and transforming the socio-economic conditions in which the pandemic thrives.
  - providing care and support for those infected with and affected by HIV/Aids.
2. Our vision requires a growing, inter-dependent relationship with the other Dioceses in the CPSA, in Africa and in the wider Anglican Communion. It requires also that we co-operate and work closely with other Christian churches to achieve social peace and justice, to build community and share common experiences and worship of God.

3. Our vision requires that we engage prophetically and pro-actively in social justice issues in community, community projects and government, supporting or challenging policy and practice in the light of Christian values.
4. Our vision requires that we develop and implement evangelistic programmes that:
  - will equip all our members to live and express their faith within the world.
  - will lead to new church plantings, especially in new developing communities.

Our prayer is that this vision has been faithfully received from God. As we have received it faithfully, may we live it faithfully, that it may be a blessing to us, and through us to our world.

# THE RULES OF THE DIOCESE OF JOHANNESBURG

*(NOTE: Some of the Rules were amended by the Sixty-Sixth Session of the Diocesan Synod held in October 2023)*

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## INTERPRETATION

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All references in these Rules to the "Canons" shall be to the Canons passed by Provincial Synod from time to time in terms of the Constitution of the Church; all references to the "Church" shall be to the Anglican Church of Southern Africa; all references to "See" shall be to the Diocese; and all references to "parish" shall include pastoral and parochial charges, parish chapelries and cures. Save as aforesaid, in the construction and for the purpose of these Rules, words and expressions shall have the same meanings assigned to them as they have in the Constitution and Canons of the Church unless there be something in the subject or context inconsistent therewith.

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## SECTION A: THE LEGISLATIVE BODY

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### RULE A-1 THE DIOCESAN SYNOD

The structure and process of Diocesan Synod will be patterned on the Rules and Procedures of Provincial Synod as set out in the Canons.

#### **A-1.1 Constitution of the Synod**

##### **A-1.1.1 Bishop**

- (a) The Bishop, together with the Clergy and Laity of the Diocese, shall hold periodical sessions of Synod for the regulation of Church matters within the Diocese not less than every three years. However, the Bishop shall have discretionary powers to summon a special Session of Synod at any time after consulting and obtaining the advice of Chapter, or on request of the Board of Diocesan Trustees.
- (b) When a Synod would be required to be held in the same year as a normal Session of Provincial Synod, the Bishop shall have discretionary power to postpone the holding of the Diocesan Synod for a further year.

##### **A-1.1.2 Clergy**

- (a) Only clergy, licensed by the Bishop to any Parish or Institution as either Rector, Priest-in-Charge, Interim Pastor, Chaplain, or Assistant shall be a member of Synod. This right and status will be set out in the Summons issued by the Bishop.

- (b) Retired clergy who do not hold a licence as set out above may, at the discretion of the Bishop be invited to attend Synod. This would include any cleric who is under sanction, or who has requested a leave of absence or who has been placed on a leave of absence.

#### **A-1.1.3 Lay Representatives**

- (a) Each parish and Chapelry within the boundaries of the Diocese shall elect three lay representatives at its Annual Vestry Meeting. See Rule A-1.1.3 (b) below.
- (b) Lay representatives shall be persons of the full age of eighteen years elected in terms of Section A-1.1.3 of this Rule, who shall not be under Church censure (according to the second and third Rubrics before the Communion Service in the Anglican Prayer Book, or according to any Rules of Discipline accepted by this Diocese) and who shall have been Communicants for the twelve months preceding their election or nomination in accordance with the definition in Article XXIV, 6, of the Provincial Constitution.

#### **A-1.1.4 Diocesan Organisation Representatives**

The Bishop shall invite one member from the legally constituted Diocesan Organisations, traditionally recognised by the Anglican Church of Southern Africa. These representatives shall be entitled to speak.

#### **A-1.2 The Role and Powers of the Bishop with regards to Synod**

- (a) The Bishop shall summon and preside in the Synod of the Diocese. At any time during the proceedings of the Synod, the Bishop may delegate the office of President to some other member of Synod on such conditions as the Bishop deems fit. Such delegation may not be for periods of longer than one day unless Synod consents otherwise.
- (b) The Bishop shall give notice of any Session of Synod at least four months before the day appointed for the opening of the Synod.
- (c) The Constitution and Canons of ACSA make provision for the power of Veto of the Bishop in Diocesan Synod, and it shall be exercised in terms set out in the Constitution and Canons of ACSA.

#### **A-1.3 Quorum**

- (a) A quorum of the Synod shall consist of not less than one third of the whole number of the qualified Clergy of the Diocese and the duly elected Lay Representatives. It shall be competent for any member of Synod at any time to call for the counting of the members present.
- (b) The returning officers of the Diocese shall be the Registrar of the Diocese and the



Diocesan Executive Officer, or their deputies appointed by the Bishop. They shall examine and report to the Bishop on the certifications of qualification and election of lay representatives.

#### **A-1.4 Election of Lay Representatives**

Every scheduled parish shall be entitled to elect to Synod three lay representatives, who must be confirmed communicants. In relation to the composition of the representatives, each parish shall in making the elections have in mind the requirements of Rule A-1.1.3. The following provisions shall govern the election of lay representatives:

##### **A-1.4.1 Election Procedure**

Every Incumbent or Churchwarden to whom the mandate is issued shall immediately on receipt thereof make arrangements to hold a meeting of the Parish Council (or, if there be no Parish Council, the Vestry) of the parish, at which meeting three lay persons shall be elected to represent the parish at the Synod.

##### **A-1.4.2 Quorum at the Election**

The presence of a quorum shall be necessary either at the Parish Council in terms of clause 15 in Schedule D, or the Vestry, in terms of Rule I-1.7.2, for the election of lay representatives to the Synod, and if a smaller number be present they shall adjourn the meeting to another day, when, if there be still no quorum, the parish shall lose its rights for that session of the Synod.

##### **A-1.4.3 Election of Alternates**

Those present at such election of representatives to the Synod shall elect an alternate representative for each elected representative, who shall attend should the elected representative be unable to attend.

##### **A-1.4.4 Certification of Election**

It shall be the duty of all persons to whom the Bishop's mandate is issued in terms of this rule to certify to the Diocesan Executive Officer in writing the names, addresses and qualifications of the laity who are elected to be representatives and alternates at the Synod in terms of this rule not later than three months before the first meeting of the Synod. If any question or dispute should arise concerning an election, the same shall be settled by the Synod at the beginning of its session.

#### **A-1.5 Election of Representatives for Diocesan Organisations**

The following provisions shall govern the election of representatives for Diocesan organisations:

### **A-1.5.1 Election Procedure**

Each Diocesan Organisation which the Bishop may from time to time declare to be entitled to representation at Synod, shall elect one lay representative. The Chair of every board, executive committee, governing body or council of such a Diocesan Organisation to whom the mandate is issued shall immediately on receipt thereof make arrangements to hold a meeting of the board, executive committee, governing body or council, at which meeting a lay person shall be elected to represent the Diocesan Organisation at the Synod. Those present at such election to the Synod shall elect an alternate representative who shall attend Synod should the elected representative be unable to attend.

### **A-1.5.2 Quorum at the Election**

A quorum, in terms of the Rules of the organisation concerned, shall be present at that meeting. Where no quorum is present the meeting shall be adjourned to another day, when, if there still be no quorum, the organisation shall lose its rights for that session of Synod.

### **A-1.5.3 Certification of Election**

It shall be the duty of each organisation to whom the Bishop's mandate is issued in terms of this rule, to certify to the Diocesan Executive Officer in writing the names, addresses and qualifications of the laity who are elected to be representatives at the Synod in terms of Rule A-1.5.1, not later than three months before the first meeting of the Synod. If any question or dispute should arise concerning an election, the same shall be settled by the Synod at the beginning of its session.

### **A-1.6 Motions to Synod**

Written notice of every motion (not being one to which a-g below apply) to be moved before the Synod, signed by the proposer and seconder thereof and accompanied by a written statement confirming that the motion has been discussed at a meeting of any parish or other council or body referred to in these Rules, and that it has been approved by such meeting - shall be delivered to the Diocesan Executive Officer not less than twelve weeks before the first meeting of the Synod. In order for the Synod to have an understanding of the reasons the motion is being proposed and the effect of the motion, the notice of the motion shall be accompanied by a detailed explanation of the background to the motion and the arguments for and against its adoption, together with the financial implications (where applicable) of the effect of implementing the motion. No motion of which notice has not been given as aforesaid shall be moved in the Synod, unless it is a motion:

- (a) arising out of the Bishop's charge to the Synod;
- (b) by way of amendment to a motion before the Synod;
- (c) for the adjournment of the Synod or of a debate;
- (d) in Committee of the whole Synod;
- (e) for the postponement of any motion;

- (f) in regard to which the Synod agrees by a resolution taken without debate to accept a shorter period of notice, or in regard to which notice is altogether dispensed with by the unanimous concurrence of the Synod; or
- (g) of greeting, appreciation or condolence.

## **RULE A-2 PROCEDURE OF SYNOD**

### **A-2.1 Roll Call**

Prior to the commencement of the Service referred to in Rule A–2.15.1, the Registrar of the Diocese or a deputy to the Registrar shall ascertain from the attendance sheets signed in accordance with Rule A-2.2 below whether or not at least one-third of the members of the Synod is present and shall report thereon to the Bishop. If one-third or more of the members of the Synod are present, the Bishop shall declare the Synod duly constituted, and the celebration of the Holy Communion may commence. If, however, less than one-third of the members of the Synod shall be present, the Bishop shall refer the matter as soon as conveniently possible to those members of the Management Leadership Team who are present, who shall decide, subject to the Bishop's consent, whether or not the Synod shall proceed, and if so, in what manner. Before the commencement of the business of the Synod any objections to the Roll shall be settled, and the Registrar or the Deputy Registrar shall report to the Synod if any of the parishes are inadequately represented.

### **A-2.2 Attendance Record**

Prior to the commencement of each day of a session of the Synod, attendance sheets shall be made available and shall be signed by every member, indicating the capacity in which he or she is present or the parish or organisation which the member represents. From the said attendance sheets the secretaries of the Synod shall mark the roll of the Synod. If any of the parishes are inadequately represented the Registrar shall so report to the Synod.

### **A-2.3 Daily Order of Proceedings**

The daily order of proceedings shall follow the Standing Rules of Provincial Synod as far as possible but may be varied by the Synod where deems necessary.

### **A-2.4 The Chair in the absence of the Bishop**

- (a) The Bishop shall take the chair at every session of the Synod; provided however that if the Bishop shall be unable to be present, the Bishop shall appoint a cleric to be his/her representative.
- (b) If the Chairperson wishes to propose, second or speak to any motion, he or she may, with the consent of the Synod, appoint another member of the Synod to take

the chair during the debate and the vote on that motion.

### **A-2.5 Secretaries**

The clergy shall elect a clerical secretary and the lay representatives a lay secretary who shall keep minutes of the proceedings of the Synod, mark the roll of attendance on the second and subsequent days of each session, and discharge such other duties as are required of them by the Synod.

### **A-2.6 Accounts, Reports, Estimates and Parish Contributions**

In the year in which the Synod is to be assembled, the Diocesan Bursar shall submit:

- (a) The audited accounts and the report thereon of the Board of Diocesan Trustees and the Diocesan Finance Board for the last financial year, together with the report of the auditor regarding the accounts.
- (b) The Diocesan Finance Board's estimates of revenue and expenditure of the Diocesan Finance Board and the Board of Trustees for the forthcoming year.
- (c) A schedule of estimated parish contributions for the forthcoming financial year.

The Synod shall then approve and adopt or otherwise deal with the same and may make such alterations and amendments to the estimates and contributions as it may deem fit.

### **A-2.7 Duties of the Synod**

It shall be the duty of the Synod to:

- (a) Appoint an auditor for the forthcoming financial year: provided that in years in which the Synod is not assembled, or, if assembled, does not consider the accounts for the preceding financial year, the appointment of the auditor shall be made by the Diocesan Council.
- (b) Receive, consider and deal with a report by the Diocesan Executive Officer setting out the action taken concerning resolutions passed at the previous Synod.
- (c) Receive a schedule of all duly constituted parishes.
- (d) to consider reports which shall be prepared by all Diocesan Organisations entitled to representation at Synod.

### **A-2.8 Houses of Synod**

The Synod shall consist of three houses, laity, clergy, and the Bishop (with whom shall be

included any Bishop Suffragan), who shall sit, debate, and vote together, but at any time a vote by houses maybe demanded by any member, and then the votes of each house, shall be taken separately in the sequence of laity, clergy, and the Bishop (with any Bishop Suffragan).

### **A-2.9 Separate Deliberations**

If at any time the clergy or the laity decide by a majority vote of either of their houses to deliberate apart, the sitting of the Synod shall be suspended during such deliberations, which shall take place in separate chambers with persons elected by the respective houses to chair their meetings.

### **A-2.10 Rights of Diocesan Officials**

- (a) Diocesan Officials shall have the rights of representatives and may introduce motions and amendments provided that no Diocesan Official shall be entitled to vote unless he or she shall be also the representative of any parish, council, organisation or body elected in terms of Rule A-1.4 and Rule A-1.5, or the alternate of any such representative elected in terms of Rule A-1.4.3 and Rule A-1.5.1 and acting as that representative.
- (b) The Diocesan Executive Officer shall attend all meetings of the Synod, may speak, but shall not have the right to vote.

### **A-2.11 Lay Officials**

The Bishop may invite lay officials in Diocesan departments and licensed lay workers or representatives of bodies of such workers, to attend any meeting of the Synod, and such persons shall have the right to speak, but not to vote.

### **A-2.12 Resolutions and Rules**

Every issue shall come before the Synod, in the first instance, in the form of a motion duly seconded. No measure shall become a Rule until it shall have been assented to, and thereafter promulgated, by the Bishop.

### **A-2.13 Provincial Synod Representatives**

Synod shall, at each session, elect the requisite number of Diocesan representatives to any Provincial Synod which may meet between then and the next Synod. The clergy shall elect the clerical representatives, and the laity, the lay representatives, each house voting separately. Alternate representatives may also be elected by the same procedure.

## **A-2.14 Other Elections at Synod**

Synod shall, also, at each session elect members to the following bodies by the same procedure as set out in Rule A-2.13 above:

- (a) Elective Assembly Advisory Committee as provided for in Canon 4.
- (b) Provincial Standing Committee as provided for in Canon 43 (a).
- (c) Trustees (four) as provided for in Rule D-3.3(a)(5)

## **A-2.15 Opening and Closing of Synod**

The following provisions shall govern the opening and closing of Synod:

### **A-2.15.1 Opening of Synod**

The session of Synod shall be opened with a celebration of the Holy Eucharist. Subject to the provisions of Article VIII of the Constitution, of the Canons and of the Standing Rules of the Provincial Synod, the procedure of the Synod shall be as set out in Rule A-2.

### **A-2.15.2 Closing of Synod**

The session of the Synod shall be closed with a service of prayer and praise, in the course of which the Bishop shall promulgate all the measures passed by that session, and then pronounce the session of Synod closed.

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## **SECTION B: DIOCESAN VISION AND VALUES**

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### **RULE B-1 THE DIOCESAN VISION**

The Diocesan Vision, as approved or amended by Diocesan Synod and contained in the Preamble to these Rules, shall be the guiding principle for the life and activities of the Diocese and its constituent parts. Such goals and objectives as shall be set, shall be in pursuit of that vision, and all evaluations of performance and progress shall be made against the standards and priorities of that vision.

### **RULE B-2 GOOD GOVERNANCE**

#### **B-2.1 Transparency, Honesty, Trustworthiness, and Accountability**

Each person involved in leading, managing or administering the affairs of the Diocese or any constituent part thereof shall behave with integrity and be honest, transparent, trustworthy, and accountable in all their dealings. They shall seek to serve the needs of the wider church rather than further their own interests, and to this end shall avoid all conflicts of

interest and shall advise all those involved immediately any such conflict is perceived, either in relation to themselves or others. They shall report fully and regularly to their constituency.

## **B-2.2 Representivity**

As far as is practicable each Diocesan and parish body shall in its composition be as fully representative as possible of the Diocese or that sector of the Diocese that it serves.

## **B-2.3 Incapacity**

Any member of a Diocesan Organisation or parish body who:

- (a) Is unable to discharge his or her duties owing to mental or physical incapacity;
- (b) Is for any reason disentitled to act as a director of a company in terms of the Companies Act;
- (c) Is absent without leave or prior apology from his or her duties, or from ordinary meetings of the body concerned, for three successive meetings; or
- (d) Resigns and his or her resignation is accepted by the body concerned;

shall automatically cease to hold office. All vacancies thus arising shall be filled as set out elsewhere in these Rules, provided that any person so incapacitated shall only be capable of again being appointed or elected to any office with the permission of the Bishop.

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## **SECTION C: DIOCESAN OFFICIALS**

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### **RULE C-1 BISHOP**

The election and functions of, and the holding of office by, the Bishop of the Diocese shall be governed by the provisions of the Canons.

### **RULE C-2 DEAN AND VICAR GENERAL**

#### **C-2.1 Appointment and Functions of a Vicar General**

The Bishop may appoint a Vicar General, who shall hold office at the discretion of the Bishop, subject to the provisions of the Rules relating to retirement. The Vicar-General shall exercise such functions and have such authority as is conferred on that office by the Canons and the Bishop and be entitled to an extra remuneration to be agreed upon by the

Bishop and the Diocesan Finance Board.

## **C-2.2 Appointment and Functions of a Dean**

The Bishop may appoint a Dean of Johannesburg who shall hold office for seven years and be eligible for re-appointment, subject to the provisions of the Rules relating to retirement. The Dean shall exercise the functions and have the jurisdiction of Archdeacon within the cathedral church and parish, and within such other area of jurisdiction as may be specially assigned and shall perform all other functions entrusted to a Dean by the Bishop, the Canons, and these Rules. Pending the appointment of a Vicar-General or in the event of a vacancy in the See, the Dean shall have authority to administer its spiritualities, and to maintain discipline according to the Canons and these Rules. The Dean shall be entitled to an extra remuneration to be agreed upon by the Bishop and the Diocesan Finance Board, in addition to any other amount due under these Rules.

## **RULE C-3 ARCHDEACONS**

### **C-3.1 Appointment of Archdeacons**

Archdeacons shall be appointed by the Bishop in terms of Canon 15(2).

### **C-3.2 Remuneration of Archdeacons**

Should circumstances require it, in the opinion of the Bishop, then the parish or the archdeacon may be paid such an amount, in respect of this office, as the Bishop and the Diocesan Finance Board may agree.

### **C-3.3 Duties of an Archdeacon**

The duties of an Archdeacon shall be those set out in Canon 15(1). and also to:

- (a) Support, encourage and assist the clergy to be effective in their ministry and in the implementation of the Diocesan Vision;
- (b) Act as a mentor and wise counsellor to the clergy of the Archdeaconry, and facilitate their ongoing spiritual faithfulness and growth;
- (c) Promote fellowship within the Archdeaconry through regular meetings of clergy and lay leaders.
- (d) Ensure that churchwardens, parish councillors and other lay leaders are admitted to their offices and are properly trained to exercise the ministry to which they are called.



- (e) Weld the Archdeaconry into a Local Ministry Team in which individual gifts are recognised and developed, and ministries are developed so as to benefit the whole Archdeaconry.
- (f) Serve on the Diocesan Chapter.
- (g) Advise the Bishop on all plans for the building, restoration and alteration of church buildings.
- (h) At least annually examine the parish registers and inventories (as prescribed in Canons 15(4)), and the financial records and the fabric of parish properties.

### **C-3.4 Archdeacon to the Ordinary**

- (a) The Bishop may appoint, in consultation with Diocesan Chapter, an Archdeacon to the Ordinary whose role and responsibility shall be to spiritually support the Bishop and Chapter.
- (b) The tenure of office shall be determined by the Bishop in consultation with Chapter. At the collation of the Bishop to the See, Canon 15(2)(c) shall also apply to the Archdeacon to the Ordinary.
- (c) The provisions of Canon 15(3) shall not apply to the person so appointed.

## **RULE C-4 CATHEDRAL CANONS**

### **C-4.1 Appointment of Canons**

There shall be six Canons of the Cathedral, appointed by the Dean, in consultation with the Cathedral Parish Council and the Bishop or, if no Dean, by the Bishop in consultation with the Cathedral Parish Council.

### **C-4.2 Duties of Canons**

These cathedral Canons need not be parishioners of the Cathedral, but shall:

- (a) Be learned and discreet members of the Diocese.
- (b) Not be persons who hold the office of Archdeacon or Dean.
- (c) Meet at least twice a year with the Dean and the Cathedral Churchwardens to

discuss the well-being of the Cathedral with special regard to the Cathedral's Diocesan role.

- (d) Be invited to preach, if so licensed by the Bishop, at the Cathedral from time to time.
- (e) Rank in order of seniority immediately after the Archdeacons and in order of their appointment. Each Canon shall have a stall in the Cathedral while actively discharging the duties of a Canon of the Cathedral.
- (f) Hold office for a period of five years after the date of appointment, subject to the Bishop's power to review and terminate these appointments on three calendar months' notice during the first twelve months following the appointment in question, and subject further to the Bishop at any time being able to terminate an appointment on similar notice with the consent of the Dean, Cathedral Parish Council and Diocesan Chapter.

### **C-4.3 Honorary Canons**

The Bishop may appoint a lay person or cleric who has given long or special service to the Diocese as an Honorary Canon. Persons so appointed shall not be called upon to preach, nor shall their period of office be limited to five years, and they shall not be counted among the Canons referred to in Rule C-4.1, nor shall they have the seniority provided for in Rule C-4.2.

## **RULE C-5 DIOCESAN OFFICERS**

### **C-5.1 Appointment of Diocesan Officers**

The Bishop may, from time to time, appoint the following officers for the Diocese to hold office at his or her discretion:

- (a) Chancellor,
- (b) Deputy Chancellor,
- (c) Registrar,
- (d) Deputy Registrar,
- (e) Bursar,
- (f) Deputy Bursar,
- (g) Diocesan Executive Officer,
- (h) Deputy Diocesan Executive Officer.

### **C-5.2 Qualifications of Diocesan Officers**

Every such officer shall be a confirmed communicant, with the respective talents and duties set out in Schedule F. Each shall, upon appointment, make the prescribed declaration, and

shall receive from the Bishop a licence of appointment to the office under the Bishop's hand and seal.

### **C-5.3 Additional Diocesan Advisers**

The Bishop, with the consent of the Diocesan Council may appoint additional advisers for the furtherance of the work of the Diocese, to hold office at his or her discretion. Such advisers shall be faithful persons and shall be responsible to the Bishop for the work to which they are licensed.

## **RULE C-6 DIOCESAN AUDITORS**

### **C-6.1 Appointment of Auditors**

The Synod shall appoint qualified auditors who shall be nominated by the Bursar as approved by the Diocesan Finance Board, have the duties set out in Schedule F and hold office for one year or until the next succeeding session of the Synod, whichever is the longer period, when they shall retire, but shall be eligible for re-election.

### **C - 6.2 Appointment of Interim Auditors**

The Board of Diocesan Trustees shall fill any casual vacancy in the office of auditor by appointing, under nomination of the Bursar, qualified auditors who shall hold office until the next succeeding session of the Synod.

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## **SECTION D: DIOCESAN BODIES**

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### **RULE D-1 DIOCESAN COUNCIL *(Amended by Synod 2023)***

#### **D-1.1 Functions of the Diocesan Council**

The Diocesan Council shall act on behalf of Diocesan Synod between sessions of the Synod. It shall develop Diocesan policy and ensure that Diocesan Chapter, the Board of Diocesan Trustees, and the Diocesan Finance Board are performing their agreed functions satisfactorily. The Diocesan Council shall, before 30 June each year, report by means of an Annual Report to all bodies entitled to representation at Synod. This Annual Report shall include copies of the Audited Financial Statements of the Diocese as well as a report signed by the Bishop detailing the activities of the Diocese during the preceding year and its plans for the forthcoming year. Its function shall include receiving reports from Diocesan Chapter, the Board of Diocesan Trustees and Diocesan Finance Board and making any decision in matters referred to the Diocesan Council by them.

## **D-1.2 Composition of Diocesan Council**

The Composition of the Diocesan Council shall be as follows;

- (a) Bishop (Chairperson)
- (b) The Vicar-General
- (c) The Dean (if different from the Vicar General)
- (d) The Diocesan Executive Officer
- (e) The Registrar and Deputy Registrar
- (f) The Chancellor and Deputy Chancellor
- (g) The Bursar and Deputy Bursar
- (h) The Archdeacons
- (i) One (1) Clergy Representative per Archdeaconry
- (j) Two (2) Lay Representatives per Archdeaconry
- (k) One (1) Representative from each Diocesan Guild or Organisation,
- (l) One (1) Representative from the Schools cluster

## **D-1.3 Membership**

The Dean, the Diocesan Executive Officer, the Bursar, the Deputy Bursar, the Chancellor, the Deputy Chancellor, the Registrar, the Deputy Registrar, the Chairperson of the Board of Diocesan Trustees and the Archdeacons are appointed ex-officio by the Bishop. The other members of the Diocesan Council shall be elected by the bodies they represent as soon as possible after each Synod has been prorogued. They shall serve until the start of the following Synod. No-one elected in this manner shall be entitled to serve more than two terms on the Diocesan Council.

## **D-1.4 Method of Operation of the Diocesan Council**

The Diocesan Council shall meet at least twice each year and/or when called upon by the Bishop who shall Chair the meetings. In the absence of the Bishop the Diocesan Council shall be chaired by the Vicar General or the Dean.

## **D-1.5 Meetings**

Notice of each meeting shall be sent to all the members of Council at least 3 weeks before the date of each meeting together with an agenda and all the reports which Council will be asked to consider. This is to give Council members time to study the reports, discuss the same with those they represent and obtain any additional information they may consider necessary.

## **RULE D-2 DIOCESAN CHAPTER**

### **D-2.1 Purpose of the Diocesan Chapter**

The purpose of the Diocesan Chapter shall be to *Enable, Empower, Equip and Engage* both the ordained and laity in the growing and furtherance of God's mission and ministry through the intentional implementation of our Diocesan vision.

### **D-2.2 Functions of the Diocesan Chapter**

The Diocesan Chapter functions shall include:

- (a) Promote the implementation of the Diocesan Vision within all Diocesan Constituencies.
- (b) Provide ongoing evaluation and assessment of the ministry of each Archdeaconry and its constituent parishes, with a view to identifying areas of special need and resolving any problems and conflicts that may have arisen;
- (c) Develop relevant guidelines or policies which will assist the Archdeacons, clergy and parishes in their ministry;
- (d) Be responsible for the oversight of the following Diocesan ministries:
  - 1. Diocesan Spiritual Formation
  - 2. Diocesan Ministry Formation.
  - 3. Diocesan Young People's Ministry
  - 4. Diocesan Children's Ministry
  - 5. Diocesan Retirement Committee
  - 6. Diocesan Church Planting Ministry
  - 7. Diocesan Pastoral Care
  - 8. Diocesan Gender Ministry
  - 9. Diocesan Liturgical Ministry
- (e) The Bishop, after consultation with Chapter, may appoint leaders for the Diocesan Ministries listed under Rule D-2.2(d).

### **D-2.3 Composition of the Diocesan Chapter**

- (a) Chapter shall consist of the Bishop, the Vicar-General, the Dean (if different from the Vicar-General), the Diocesan Executive Officer, the Rector of the School for Ministry and the Archdeacons.
- (b) The Bishop may also appoint, in consultation with Diocesan Chapter, a maximum of five lay people and a maximum of two clergy persons so as to provide greater

representivity or specific expertise. These additional members of Chapter shall be appointed for a three-year tenure of office, subject to re-appointment for another three years, after which they are no longer eligible for re-appointment.

- (c) The Bishop may invite the leader of a specific Diocesan Ministry to attend a particular Chapter meeting for reporting and discussions related to their ministry.
- (d) The Bishop shall be the Chairperson but may delegate that responsibility to some other person at his or her discretion.

#### **D-2.4 Meetings**

Unless the Bishop, in consultation with the Diocesan Chapter, shall decide otherwise, Chapter shall meet on a monthly basis.

### **RULE D-3: THE BOARD OF DIOCESAN TRUSTEES** *(Amended by Synod 2023)*

#### **D-3.1 Name and purpose of the Board of Diocesan Trustees**

As required by Canon 42 there shall be a body known as the Board of Diocesan Trustees who shall:

- (a) be called the: *“Trustees of the Anglican Diocese of Johannesburg”*.
- (b) hold all the properties of the Church within the Diocese of whatsoever kind whether movable or immovable in terms of the Canons.

#### **D-3.2 Function of the Board of Diocesan Trustees**

The roles, responsibilities and functions as set out in Canon 42, are adopted.

- (a) The primary function of the Board of Diocesan Trustees shall be oversight on all matters pertaining to immovable and moveable assets, including the Diocesan finances as outlined in the Rules.
- (b) Other functions of the Board of Diocesan Trustees shall be:
  1. To implement Provincial Synod decisions and ensure that they are localised for the Diocesan Context.
  2. To be responsible for governance within the Diocese and may, on good cause shown, act to withdraw such authority as may have been delegated to any other body or institution.
  3. To annually review and ensure that investments by the Parishes, Schools and Organisations, are in compliance with Canon 42.12(b);
  4. To establish sub-committees as needed and delegate some responsibilities to

such committees. However, the Board of Diocesan Trustees remain accountable for any actions and decisions taken. Delegation is formal and must have the following:

- i. Formal terms of reference which must be approved for each sub-committee by the Board of Diocesan Trustees and reviewed annually;
  - ii. Appropriate composition with due regard to skills requirement for each sub-committee
5. The Board of Diocesan Trustees shall have the following sub-committees, namely:
- i. Diocesan Finance Board;
  - ii. Property Committee;
  - iii. and such other sub-committees as it may from time to time determine.

### **D-3.3 Composition of the Board of Diocesan Trustees**

- (a) The Board of Diocesan Trustees shall consist of seven (7) people:
1. the Bishop, **OR**, in the absence of the Bishop, the Vicar General, **OR**, in the absence of the Vicar General, the Dean
  2. The Bursar, **OR**, in the absence of the Bursar, the Deputy Bursar
  3. The Registrar, **OR**, in the absence of the Registrar, the Deputy Registrar
  4. The Diocesan Executive Office (*ex officio*)
  5. And four (4) such other lay persons as elected by Synod according to the criteria as may be decided by the Board of Diocesan Trustees.
  6. Elected members shall hold office until the next Synod and shall be eligible for re-election for a further two terms.
  7. The elected Board of Diocesan Trustees will decide who among the independent Trustees will retire at the end of a term, thus ensuring continuity.
- (b) The Bishop shall be the Chairperson of the Board of Diocesan Trustees. He/she may delegate that responsibility to some other Trustee.
- (c) Where necessary, the Board of Diocesan Trustees may invite whomever they deem beneficial to the business of the Board.
- (d) In the event that there is a vacancy among the elected Trustees, the Chairperson, in consultation with the Board of Diocesan Trustees, will appoint a replacement following the criteria in D.3.3(a)(5) above.

### **D-3.4 The liability of the Board of Diocesan Trustees (Previously Schedule I-1)**

In respect of each unit of pastoral charge, parish, Diocesan School or work of mercy and social service for any claim under any mortgage bond or other instrument of debt or in respect of any other obligation whatsoever whether for capital, interest or costs of any

proceedings therefor, shall be discharged out of the relevant property or the assets and funds of the unit, parish, Diocesan School or work of mercy and social service on whose behalf the debt was incurred. No charge of any description shall fall on the Board of Diocesan Trustees either personally or otherwise or on their successors in office or on any other property or funds held by them.

**D-3.5 Composition of the Executive Committee of the Board of Diocesan Trustees** *(Shall also constitute and/or be known as Bishop's Executive)*

- (a) Should an urgent and necessary decision be required between meetings of the Board of the Diocesan Trustees, the chairperson of the Board of Diocesan Trustees shall canvas the opinion of as many members of the Board as is possible.
- (b) For the purposes of making an urgent and necessary decision, the Bishop, **OR** in the absence of the Bishop, the Vicar-General, **OR** in the absence of the Vicar-General, the Dean, **OR**, or in the absence of Dean, the Bursar, **OR**, in the absence of the Bursar, the Deputy Bursar, **AND** two (2) lay Trustees, shall be deemed to be an Executive Committee of the Board of Diocesan Trustees (and/or Bishop's Executive).
- (c) Any such decisions made by the Executive Committee shall be ratified at the following meeting of the Board of Diocesan Trustees. The absence of ratification shall not nullify the action or decision taken, and the Board of Diocesan Trustees shall determine any next steps or actions that need to be taken.

**D-3.5.1 Functions of the Executive Committee of Board of the Diocesan Trustees**

Other functions shall include the following:

- (a) To provide support and counsel as needed for the work of the Bishop, and to consider such issues as may be hindering the ministry of the Diocese and adopt the necessary steps to address each particular issue and to hold each other accountable.
- (b) To set the standards of how parishes and organisations should work including accountability within all our parishes, institutions, and structures.
- (c) To advise on how best to achieve the transformation of the Diocese.

**D-3.5 Proceedings of the Board of Diocesan Trustees** *(Previously Schedule J)*

**D-3.5.1 Board of Diocesan Trustees Meetings**

- (a) Trustees shall endeavour to attend all and prepare thoroughly before meetings.
- (b) Trustees who are unable to attend the meetings shall inform the Chairperson and



Diocesan Executive Officer timeously. The attendance record of each Trustee shall be part of the Diocesan Executive Officer's report to the Synod and Diocesan Council.

- (c) The Chairperson shall interview any Trustee who fails to attend three (3) consecutive meetings in a calendar year to ascertain if this member should continue as a Trustee.

#### **D-3.5.2 Frequency of Meetings**

- (a) The Board of Diocesan Trustees shall meet at least five (5) times per annum.
- (b) Meetings of the Board of Diocesan Trustees will be held at such time and place the Trustees deem appropriate.

#### **D-3.5.3 Notice of Meetings**

Written notice of the place, date and time of each meeting shall be given by the Diocesan Executive Officer to each of the Trustees at least thirty (30) days before such meeting.

#### **D-3.5.4 Agenda and Meeting Papers**

- (a) The Chairperson must work with the Diocesan Executive Officer in preparing the agenda for the meeting.
- (b) The agenda and meeting papers must be circulated to all Trustees and their deputies at least seven (7) days prior to the meeting.

#### **D-3.5.5 Minutes of Meetings**

- (a) Minutes of the meetings shall record the main issues of discussion, any material and dissenting views, decisions and resolutions taken at the meeting.
- (b) Resolutions shall first be put to the Board of Diocesan Trustees in draft form and once passed, must be recorded in a Resolutions Register.
- (c) Minutes of the meetings shall be signed by the Chairperson of the meeting and circulated to the Board of Diocesan Trustees and approved by the Board at the subsequent meeting.

#### **D-3.5.6 Quorum**

- (a) A quorum will consist of two (2) Diocesan Officials and three (3) lay Trustees.
- (b) The quorum for decisions, where consensus cannot be reached after discussions and

is put to vote, shall be the majority of those voting, including the Chairperson. Should the vote be a tie, the Chairperson shall cast the deciding vote.

#### **D-3.5.7 Validity of Actions**

A meeting of the Board of Diocesan Trustees at which a quorum is present, shall be competent to exercise all or any of the authorities, powers and discretions by, or under the Constitution and Canons of ACSA, or Diocesan Rules for the time being vested in, or exercisable by, the Board of Diocesan Trustees generally. The majority of the members present at such meeting shall have the same powers as if it were the whole body. No resolution shall be invalidated by reason of the accidental omission to send or deliver any notice.

#### **D-3.5.8 Executive Signatures**

For the exercise of any of the powers vested in the Board of Diocesan Trustees, the signature of any Trustee or Trustees authorised thereto by resolution of the Trustees shall be sufficient, and the certificate of any such resolution under the hands of the Bishop and the Diocesan Executive Officer, or of the Chair of the meeting passing such resolution, shall be sufficient authentication thereof.

#### **D-3.5.9 Debt**

No Vestry, Parish Council, cleric, Diocesan or Parochial officer, board, nor any other person or body shall be entitled to incur any debt for, or on behalf of, the Church, or in any manner so as to bind the Church, unless acting under power expressly contained in any Article of the Constitution or in any Canon, Act or Rule, or under written authority of the Board of Diocesan Trustees or the Diocesan Finance Board.

#### **D-3.5.10 Immovable Properties** *(Previously Schedule I-2.7)*

All immovable properties belonging to the Church, whenever possible, shall be conveyed to the said Trustees.

#### **D-3.5.11 Securities**

All securities registered and all capital funds and monetary trusts invested in their name, may be held by them for any ecclesiastical, educational, or charitable purpose, Provincial, Diocesan, or Parochial, subject to any special trusts and the provision of the Constitution and Canons of ACSA and these Rules.

### **D–3.5.12 Stewardship of the Board of Diocesan Trustees**

In exercising stewardship over the land and buildings of the Diocese of Johannesburg the Board of Diocesan Trustees shall:

- (a) Before giving their consent to the purchase of new Diocesan land and buildings, satisfy themselves that it is properly purchased for the ministry of the Church.
- (b) Before giving their consent to the sale of any land, satisfy themselves that the disposal will not adversely affect the ministry of the Church and reach agreement with the component seeking to sell the land as to how the proceeds shall be invested to meet the requirements of Schedule A to Article XIX of the Constitution.
- (c) Before agreeing to the construction, major alteration to, or demolition of any building erected or to be erected on Diocesan land, satisfy themselves as to the suitability of such actions in the furtherance of the ministry of the Church.
- (d) Ensure that the Title Deeds of Diocesan land are properly recorded and securely stored, as a responsibility of the Diocesan Registrar.
- (e) Ensure that all buildings on Diocesan land are properly insured.
- (f) Ensure that all buildings on Diocesan land are properly maintained.
- (g) Ensure that the procedures laid down in the Property Guidelines are carried out.
- (h) Oversee the working of its Property Committee.

### **D–3.5.13 Managing Trust Property and Funds**

- (a) All property and funds held by the Board of Diocesan Trustees on behalf of any parish shall be controlled or disposed of by the Board of Diocesan Trustees in consultation with the Vestry of such parish, provided always that if there should be disagreement between the Vestry and the Board of Diocesan Trustees, the matter shall be referred to the Provincial Trust Board, whose decision shall be final and binding on the Vestry and the Board of Diocesan Trustees.
- (b) All property and funds held by the Board of Diocesan Trustees on behalf of any Diocesan School or Organisation shall be controlled or disposed of by the Board of Diocesan Trustees in consultation with the authority of such Diocesan School or Organisation, provided always that if there should be disagreement between the authority and the Board of Diocesan Trustees, the matter shall be referred to the

Provincial Trust Board, whose decision shall be final and binding on the authority and the Board of Diocesan Trustees.

#### **D-3.5.14 Recording of Special Trusts in Minutes**

All special trusts, Provincial, Diocesan or Parochial, shall be recorded in the minutes of the Board of Diocesan Trustees; where no such trusts exist or are declared, all property and funds shall be held and disposed of by the Board of Diocesan Trustees as they think fit, except when otherwise specially directed by the Constitution and Canons of ACSA or by the Synod.

#### **D-3.5.15 Use of Trust Property and Funds**

Whenever property or funds are held upon trust as recorded in the minutes, such property and funds and the revenue thereof shall be used only for the purpose of such trust, unless otherwise ordered by the Synod in terms of a resolution, prior notice of which has appeared in an Agenda Book of the Synod. Should a difference of opinion arise between the Board of Diocesan Trustees and the Synod as to the use of any fund, the Provincial Trustees shall have the final decision as to the administration of the trust.

#### **D-3.5.16 The Establishment and Operation of Deposit Funds and Investment Funds by the Board of Diocesan Trustees** *(Previously Schedule K)*

The Board of Diocesan Trustees may establish deposit funds or investment funds. Such funds shall be operated and controlled by the Diocesan Finance Board, on behalf of the Board of Diocesan Trustees. The Rules pertaining to such funds shall be established by the Diocesan Finance Board, and amended by them, subject in each instance to the consent of the Board of Diocesan Trustees.

### **D-4 DIOCESAN FINANCE BOARD** *(Amended by Synod 2023)*

#### **D-4.1 Diocesan Finance Board**

There shall be a Diocesan Finance Board which shall be a sub-committee of the Board of Diocesan Trustees operating under authority delegated to it by the Trustees. It is responsible for the oversight of the financial and administrative affairs of the Diocese. The Diocesan Finance Board shall be subordinate to the Board of Diocesan Trustees.

#### **D-4.2 Function of the Diocesan Finance Board**

- (a) The Diocesan Finance Board is responsible for providing oversight over the financial management and the internal controls over financial management of the Diocese.
- (b) This is done by ensuring that there are policies and procedures in place that would include:

1. Implementing internal controls over financial reporting within the Diocese.
2. Implementing controls to safeguard the assets of the Diocese under the stewardship of the Board of Diocesan Trustees.
3. Ensuring an appropriate Delegation of Authority is in place to support all the finance decisions made in the Diocese, taking into account the risk to the Diocese as defined by the Board of Diocesan Trustees.
4. Overseeing the preparation of:
  - i. Annual Financial Statements for audit and presentation to the Synod, or Diocesan Council;
  - ii. Monthly management accounts for presentation to the Board of Diocesan Trustees;
  - iii. Annual budget for presentation to Synod or Diocesan Council for approval; and
  - iv. Any supporting financial information required for making any capital or budget decisions.
5. Ensuring there are appropriate policies and procedures and guidelines to assist parishes with their financial management and oversight obligations.
6. The Diocesan Finance Board, from time to time, establishes any ad-hoc committee(s) to oversee or implement any specific mandate as may be determined by it and co-opt individuals with specific skills to serve on such ad-hoc committee(s) established by it.

#### **D-4.3 Composition of the Diocesan Finance Board**

The Diocesan Finance Board shall consist of nine (9) members as follows:

- (a) the Bursar **AND** the Deputy Bursar;
- (b) the Diocesan Executive Officer;
- (c) the Diocesan Finance Manager (*Ex-officio*);
- (d) and five (5) such other lay persons as the Bishop shall appoint in consultation with the Diocesan Trustees.

##### **D-4.3.1 Chairperson of the Diocesan Finance Board**

The Chairperson shall be elected from among the members of the Diocesan Finance Board.

#### **D-4.4 Proceedings of Meetings of the Diocesan Finance Board**

##### **D-4.4.1 Diocesan Finance Board Meetings**

- (a) Members shall endeavour to attend all and prepare thoroughly before meetings.
- (b) Members who are unable to attend the meetings shall inform the Chairperson and

Diocesan Executive Officer timeously. The attendance record of each member shall be part of the report to the Board of Diocesan Trustees.

- (c) The Chairperson shall interview any member who fails to attend three (3) consecutive meetings in a calendar year to ascertain if this member should continue as a member of the Diocesan Finance Board.

#### **D-4.4.2 Frequency of Meetings**

- (a) The Diocesan Finance Board shall meet at least ten (10) times per annum and when circumstances necessitate.
- (b) Meetings of the Diocesan Finance Board will be held at such time and place as the Members deem appropriate.

#### **D-4.4.3 Notice of Meetings**

Written notice of the place, date and time of each meeting shall be given by the Diocesan Executive Officer to each of the Members at least thirty (30) days before such meeting.

#### **D-4.4.4 Agenda and Meeting Papers**

The Chairperson must work with the Diocesan Executive Officer in preparing the agenda for the meeting. The Chairperson must ensure that the agenda is prepared prior to the meeting and circulated to Members together with meeting papers. The agenda and meeting papers must be circulated at least seven (7) days prior to the meeting.

#### **D-4.4.5 Minutes of Meetings**

- (a) Minutes of the meetings shall record the main issues of discussion, any material and dissenting views, and decisions taken at the meeting.
- (b) Resolutions shall first be put to the Members in draft form and once passed, are recorded in a Resolutions Register.
- (c) Minutes of the meetings shall be signed by the Chairperson of the meeting and circulated to the Diocesan Finance Board members and approved by the members at the subsequent meeting.

#### **D-4.4.6 Quorum**

- (a) A quorum will consist of two (2) Diocesan Officials and three (3) lay members including the Diocesan Executive Officer unless circumstances otherwise dictate.
- (b) The quorum for decisions, where consensus cannot be reached after discussions and

is put to vote, shall be the majority of those voting, including the Chairperson. Should the vote be a tie, the Chairperson shall cast the deciding vote.

#### **D-4.4.7 Deposit and Investment Funds**

The Diocesan Finance Board shall have the power to establish, operate and wind-up investment funds as laid down in Schedule A of the Constitution and Canons of ACSA. Such funds shall be operated and controlled by the Diocesan Finance Board on behalf of the Board of Diocesan Trustees in consultation with the parish or organisation the funds pertain to. The Rules pertaining to such funds shall be established by the Diocesan Finance Board, and amended by them, subject to the consent of the Board of Diocesan Trustees.

#### **D-4.5 Parish Bank Accounts in excess of their available funds**

In the event of accounts of a particular parish being overdrawn, the Bursar and Diocesan Executive Officer must inform the Bishop, who together with the Archdeacon and the Bursar, shall request to meet the Parish Council, and thereafter deal with the matter in the following manner:

- (a) If it appears impossible for the parish to recover, the Bursar and Diocesan Executive Officer shall consider the available options and make recommendations to the Diocesan Finance Board and Chapter as to the steps that need to be taken. The Board may grant such relief as it may think fit; or
- (b) Refer the matter to the Board of Diocesan Trustees who may act under the relevant provisions of the Constitution and Canons of ACSA (Canon 23) which apply to a Diocese in arrears and apply those provisions with the necessary accommodation for the parish circumstance, and take any steps deemed necessary.

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## **SECTION E: ARCHDEACONRIES**

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### **RULE E-1: COMPOSITION OF ARCHDEACONRIES**

#### **E-1.1 Composition of Archdeaconries**

The composition of archdeaconries and any alterations to their boundaries shall be decided upon by the Bishop after consultation with the Diocesan Chapter and the clergy of the parishes concerned.

#### **E-1.2 Purpose of Archdeaconry Meetings**

The archdeacon, clergy and parish councils of each archdeaconry are required to work together with the objectives of encouraging and empowering all of its people in ministry, mission and personal growth. Each archdeacon shall report on progress towards these

goals regularly to Diocesan Chapter. The working together need not be limited to the archdeaconry itself but may include, where appropriate, co-operation between parishes in differing archdeacons for the same purposes.

### **E-1.3 Composition of Archdeaconry Meetings**

Archdeacons shall have regular meetings, to be summoned by the Archdeacon, which shall comprise the Archdeacon, the Archdeaconry Finance Representative and at least all other clergy within the archdeaconry. In addition, meetings should also comprise all Churchwardens in the archdeaconry and one additional lay communicant member from each parish, with encouragement for youth membership, elected by the Parish Councils concerned each year and thereafter as vacancies occur, plus such other representatives as the archdeaconry meeting itself may decide. Such meetings may be separated into component meetings of various kinds, as the archdeaconry meetings may agree from time to time.

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## **SECTION F: PARISHES**

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### **RULE F-1: PARISH BOUNDARIES AND ESTABLISHING AND ABOLISHING OF PARISHES**

#### **F-1.1 Parish Boundaries**

The Diocese shall be divided into parishes. The Bishop shall have the power to constitute or alter the boundaries of parishes in terms of Canon 23.

#### **F-1.2 Establishing or Abolishing Parishes**

When the Bishop considers that it is desirable, in the interests of the Diocese, to constitute or abolish a parish, notice of the Bishop's intention shall be given to the Incumbent and Churchwardens of each parish affected. If, within one month of receipt of such notice, objection is made to the proposed alteration, the objection shall be heard by the Diocesan Chapter. At this hearing, the Incumbent and Churchwardens of each parish affected shall be entitled to attend and to speak. The decision of the Diocesan Chapter shall be final, and not subject to appeal. No objection may be made later than one month after receipt of the Bishop's notice.

#### **F-1.3 Parishes that are not Financially Viable (see D4.5 above)**

Where a parish fails to meet its financial obligations in respect of its clergy, the Diocesan Executive Officer, after ascertaining the full facts of the matter shall present a report to the Diocesan Chapter who shall determine an appropriate course of action in accordance with policy as determined by the Diocesan Council from time to time.



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## **SECTION G: DIOCESAN CLERGY**

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### **RULE G-1 LICENSING OF CLERGY**

#### **G-1.1 Exercising Ministry in the Diocese**

No priest or deacon shall be permitted to exercise any ministry within the Diocese unless duly authorised in terms of Rules G-1.2 to G-1.5.

#### **G-1.2 Licensing within a Parish or Organisation**

Clergy may be licensed by the Bishop in terms of Rule G-1.2 as an assistant into a parish or as a chaplain into a Diocesan School or Organisation.

#### **G-1.3 Holding of a General Licence**

The Bishop may at his or her discretion issue to a cleric a general licence to exercise ministry within the Diocese. Such persons shall be directly accountable to the Bishop for their ministry.

#### **G-1.4 Holding of a Letter of Permission**

All retired clergy and non-stipendiary clergy not licensed as incumbents or assistants may apply for a letter of permission to exercise ministry. Such application shall be made by the Incumbent of the parish in which the clergy person habitually worships, on the recommendation of the Parish Council of that parish, and if granted shall expire three years after issue even if the licence is undated.

#### **G-1.5 Conducting Occasional Services**

Clergy licensed in the Diocese may be invited to assist at services throughout the Diocese, provided this is done with the approval of the Incumbent of the parish to which they are licensed. Clergy in active ministry in another diocese or in any church in communion with this Church (i.e. the Anglican Church of Southern Africa) and who hold a current licence in that Diocese or church may be invited by the Incumbent of a parish to officiate in a parish for one Sunday. All other requests for permission to officiate must be made to the Bishop.

### **RULE G-2 APPOINTMENT OF CLERGY**

#### **G-2.1 Appointment of a Rector**

All appointments of incumbents shall be made by the Bishop who shall, however, not

make such appointments without the concurrence of the Parish Council of the parish of which the incumbency is vacant. The Bishop, or a deputy appointed by the Bishop, shall preside over the Parish Council at all meetings dealing with the filling of the vacant parish; provided that the Bishop may consult the Vestry instead of the Parish Council. Assistant clergy of the parish shall recuse themselves from such meetings unless requested by the Bishop or his deputy to remain.

## **G-2.2 The Appointment of a Priest-in-Charge**

Until an incumbent is appointed, the Bishop may appoint a priest-in-charge to the parish.

### **G-2.3.1 Appointment by the Incumbent**

Subject to the Bishop being willing to grant the necessary licences, an incumbent may appoint one or more assistant clergy to serve within the parish.

### **G-2.3.2 Agreement**

Before the Bishop licenses an assistant cleric, the incumbent and the assistant cleric shall be required to sign an agreement to the effect that:

- (a) Three months' notice must be given in writing by the assistant cleric to the incumbent if he or she wishes to resign the appointment;
- (b) Three months' notice must be given in writing by the incumbent to the assistant cleric if the former wishes the latter to leave;
- (c) A copy of such notice must in either case be sent immediately to the Bishop;
- (d) Upon the application of either party, the Bishop shall be empowered, if there is sufficient cause, to dissolve the contract, subject to at least one month's notice;
- (e) If the incumbency becomes vacant, the assistant cleric may resign at once, or may choose to be subject to three months' notice of the termination of services in that parish from the next appointed Incumbent.

## **RULE G-3 INTERREGNUM, MOU's AND OTHER MATTERS PERTAINING TO CLERGY**

### **G-3.1 Payments during an Interregnum**

Payment by the parish of the full scale of stipends and allowances shall continue throughout periods of interregnum. Such money, to the extent accumulated, may be drawn down from the Diocese, to be used to offset the cost of interregnum services; the remainder shall be

allocated by the Diocesan Council, in its discretion and taking into account any special circumstances, to the parish concerned or to the training of ordinands or to a combination of both.

### **G-3.2 Memorandum of Understanding (MOU's)**

The reciprocal arrangements between a cleric and the Parish Council shall be negotiated and agreed by the Parish Council, the cleric and the Diocesan Executive Officer or Deputy, and shall be recorded in an understanding signed by the parties. Such stipends and allowances as are agreed to in this Memorandum of Understanding shall be debited by the Diocese against the parish and deducted in the normal way. The Diocese shall ensure that the necessary tax is paid and that proper records are kept in accordance with SARS requirements. The Memorandum of Understanding shall be reviewed – and if they deem it necessary amended - by the Parish Council on an annual basis and its stipends and allowances adjusted accordingly. The amended Memorandum of Understanding shall be forwarded to the Bishop for approval by 15 December each year and will become effective by 1 January of the following year.

### **G-3.3 Relieving and Non-Stipendiary Clergy**

Relieving clergy or non-stipendiary clergy shall be paid for their time and travel according to the rates for both as set down in the Diocesan scales. Where such clergy shall be required for an extended period of time, a Memorandum of Understanding, as contemplated in G-3.2, will be entered into between the cleric and the Parish Council.

### **G-3.4 Moving Expenses**

The Diocesan Finance Board shall pay either a part or the whole of the travelling and moving expenses of every cleric entering the service of the Diocese, provided that if a cleric does not remain in the Diocese for at least five years the cleric shall refund a proportionate amount of this payment unless the Bishop directs otherwise.

### **G-3.5 No Fees**

No fee whatsoever shall be charged by any cleric, Parish Council or Diocesan Official for ministry, save that a Parish Council may, by way of a fee, recover its expenditure in respect of musicians, choirs, flowers, the use of non-clerical staff and the provision of electricity, water and gas. The details of these fees shall accompany the budget filed with the Diocesan Executive Officer each year.

## **RULE G-4: CLERGY HOUSING AND TRANSPORT**

### **G-4.1 Clergy Housing**

The following provisions shall apply in respect of clergy housing:

#### **G-4.1.1 Entitlement**

On appointment to an incumbency, a cleric shall be entitled to live in the rectory, or if there is none, another residence within the parish. An assistant, who is licensed to work in a parish, shall be entitled to be provided with a place of residence within the parish. The Parish Council shall be responsible for the provision of such accommodation.

#### **G-4.1.2 Adequate Accommodation**

Any accommodation provided to an incumbent or assistant cleric shall be adequate and maintained by the Parish Council in a proper state of repair.

#### **G-4.1.3 Rights of Widow or Widower**

On the death of a stipendiary cleric the surviving spouse or dependents shall have the right to continue to occupy the rectory or Diocesan dwelling (as the case may be) for a maximum period of six calendar months following such death.

#### **G-4.1.4 Substitute Accommodation**

If the Incumbent or assistant cleric does not wish to live in any accommodation provided, but in some other building within the parish, not owned by the church, he or she may do so by agreement with the Parish Council, which agreement shall include provision for the use of the rectory, if any. In such a case, a monthly allowance shall be paid to the Incumbent or assistant cleric by the Parish Council, which allowance shall be negotiated with the Parish Council. Where agreement in respect of either residence or allowance cannot be reached between the cleric and Parish Council, the matter shall be referred to the Bishop whose decision shall be final. If the Incumbent or assistant cleric wishes to live outside the parish, the provisions of Canon 26 shall apply.

### **G-4.2 Clergy Transport**

It shall be the responsibility of the parish to ensure that each of its stipendiary clergy is provided with suitable transport, to enable the cleric to carry out his or her duties, and it shall furthermore be responsible for its maintenance and running costs. Should a cleric be required to use his or her own personal motor vehicle or other suitable transport to carry out these duties, he or she shall be compensated by the parish in accordance with rates determined from time to time by the Diocesan Finance Board. Any dispute in regard to the

foregoing shall be determined by the Bishop.

## **RULE G-5: CLERGY LEAVE ARRANGEMENTS**

### **G-5.1 Ordinary Leave**

A cleric shall be entitled to twenty-eight calendar days of ordinary annual leave, including not more than four Sundays, in each year. Seven days of such leave may be accumulated in each year, to a maximum of 21 days, and may be taken, together with annual leave, in one period, including up to seven Sundays, but may not be taken more than once in every three years, nor in a year when long leave is taken. The cleric shall arrange ordinary leave in consultation with the Archdeacon and the Parish Council. No payment shall be due in respect of ordinary leave which is not taken.

### **G-5.2 Long Leave**

In addition to ordinary annual leave, full time stipendiary clergy shall be entitled to long leave after completion of every six years in the Diocese or from their year of deaconing within the Diocese. Such long leave may be taken either in two periods of six weeks or in one period of three months. Long leave may not be accrued beyond the third year after the end of the six-year period. If not taken, such long leave shall be forfeited unless the Bishop shall decree otherwise, and no payment shall be due in respect of long leave not taken. The taking of such long leave shall be negotiated and agreed between the cleric, the Archdeacon and the Parish, and the Bishop shall be informed of the dates of such long leave two months prior to the commencing date.

### **G- 5.3 Sick Leave**

On production of a medical certificate, a cleric may be granted sick leave by the Bishop for such period and under such conditions as the Bishop considers necessary to render the cleric fit for return to duty.

### **G-5.4 Study Leave**

Study leave for courses approved by the Bishop, may be granted to a cleric upon application to, and at the discretion of, the Bishop, and in consultation with the Parish Council.

### **G-5.5 Reporting of Leave**

The Churchwardens shall certify before 15th February of each year, on a form provided by the Diocesan Executive Officer, the amount and type of leave taken by each of the Clergy in the Parish in the preceding year.

## **G-5.6 Absence of the Incumbent**

An incumbent may not be absent from his or her parish without making arrangements for the holding of the usual Sunday services. Where appropriate, Morning Prayer may be substituted for the Holy Eucharist from time to time.

## **G-5.7 Maternity Leave**

A Pregnant cleric may be entitled to four (4) months maternity leave to be taken consecutively on the following terms and conditions.

- (a) A cleric is entitled to four (4) months paid maternity leave for the birth of own child or for the adoption of a child younger than two (2) years.
- (b) The cleric may begin maternity leave four (4) weeks before the expected date of birth, unless otherwise agreed or a medical practitioner or midwife certifies that it is necessary for her health or that of the unborn child to do so earlier.
- (c) The cleric who is granted maternity leave shall after confinement, be required to be in the service of the Diocese for the period equivalent to actual paid maternity leave. Failing which the cleric shall repay the Diocese a pro rata share of the total monthly stipend received during maternity leave.

## **G-5.8 Paternity Leave**

- (a) A cleric is entitled to take up to 15 days paid paternity leave for the birth of own child or the adoption of a child younger than two (2) years provided that if the cleric is a single parent then that parent will be entitled to four (4) months paid paternity leave.
- (b) Entitlement is dependent upon the cleric having completed at least 12 months' continuous service within the Diocese of Johannesburg.
- (c) A cleric may be requested to produce a certificate from the doctor or a registered midwife giving the expected week of childbirth.
- (d) Paternity leave may only be taken within a 3-week period before or after the birth of a child during the agreed period.
- (e) Paternity leave not taken during this period will be forfeited.

## **RULE G-6: REMOVAL OF CLERGY FROM OFFICE**

### **G-6.1 Retirement of Clergy**

Each clergy shall retire at the end of the month in which they attain the normal retirement age as defined in the Rules of the Provincial Pension Fund, as provided for in Canon 25. The Bishop may also, with the approval of the Diocesan Chapter, offer such ministry to the cleric as seems appropriate.

### **G-6.2 Resignation of Incumbent**

An incumbent may resign from his or her parish by giving three months' notice to the Bishop. The period of notice may be shortened at the discretion of the Bishop.

### **G-6.3 Removal from a Parish**

The Bishop may not remove a duly instituted incumbent from office without his or her own consent except in execution of a sentence of an Ecclesiastical Court, or an Informal Tribunal, or in accordance with the provisions of Canon 25 of the Tenure of the Clergy.

### **G-6.4 Removal at the Instigation of Parishioners**

No duly instituted cleric shall be subject to removal from a Parish on the instigation of the parishioners themselves, except by recourse to the procedures in the Constitution and Canons of the Church, and these Rules.

## **RULE G-7 POST-RETIREMENT BENEFITS INCLUDING PRMA** *(Amended by Synod 2023, was previously Schedule D)*

- (a) In the case of clergy retiring at pensionable age and who have given full time paid service to the Church for a period of not less than sixteen years, of which at least the last four years shall have been in the Diocese of Johannesburg, the Diocesan Finance Board may each year augment the pension received to a level to be determined from time to time by them; provided that the cleric is not at the same time employed by the Diocese, or elsewhere in the Province, in a paid capacity. Any such augmentation shall be subject to annual review and, in the event of unaffordability, may be withdrawn.
- (b) Until 31 December 2027, clergy retiring at pensionable age who have given sixteen years of fulltime continuous service as stipendiary priests or deacons in the Diocese of Johannesburg in the years immediately leading up to their retirement shall be entitled to a monthly grant to meet the cost of medical aid premiums for a member and (if applicable) a spouse equal to the total contributions for pensioner membership of the medical aid scheme selected from time to time by the Diocese. For a spouse to

qualify for the benefit, the marriage must have taken place prior to the date of retirement of the clergy person. Such grants shall continue on a joint or survivor basis for the lifetime of the clergy person or spouse, or until 31 December 2027, whichever occurs sooner, after which there shall be no further grants.

- (c) The Diocesan Finance Board shall determine the cost of providing the benefit (hereinafter referred to as “PRMA”) annually. It shall proceed to recover the total amount needed by administering an equal monthly levy on every parish that is deemed by it to be in a position to pay such a levy on the basis of the most recent annual financial statements of every parish. Such a levy shall be additive to the parish contribution requirement set out in these Rules.
- (d) Retired clergy wishing to avail themselves of more expensive medical aid cover may do so only if they undertake in writing to pay the additional monthly contributions that apply. A lower level of cover than that specified by the Diocesan Finance Board may not be selected in order that the resultant saving may be made available in any form whatsoever to the pensioner or spouse.
- (e) A subcommittee of the Diocesan Finance Board shall be constituted to adjudicate matters pertaining to PRMA. No person who does not meet the criteria laid down for PRMA may be granted PRMA without a prior adjudication by the subcommittee which shall be required to document how the associated cost is to be funded if the grant is permitted.
- (f) PRMA shall not be applicable to a spouse of a retired clergy person if the marriage took place after retirement.
- (g) Notwithstanding the provisions of clause (b) above, fulltime stipendiary priests or deacons licensed as such in the Diocese of Johannesburg on or before 30 September 2017 who will have given sixteen years of fulltime since in the Anglican Church of Southern Africa by the time they retire, not all of which needs to have been served in the Diocese of Johannesburg, shall be entitled to PRMA provided that they serve the last four years before retirement in the Diocese of Johannesburg.

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## **SECTION H: PARISH OFFICERS**

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### **RULE H-1 CHURCHWARDENS AND CHAPELWARDENS**

#### **H-1.1 Nomination & Election of Churchwardens and Chapelwardens**

Two Churchwardens, and an alternate if desired, shall be elected at the Annual Vestry Meeting. In the same way two chapelwardens, and an alternate if desired, shall be elected in each chapelry at its Annual Chapelry Vestry Meeting. In each instance the manner of



nomination and election shall be:

- (a) Nominations shall be placed on lists calling for nominations and displayed on the notice board for this purpose together with the notice of the Annual Vestry.
- (b) Nomination forms must be signed by the proposer, seconder, and nominee before the close of nominations.
- (c) Nominations shall close immediately after the last service on the Sunday preceding the meeting, but in any event not less than 6 (six) clear days before the meeting.
- (d) The fully signed nomination sheets for the election to the posts of Churchwarden, alternate Churchwarden, or chapelwarden and alternate Chapelwarden shall be displayed clearly at the church for the parishioners to see for the 6 (six) days before the meeting of Vestry. Voting shall be by secret ballot of the parishioners present and voting.
- (e) The Churchwardens and alternate shall be approved subsequently by the Incumbent. Failing such approval, the appointment of the person or persons elected shall be suspended and the matter referred, in writing, immediately by the chairperson to the Bishop, who shall then either confirm the appointment or set it aside and direct such other action to be taken as he or she may deem fit.

### **H-1.2 Alternate Wardens**

The Vestry may elect an alternate Churchwarden or Chapelwarden who shall act if one or both of the elected Churchwardens or Chapelwardens be absent from the parish or incapacitated by illness or other cause. Such alternate shall be a member of the Parish Council or Chapelry Council, shall serve on the Executive of the Parish Council, and shall automatically fill a vacancy in the office of Churchwarden or Chapelwarden without a further meeting of Vestry.

### **H-1.3 Consent to Serve**

No person shall be elected a Churchwarden or Chapelwarden unless he or she has signified willingness to serve.

### **H-1.4 Eligibility for Wardens and Parish Council Members**

Every Churchwarden, Chapelwarden and any alternate shall be:

- (a) A parishioner of good moral standing in the parish;
- (b) At least 21 years of age;

- (c) A confirmed member or equivalent of the Anglican Church of Southern Africa or one of its covenanting partner churches;
- (d) Regular in worship and the receiving of Holy Communion in the parish for at least two years prior to nomination; and
- (e) Regular in financial and ministerial support of the work of the parish.

However, a person cannot be a Churchwarden and Parish Council member if he or she is:

- (a) The spouse of a cleric licensed to the parish;
- (b) A paid employee paid from the funds of the parish; or of the Diocese;
- (c) The spouse of a paid employee of the parish or of the Diocese;
- (d) An un-rehabilitated insolvent or has or has an unsatisfied money judgment against him or her or a criminal conviction involving any form of dishonesty or sexual misconduct.

The guidance of the Bishop must be sought where:

- (a) More than one member of the same family has been nominated; or
- (b) Any deviation from one or more of the foregoing criteria is sought, for good cause shown.

The Bishop's decision in response to such a request shall be final.

### **H-1.5 Casual Vacancies**

It shall be the duty of the Incumbent to notify the Bishop forthwith should any casual vacancy occur in the office of Churchwarden or Chapelwarden. A casual vacancy is a vacancy which occurs through death, resignation duly accepted by the Bishop or removal from office for cause deemed sufficient by the Bishop after due enquiry. It shall be filled within six weeks after it has occurred, and in accordance with the provisions of Canon 29.

### **H-1.6 Resignation**

Churchwardens wishing to resign must send in their resignations to the Incumbent. The Incumbent shall forward the same to the Bishop, who, after investigation, may or may not accept the same.

## H-1.7 Functions

Churchwardens are the officers of the Bishop and principal representatives of the congregation. They have the following functions:

- (a) Together with the Incumbent they constitute the executive of the Parish Council and have special responsibility in the matters set out in Canon 29;
- (b) They shall be responsible to keep in good order, at the expense of the parish, the church and other buildings belonging to the church within the Parish, including the fencing and layout of the land. Incumbents shall advise the Board of Diocesan Trustees if this is not done, and the Trustees may call upon the Churchwardens to carry out work which the Trustees deem necessary, at the cost of the parish;
- (c) They shall ensure that -
  - i. parishes meet their financial obligations in respect of the Diocese, their contributions being determined in terms of Schedule G;
  - ii. no Vestry, Parish Council meeting or parish officer, or any other person or body in the parish shall incur debt for, or on behalf of, the parish or Church, or in any manner so bind the Church, unless acting under power expressly contained in an Article of the Constitution, Canons, Acts or these Rules or under the written authority of the Diocesan Finance Board;
  - iii. the parish does not undertake any fund-raising campaign (other than normal annual stewardship campaigns and individual functions) using the services of a fund-raising organisation without the prior consent of the Diocesan Finance Board;
- (d) The parish shall obtain the approval of the Bishop for any proposed fundraising campaign, whether with or without the services of a fundraising organisation;
- (e) All surplus funds of the parish or any parish organisation are invested in accordance with the Rules established by the Diocesan Finance Board from time to time
- (f) All registers and records that are required by the Canons, these Rules and the laws of the country (including among others the items required by the Board of Diocesan Trustees, are properly kept and securely retained for the stipulated periods.
- (g) They have the duty to advise the Bishop or Archdeacon in circumstances set out in Canon 29;
- (h) They shall exercise a special ministry of friendship and support to the Incumbent, helping him or her in every way that they are able;
- (i) They shall report on their work at each Annual Vestry;

(j) Otherwise, their duties shall be as set out in Canon 29.

### **H-1.8 Limitations and Terms of Office of Wardens and Councillors**

It is desirable that persons nominated to serve in the offices of a parish as Churchwardens or Chapelwardens or alternates (“Wardens”) should first have served for at least one term on a parish or Chapelry Council (“Council”), as a period of orientation for leadership. This orientation term should be served again before a person is once more nominated or elected as warden after the ineligibility period referred to later in this Rule. Every sitting councillor or warden must be nominated individually each year for election by Vestry to either office for a succeeding term. A term is the period between the Vestry in one year at which the person was elected to the office in question and the next year’s Vestry, regardless of whether or not an alternate acted for that person during that period. Service as either a councillor or a warden, or a combination of the two offices, is limited to an aggregate period of eight terms over any given period, subject to a maximum period in aggregate of five terms as a warden, whichever comes first (the “maximum period of office”). When a person has served a maximum period of office, that person shall not be eligible for nomination or election as a warden or councillor for a minimum period of three terms afterwards (the “ineligibility period”), nor may he or she be co-opted to serve in any capacity on Council. The Incumbent, on the request of the Parish Council serving at the time, may apply to the Bishop for dispensation from this Rule on such conditions as the Bishop deems fit, which dispensation the Bishop may grant or withhold after consultation with the Archdeacon.

## **RULE H-2 PARISH MINISTERS**

### **H-2.1 Appointment of Parish Ministers**

With the exception of those Parish Ministers (also referred to as lay ministers in the Canons) licensed for preaching and counselling, which licence may only be granted by the Bishop, any other form of ministry in the parish by the laity shall be licensed by the Incumbent after having first obtained the approval of the Parish Council.

### **H-2.2 Review of Licences**

All licences and authorities to Parish Ministers shall be for a fixed period of time not exceeding three years. Such licences shall be reviewed by the Incumbent and Parish Council on an annual basis and may be renewed upon expiry after consultation by the Incumbent with the Parish Council. A licence may be revoked before the period of expiry should the incumbent deem it necessary to do so.

### **H-2.3 Role of the Bishop**

The Bishop may prescribe regulations for the designation, appointment, and admission of Parish Ministers. The Bishop may revoke any licence granted as he deems fit.

### **H-2.4 Application of Canons**

Parish Ministers shall in addition to provisions of these Rules, be subject to the provisions of the Canons relating to Lay Ministers.

### **H-2.5 Lapsing of Licences**

All such licences and authorities shall lapse six months after a new Incumbent takes up his or her appointment. At or prior to that time, the new Incumbent, Parish Council and Parish Minister concerned shall review the matter with a view to the licence or authority being renewed or not. In the case of parish ministers licensed by the Bishop to preach or counsel, the matter will be reviewed by the Bishop, the new Incumbent and the Parish Minister concerned.

## **RULE H-3 PARISH LAY WORKERS**

All other parish lay officials and workers shall be appointed and dismissed by the Incumbent in consultation with the Parish Council. Remuneration, if any, shall be fixed in agreement with the Parish Council. Such parish lay workers shall be under the direction of the Incumbent in matters relating to church services and worship, and of the Incumbent and Churchwardens in other matters. Any dispute arising as to the appointment, dismissal or remuneration of such lay officials and workers shall be referred to the Archdeacon with a right of appeal to the Bishop.

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## **SECTION I: PARISH BODIES**

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### **RULE I-1 VESTRY MEETINGS**

#### **I-1.1 Annual Vestry**

The following provisions apply to Vestries:

##### **I-1.1.1 Date of the Annual Vestry**

In every parish and chapelry, the parishioners (as defined in Canon 27) shall meet together in Vestry at least once in each year, not later than 1st March. This Vestry meeting shall be known as the Annual Vestry Meeting.

### **I-1.1.2 Notice of the Annual Vestry**

Meetings of Vestry shall be convened by written notice which complies with the Canons, signed by the Incumbent and Churchwardens. Should any be absent or refuse to sign the matter shall be referred to the Bishop immediately, to be dealt with in terms of the Canons. The notice shall state the place, date, time and agenda of the meeting. The notice of the Annual Vestry Meeting, together with the lists calling for nominations referred to in Rule H-1.1 shall be placed on the notice board not less than 22 days before the date of the meeting, and the notice of any Special Vestry Meeting, in terms of the Canons or these Rules, shall be placed on the notice board not less than 8 days before the date of that meeting.

### **I-1.2 Business, Agenda and Minutes of Annual Vestry**

The Annual Vestry Meeting shall deal with the following business in the following order:

- (a) The confirmation of the minutes of the previous Annual Vestry Meeting;
- (b) The presentation by the Churchwardens of the audited or verified annual accounts of the Parish. Such accounts shall be accepted by the Vestry before proceeding to any other business,
- (c) A report by the Churchwardens on the condition of all church property used and administered by the Parish, and recommendations to the incoming Parish Council of such action as may be considered necessary for the proper preservation, maintenance, renovation or repair thereof. Such report shall be received by the Vestry;
- (d) A report by the Incumbent on the affairs of the Parish which shall include the care of the Parish in matters affecting worship, ministry, education, evangelism, unity and development as well as a statement of the needs of the Parish; and such report may include presentations by leaders in parish activities at the invitation of the Incumbent. This report shall be received by the Vestry, and accepted or amended;
- (e) The presentation by the Churchwardens of estimates of revenue and expenditure which have been prepared in consultation with the Parish Council. Such estimates shall be received by Vestry and accepted or amended;
- (f) A decision by the Vestry on the number of persons who shall serve on the Parish Council;
- (g) Election of the Churchwardens and the Councillors for the ensuing year, subject to the provisions of Canon 28 and 29;

- (h) The appointment recommendation of an auditor or independent verifier to the Diocesan Executive Officer for the ensuing year, whose qualifications and duties shall be as set out in schedule D. The Diocesan Executive Officer shall be entitled to amend the nomination with the consent of the incoming Council on presentation of good reason.
- (i) No other business may be transacted by the Annual Vestry Meeting except with the consent of the Chairperson.
- (j) The minutes of the Annual Vestry Meeting shall be reviewed at the first subsequent Parish Council meeting and to the extent necessary modified so as to reflect fairly the business of Vestry, for presentation and confirmation at the next Annual Vestry Meeting.

### **I-1.3 Nominations of Wardens and Councillors**

The following provisions are to apply:

#### **I-1.3.1 Process for Nominating Wardens and Councillors**

The nomination of councillors shall be in terms of nominations for specific portfolios as detailed in Rule I-1.3.2 below. The nominations shall otherwise be in accordance with Rule H-1.1.

#### **I-1.3.2 Nominations to Council**

Councils shall operate by means of portfolios (defined areas of ministry). Each person nominated to serve as a councillor should therefore, where possible, be a serving member of a specific portfolio team, or a person familiar with the work of that portfolio and able to assume leadership, or assist with the leadership, of that portfolio team; and to represent that portfolio on the Council.

#### **I-1.3.3 Five-year Limitation on Term of Office**

No person shall be eligible for nomination for election, or for co-option as a councillor, warden or alternate warden, who has served continuously in any one or more of those capacities continuously for five years immediately preceding the date of the Annual Vestry Meeting.

### **I-1.4 Returns of Annual Vestry**

The following provisions are to apply:

#### **I-1.4.1 Return by the Incumbent**

It shall be the duty of the Chairperson of the Vestry to make a return of the election of Churchwardens, alternate Churchwarden, Chapelwardens and Councillors, with their full names, to the Archdeacon and Diocesan Executive Officer within one week of their election. Such return shall certify compliance with the electoral procedure laid down in Rule I-1.3.1 and Rule I-2.6. Together with this return, the Incumbent shall also submit a copy of the audited or verified Financial Statements, a copy of the estimates of revenue and expenditure approved by Vestry and the declarations by those elected, as required by Rule I-1.4.2.

#### **I-1.4.2 Declarations by those Elected**

All Churchwardens, any alternate Churchwarden, Chapelwardens, and any alternate Chapelwardens and Councillors elected at the Annual Vestry Meeting shall, within seven days of their election, make the declaration set out in Canon 30 which shall be sent by the Incumbent, together with the return of the election referred to in Rule I-1.4.1, to the Diocesan Executive Officer.

#### **I-1.5 Investiture and Admission of those Elected at Annual Vestry**

The following provisions are to apply:

##### **I-1.5.1 Investiture of those Elected**

All Churchwardens, alternate Churchwardens, Chapelwardens, alternate Chapelwardens and Councillors shall be considered invested with their offices 21 days after the date of their election unless the Archdeacon shall rule otherwise, or the prohibitions set out in Canon 30 shall apply.

##### **I-1.5.2 Admission of those Elected**

The admission of Churchwardens, alternate Churchwardens, Chapelwardens and alternate Chapelwardens and Councillors shall take place in accordance with Canon 30.

#### **I-1.6 Special Vestry**

A special meeting of Vestry may be duly convened by the Parish Council, or, on requisition in writing to the Incumbent signed by at least ten parishioners whose names are on the register of parishioners, such requisition stating the object of the meeting; except where there are less than fifty parishioners on the roll, then five shall suffice. Such meeting shall be convened within twenty-two days from the day on which the Incumbent shall have received the requisition and notice of the meeting shall be given in terms of Rule H-1.1.2.



## **I-1.7 Rules of Procedure at Vestry Meetings**

The following Rules shall apply at all meetings of Vestry:

### **I-1.7.1 Chairperson of Vestry**

The Incumbent or a deputy shall preside as Chair of the Vestry, but in the absence of the Incumbent and the deputy a person elected by the Vestry shall preside. The Chairperson shall have a casting vote in addition to a deliberative vote. In the vacancy of the office of the Incumbent, the Bishop, or some person appointed by the Bishop for the purpose, shall perform the duties and shall exercise the rights of the Incumbent with regard to summoning meetings of the Vestry and presiding at the same.

### **I-1.7.2 Quorum of Vestry**

Ten parishioners shall form a quorum, and no business shall be transacted at any meeting of the Vestry unless the quorum shall be present at the start of the meeting.

### **I-1.7.3 Right to Speak at Vestry**

All parishioners shall be entitled to speak and vote at Vestry. No person shall be entitled to speak or vote unless he or she is either a habitual worshipper or a person whose name appears on the Parish Roll. The Parish Roll shall be tabled at each Vestry in case a dispute should arise.

### **I-1.7.4 Conduct at Vestry**

The Rules of Synod shall be the Rules of Order in all meetings of Vestry. Vestry shall not be an occasion for attacking or denigrating others. In the performance of their duties, the clergy hold the Bishop's licence and are directly responsible to the Bishop in all matters relating to their office. Should serious allegations against the Incumbent or other clergy be raised at a Vestry, the matter should be referred by the Churchwardens to the Bishop for investigation. Other matters of dispute shall be decided by the Incumbent and Churchwardens, subject to an appeal to the Bishop whose decision thereon shall be final.

### **I-1.7.5 Acquisition, Disposal or Lease of Land and Buildings**

No fixed property may be acquired by donation, purchase, or lease, or disposed of, nor may buildings on any fixed property be erected, altered, or leased unless approval has been obtained both from Vestry and the Board of Diocesan Trustees as provided for in Schedule H.

### **I-1.7.6 Adjournment of Vestry**

The Chairperson may, with the consent of Vestry, adjourn the same from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

### **I-1.7.7 Minutes of Vestry**

The minutes of the proceedings of all meetings of the Vestry shall be kept under the direction of the Chairperson in a book provided for that purpose.

## **RULE I-2 PARISH COUNCILS**

### **I-2.1 Composition of Council**

Every parish shall have a parish council, every chapelry a chapelry council, which shall consist of the Incumbent, all assistant clergy and full-time stipendiary parish ministers licensed to the parish, the Churchwardens (or Chapelwardens) and alternate Churchwarden (if any), and the Parish Councillors, of whom the number shall be not less than five (save with the permission of the Archdeacon) and who shall be confirmed parishioners.

### **I-2.2 Portfolios of Council**

The Parish Council shall delegate responsibility for the various areas of the management of the Parish to portfolio teams, with each portfolio having a specific and clearly defined area of responsibility. It shall be competent for a Portfolio Team to delegate a part of its function to a Function Team (where the task is ongoing) or to a Task Team (where the delegation will cease when the defined task has been completed). At least one member of each Portfolio, Function or Task Team must be on the Parish Council, in order to report to Council, but the other members of the Team should not be.

### **I-2.3 Purpose of Council**

The Parish Council shall perform the functions assigned to it by Canon 28. The Parish Council shall meet on a monthly basis to:

- (a) Review the life of the parish in the light of the Diocesan Vision, the Parish Vision and the strategic plans and goals that the parish has set for itself;
- (b) Receive reports on the work done by the portfolio teams and to ensure that the work done is in keeping with the Diocesan and Parish Visions and the work being done by other portfolio teams;

- (c) Consider matters affecting worship, stewardship, evangelism, education, social responsibility, ecumenical contact, and the pastoral care of the parish and wider community and to ensure that these matters are being adequately addressed through the portfolio teams;
- (d) Review the arrangements for the accommodation, transport and pastoral care of their clergy and their families, and to take such action as is needed to ensure their well-being;
- (e) Review the monthly management accounts for the parish and thereafter make it available to the parish as a whole;
- (f) Fulfil the obligations of the Parish Council as contained in Schedule D.

#### **I-2.4 Chairperson of Council**

The Incumbent shall be the Chairperson of the Parish Council but shall have the right to allow the Parish Council to elect from among its members (but not from co-opted members) a person to deputise as Chairperson. Such deputy Chairperson shall preside over the Parish Council in the absence of the Incumbent and whenever else the Incumbent deems fit. If, at any Parish Council meeting, neither the Incumbent nor the deputy Chairperson is present, the Parish Council shall elect one of its members as Chairperson for the meeting. The Chairperson shall have a casting vote in addition to a deliberative vote.

#### **I-2.5 Co-option to Council**

The Parish Council shall have the power to fill casual vacancies and to co-opt members. Co-opted members shall have power to speak but not to vote.

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## **SECTION J: IMPLEMENTING AND AMENDING THE RULES**

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### **RULE J-1 AMENDING THE RULES AND PROMULGATION**

#### **J-1.1 Proposing Amendments**

Any or all of these Rules may be added to, replaced, or amended at any session of the Synod in the following manner:

- (a) Any confirmed communicant desiring an addition, repeal, or amendment shall give written notice to the Bishop not less than twelve weeks before a session of the Synod. Such notice shall be a motion in the form of a measure, shall be proposed and seconded, and

- (b) Shall specifically set out in its proposals the proposed addition, repeal or amendment in express terms, and shall in its principles give
- (c) The grounds on which such addition, repeal or amendment is desired;
- (d) A copy of each such notice shall, if accepted by the Synod Advisory Committee, be included in the First Agenda Book;
- (e) The person proposing the amendment must ensure that, if he or she is not a member of Synod, a member of Synod will move the motion on his or her behalf.

#### **J-1.2 New Enactments**

All new enactments shall come into force one month after promulgation in terms of Rule A-2.15.2, unless otherwise provided, and all new acts shall, on coming into force, be deemed to be part of and incorporated in these Rules.

#### **RULE J-2 INCLUSION OF THE SCHEDULES**

Everything contained in the Schedules shall be deemed to form an integral part of the Rules of the Diocese and shall be accorded the same authority and force as the Rules themselves.

# SCHEDULES TO THE RULES

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## SCHEDULE A: FUNCTIONS AND RESPONSIBILITIES OF THE BISHOP AND THE ADVISORY COMMITTEE IN RELATION TO SYNOD

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### 1. The Functions of the Advisory Committee shall be to:

- (a) Scrutinise all notices of motion and other matters to be submitted to the Synod, and to make such amendments thereto as it may consider necessary or desirable in consultation with the persons by whom the same have been submitted;
- (b) Make such preliminary arrangements for the conducting of the business of the Synod as it may deem desirable, including the provisional appointment of secretaries and provisional nominations for positions to be filled by election at the Synod;
- (c) Advise the Bishop whether motions and other matters submitted for the consideration of the Synod fall within the province of the Synod, provided however that the Bishop alone shall decide whether or not any matter shall be brought before the Synod;
- (d) Arrange the order in which business is to be placed on the Synod agenda, provided that matters referred to the Synod by the Provincial Synod or the Provincial Standing Committee shall be taken first;
- (e) Consider such questions of procedure as may be referred to it.

### 2. The First Agenda Book

The Bishop and Advisory Committee shall ensure that there shall be prepared under the Bishop's direction and issued to each member of the Synod not less than ten (10) weeks before the first meeting of the Synod a First Agenda Book which shall include:

- (a) The text of any motion in terms of Rule J-1 for any addition, amendment or repeal of these Rules, together with a statement of the reasons therefore;
- (b) The most recent audited accounts of the Board of Diocesan Trustees (incorporating the financial affairs of the Diocesan Chapter and The Diocesan Finance Board for the last financial year, together with the report of the auditor thereon;
- (c) A report by the Bursar, on behalf of the Diocesan Finance Board, on Diocesan finance for the current financial year;
- (d) The Diocesan Finance Board's estimates of Diocesan revenue and expenditure and the schedule of parish contributions for the forthcoming financial year;

- (e) Reports, if available, of Diocesan Organisations.
- (f) The text of all notices of motion received from members of Synod and approved by the Bishop for submission to the Synod;
- (g) Particulars of any other matters on which the Bishop requires the deliberation of the Synod.

### **3. The Second Agenda Book**

The Bishop and Advisory Committee shall ensure that there shall be, prepared under the direction of the Advisory Committee and issued to all members of the Synod not less than three weeks before the first meeting of the Synod, a Second Agenda Book which shall consist of the following:

- (a) The text of all notices of motion received from members of Synod and approved by the Bishop for submission to the Synod;
- (b) The programme of Synod and any administrative instructions which the Advisory Committee wish to draw to the attention of members of Synod;
- (c) Any reports, estimates or other documents which were not available at the time the First Agenda Book was published;
- (d) Any other document which the Advisory Committee considers appropriate to publish for the benefit of members of Synod.

No motion which has not been received by the Diocesan Executive Officer at least twelve (12) weeks before the first meeting of the Synod shall be included in the First Agenda Book

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## **SCHEDULE B: ADDITIONAL RETIREMENT BENEFITS**

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### **1. Removal Expenses**

Clerics shall, upon retiring from full time ministry, have their travelling and removal expenses to any place within the Church paid by the Diocesan Finance Board, upon such terms and conditions as it shall from time to time decide. Provided that when a cleric has served in the Diocese for less than five years, such payment shall be made pro rata to the length of service in the Diocese.

### **2. General Retirement Conditions**

- (a) A cleric or lay worker licensed by the Bishop shall resign the office held on reaching

the "normal retirement age" provided for in Rule G–6.1. The Bishop shall accept such resignation, and such cleric or lay worker shall be entitled to the benefits under Rule G7 if he or she qualifies therefore.

- (b) A cleric who has reached retirement age in terms of (a) above, and whose resignation has been accepted by the Bishop, may thereafter be appointed temporarily from year to year to any office to which he or she may be deemed suitable and on such conditions as may be laid down by the Bishop, but the provisions of paragraph 1 above no longer apply to such clergy.

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## **SCHEDULE C: PARISH AUDITORS AND VERIFIERS**

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### **1. Establishing Parish Accounting Format and Policies**

The Diocesan Finance Board, in consultation with the Bursar, shall have the power to establish the format of and accounting policies for parish accounting, in order to facilitate the compilation of the Annual Report of the Diocesan Council and the fulfilment of the Diocesan reporting obligations to the Commissioner for Inland Revenue.

### **2. Duties of Parish Auditors or Independent Verifiers**

- (a) It shall be the duty of the auditor or independent verifier to audit the annual financial statements of the parish in terms of generally accepted auditing standards. These standards require the auditor to plan and perform the audit to ascertain with reasonable assurance whether, in all material respects, fair presentation is achieved in the financial statements. An audit includes: an evaluation of the appropriateness of the accounting policies; an examination, on a test basis of evidence supporting the amounts and disclosures included in the financial statements; an assessment of the reasonableness of significant estimates; and, a consideration of the appropriateness of the overall financial statement presentation. The auditor or independent verifier shall report to the Annual Vestry Meeting on the results of the audit of the annual financial statements of the parish.
- (b) If the auditor or independent verifier is unable to make an unqualified report, the facts and circumstances which prevent them from reporting without qualification should be stated.
- (c) The auditor or independent verifier shall have right of access at all reasonable times to the books, accounts and vouchers of the parish and shall be entitled to require from the Incumbent and Churchwardens such information and explanations as may be necessary for the performance of their duties. All funds handled by the parish, whether parish funds or funds of activities run through the parish or otherwise howsoever, must be accounted for in the parish accounts. Any loan made in terms of clause 1(b)

(iii) of Schedule D shall be reported as a line item on the parish balance sheet. Any discretionary fund must also be brought into account, in globular terms, into the parish accounts, and the discretionary funds themselves must be the subject of an audit, with due regard being had to confidentiality in respect of recipients and the authority granted to the person or persons controlling such funds. Notwithstanding any authority given to such person or persons, discretionary funds remain trust funds, and the person or persons are the fiduciaries in respect of those funds and bound by the good governance requirements of Rule B-2. The Diocesan Finance Board may lay down rules for the handling and auditing of discretionary funds, from time to time.

### **3. Change of Auditors**

If it is the intention of any parishioner to nominate for the office of auditor any persons other than the auditors or independent verifier currently appointed, notice in writing of such intention shall be given to the Incumbent not later than fourteen days before the Annual Vestry Meeting, and notice in writing of such intention shall be delivered forthwith by the Incumbent to the current auditors or independent verifier, who shall then have the right of attending the Annual Vestry Meeting and addressing it on their own behalf. The proposed name must be submitted to the Diocesan Finance Board for authorisation in terms of (4) below.

### **4. Independent Verifiers**

The Diocesan Finance Board may authorise members of the Anglican church who are experienced in financial matters to act as independent verifiers for any parish, chapelry or other component of the Diocese in place of an auditor. Before making such appointments, the Diocesan Finance Board shall recommend the scope of the verification, the form of the report and the training for anyone who wishes to be recognised as an independent verifier. A certificate under the hand of the Bursar or Deputy-Bursar shall be required to authorise an independent verifier to act as such in terms of these Rules.

### **5. Filling a Vacancy**

Where during the course of the year it becomes apparent that the auditor or independent verifier is unable, for any reason, to fulfil the reasonable expectations of such a position in a parish, application may be made by the parish council to the Diocesan Finance Board to appoint a new auditor or independent verifier.



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**SCHEDULE D: PARISH COUNCILS AND THEIR POWERS AND OBLIGATIONS**

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**1. Powers and Obligations**

The Council shall be responsible for the administration of the business affairs of the parish, subject to any resolution passed by the communicants in Vestry, and to these Rules; and in particular the Council shall:

- (a) Elect representatives to the Elective Assembly and Synod;
- (b) Assist and advise the Churchwardens in the management and control of the revenues of the parish, whether derived from property held in trust for it or otherwise; provided that:
  - i. the Parish Council shall not purchase any motor vehicle for use within the parish without the prior consent of the Diocesan Finance Board;
  - ii. all money shall be used for the purpose for which it was collected or given and for no other purpose, except where the permission of the Synod has been obtained;
  - iii. no income or funds or property of the parish shall be distributed to any member or office bearer except as reasonable compensation for services rendered or as duly authorised loans, in accordance with rules for such loans established from time to time by the Diocesan Finance Board and otherwise in terms of directions from the Council; and no Councillor, Churchwarden or Chapelwarden (and their alternates) shall be entitled to receive any loan unless and until he or she shall first have resigned from such office and the resignation has been published on the parish notice board;
  - iv. all building and other capital funds and all money collected for any purpose other than ordinary income and expenditure shall be on approval by the Board of Diocesan Trustees, invested in an account nominated by the Diocesan Finance Board within three months of receiving same, subject to any special trusts and provisions, Provincial, Diocesan or Parochial, connected therewith; provided that all money so raised and collected and not remitted, be at the joint and several personal risk of the Churchwardens; but provided further that, in special cases, the terms and conditions of which having first been arranged with, and approved in writing by, the Board of Diocesan Trustees, the said Trustees may permit such monies to be retained or invested by the parish, in which case the Board of Diocesan Trustees shall immediately be advised as to the specific manner of investment, details of which shall be disclosed fully and separately in the annual balance sheet;
- (c) Provide for and pay such contributions as may be determined in accordance with Schedule G, together with salaries, wages, pensions and allowances of the lay staff of the parish; provided that after the payment of any allowance under Rule G-3.2 and

municipal rates, fees and charges, the contribution for Diocesan funds shall form the first charge on all revenue and properties of the parish. The monthly proportion of the contribution shall be paid to the Diocesan Finance Board before the 15th day of each month; In the event that the bank account of the parish contains insufficient funds to meet the amount of the monthly debit (“the default”), the parish shall immediately inform the Diocesan Executive Officer and advise the measures that are to be taken by the parish to rectify the default. Should default not be rectified by the end of the month in which the default occurred, the provisions of 2 below shall apply;

- (d) Subject to any trusts relating to the same, cause to be transferred and delivered to the Board of Diocesan Trustees in trust for the parish, all immovable property which may be given to, obtained or held by the parish for the benefit of the Church;
- (e) Before the end of each calendar year, prepare and approve estimates of revenue and expenditure for the next financial year to be presented at the next Annual Vestry Meeting;
- (f) In the event of a vacancy in the parish, represent the laity in matters affecting the appointment of an Incumbent unless the Bishop has decided to consult the Vestry;
- (g) Fill any casual vacancy in the office of auditors or independent verifier by the appointment of qualified auditors or a certified independent verifier who shall hold office until the next Annual Vestry Meeting.

## **2. Arrear Parish Contributions**

In the event of payment of contributions by a parish being in arrear the Bishop may, either in person or through a deputy, meet the Parish Council, and thereafter deal with the matter in the following manner:

- (a) If it appears impossible for the parish to pay its contributions, the Bishop shall notify the Diocesan Finance Board to this effect and the Board may grant such relief as it may think fit; or
- (b) The Bishop may act under the relevant provisions of the Canons.

## **3. Financial Records**

- (a) The Churchwardens, duly assisted by the Parish Council, and where appropriate by the Archdeaconry Finance Representative, shall cause true and correct books of account to be kept setting out the sums of money received and expended by them, and of the matters in respect of which such receipt and expenditure take place, and of its assets and liabilities; and from time to time, when required by the Bursar, render true extracts and accounts for his or her inspection;

- (b) The following requirements shall be observed:
- i. a written record of the receipt shall be prepared immediately for all cash received and deposited with the bank in an account under the name of the Parish Council;
  - ii. all payments shall be approved by the Churchwardens and the Incumbent or by the Council before they are made and shall be in accordance with the estimates and needs previously submitted to, and approved by the Vestry. Such payments shall be made by electronic transfer, released by two authorised officers (who shall be independent of the person responsible for loading the payment, and shall be entered in the cash book. A petty cash float shall be maintained and a full record kept of how such money is spent;
  - iii. appropriate vouchers in support of all expenditure and related payments in the cash book or petty cash book are to be obtained where possible and filed for the inspection of the auditors; Cheques have become an unsafe form of payment and should not be used other than in exceptional circumstances and full details of any cheques issued must be tabled for approval at the next council meeting.
  - iv. the Churchwardens shall submit to each monthly meeting of the Council a full statement of income and expenditure during the preceding month. Each such monthly meeting of the Parish Council shall approve the expenditure for the current month provided that the Parish Council may not approve payments or incur debts for which the necessary funds are not available;
  - v. the specific authority of the Bishop shall be obtained before furniture or ornaments for the Church are purchased.

#### **4. Financial Year**

The annual accounts of parishes shall be closed on the 31 December of each year.

#### **5. Presentation of Accounts**

Before the Churchwardens can jointly vacate their office at the Annual Vestry Meeting, they shall present an audited or independently verified balance sheet and statement of revenue and expenditure containing a summary of the financial transactions of the parish for the year ended 31st December. In the absence of such audited or verified financial statements, the Vestry shall not proceed with the business set out in Rule I-1.2. In the event of the Churchwardens giving notice of their intention to resign together before the Annual Vestry Meeting, an audited or verified balance sheet and statement of revenue and expenditure made up to the date of the notice of resignation shall be presented to the special meeting of the Vestry called to elect other Churchwardens. Should the Churchwardens fail to present the requisite financial statements, the Incumbent shall as soon as possible report the failure to the Archdeacon, who shall institute an inquiry under the directions of the Diocesan Finance Board. The Churchwardens shall not be relieved of their financial

responsibilities until the Bishop has accepted their resignations.

## **6. Exhibition of Accounts**

At least seven days before the day appointed for the Annual Vestry Meeting, the Churchwardens shall cause copies of the audited or verified statement of revenue and expenditure and balance sheet signed by the Incumbent and themselves, and reported on by the auditor or independent verifier, to be affixed to the door or notice board of the church or place of worship, or otherwise effectively brought to the notice of the parishioners.

## **7. Delivery of Accounts to Diocesan Office**

As soon as possible after the adoption of the balance sheet and accounts and annual estimates of revenue and expenditure for the current year at the Annual Vestry Meeting, and by no later than the 31<sup>st</sup> March of each year, the Churchwardens shall deliver to the Diocesan Office copies thereof, the former signed as above stipulated, together with a copy of the auditor's or independent verifier's report, to be inspected and preserved by the Diocesan Office.

## **8. Meetings and Notice**

The Parish Council shall meet whenever necessary, and at least once every month, at a time and place to be fixed by the chair. Written notice of each meeting shall be given by post or otherwise to each of the members by the secretary at least forty-eight hours before such meeting, and such notice shall state the place, date, time and briefly the objects of the meeting.

## **9. Omission of Notice**

The accidental omission to give such notice to any of the members shall not invalidate any resolution passed at such meeting.

## **10. Meeting by Requisition**

In case a meeting be not duly called in any month, it shall be competent for any two members of the Parish Council to make a written request to the chair to convene a meeting to be held within fourteen days. If the chair declines or fails to convene a meeting, the members shall report the matter to the Archdeacon.

## **11. Secretary and Duties**

At the first meeting after its election, the Parish Council shall appoint a secretary, who may or may not be a member of the Parish Council, and whose duties shall be to:

- (a) Give notice of the meetings;
- (b) Prepare an agenda for each meeting under the direction of the chair;
- (c) Record the minutes of the proceedings of all meetings of the Parish Council, together with the names of the members present, in a minute book provided for the purpose. The minutes shall be read at the next monthly meeting of the Parish Council, and when approved, signed by the chair as a correct record;
- (d) Obey the instructions of the Parish Council and of these Rules where so directed.

## **12. Treasurer**

On the advice of the Churchwardens, the Parish Council may appoint a treasurer to assist the Churchwardens in the execution of their duties; such appointment, however, shall not relieve the Churchwardens of any of their financial responsibilities. The treasurer may or may not be a member of the Parish Council. The treasurer may seek the assistance and counsel of the Archdeaconry Finance Representative in the performance of his duties.

## **13. Prayers**

Every meeting of the Parish Council or its committees shall be opened and closed with prayer.

## **14. Deliberations Confidential**

The deliberations of the Parish Council shall at all times be confidential, and no person other than members shall be present, except by invitation of the chair. Nevertheless, the precepts of transparency and accountability demanded by good governance require that all decisions of council be reported and communicated promptly to the congregation.

## **15. Quorum**

A quorum shall be more than half of the numbers of the Parish Council. No business shall be transacted at any meeting unless a quorum be present. Any meeting of the Parish Council at which a quorum is present shall be competent to exercise all or any of the authorities and powers vested in the Parish Council.

## **16. Adjournment of Meeting**

The chair may, with the consent of the meeting, adjourn the same from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the original meeting.

## **17. Vacancies**

Once the number of vacancies exceeds the number of members remaining, a Special Vestry shall be called for the sole purpose of electing additional members to the Parish Council. Until that point, the remaining members of the Parish Council may act notwithstanding any vacancy in their number.

## **18. Committees**

The Parish Council may appoint committees of such of its members or other persons as it may think fit. Any committee so formed shall conform to any regulations and instructions imposed upon it by the Parish Council and shall report the result of their deliberations as soon as possible to the Parish Council. The chair of the Parish Council shall have the right to be a member of such committees.

## **19. Validity of Acts**

All acts done by any meeting of the Parish Council, or by a committee thereof, shall, notwithstanding that it shall afterwards be discovered that there was some defect in the appointment of a person or persons acting as aforesaid, or that they or any of them were disqualified, be as valid as if every person had been duly appointed and was qualified to be a member. Any resolution taken by the members of the Parish Council or any committee in such circumstances, if signed by the chair of the meeting, shall be prima facie evidence of the matters stated therein.

## **20. Settlement of Disputes**

If any question or disagreement arises between the Incumbent and other members of the Parish Council as to the interpretation of these Rules, the same shall be settled by the Bishop.

## **21. Rules of Order**

The Rules of Order of the Synod shall be as far as possible the Rules of Order at all Parish Council meetings.

## **22. Modification of these Rules**

It shall be permissible for the Bishop, after consultation with the Archdeacon and Chancellor, to authorise in writing local modification of Rule I-2 on application being made by the Parish Council concerned; but in no circumstances shall a Parish Council take the matter into its own hands.

## **23. Duties of Incumbent**

In addition to the other duties assigned to him or her under these Rules, it shall be the duty of the Incumbent to:

- (a) Supervise the work of the Parish Council and see that the Canons and these Rules are observed;
- (b) See that the Churchwardens provide a service register authorised by the Bishop, and that it be properly kept;
- (c) See that the Churchwardens send to the Bursar the financial returns required by these Rules; keep a register of the communicants and other parishioners of the parish;
- (d) See that the procedure laid down concerning land, building and furniture is carried out;
- (e) Consult with the Parish Council concerning the times of services and any alterations thereto;
- (f) Prepare before the end of each calendar year, a statement of the needs of the parish. This shall be considered by the Council and referred to the Annual Vestry Meeting for acceptance or amendment.

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## **SCHEDULE E: PROCEDURS IN RELATION TO THE BISHOP'S COURT**

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### **1. Notice for holding the Court**

The Bishop, upon requisition being received or made, shall, by writing under the Bishop's own hand and seal to be affixed to the door of the church of the parish concerned, appoint a day and time, not less than six weeks nor more than three months from the day of the date thereof for the holding of the Court for the investigation and decision of the matters to be decided.

### **2. Security for Costs**

Upon receipt of any such requisition the Bishop may, in his or her discretion, require the party or parties making the requisition to lodge with the Diocesan Executive Officer such security for the costs of the required examination and decision as the Bishop shall deem fit, and no further steps shall then be taken in respect to the said requisition until the said security is forthcoming.

### 3. Appeals

The Bishop's Court is a Court of Record, and an appeal from its decision shall lie to the Metropolitan, provided that written notice of appeal be lodged with the Bishop within one month after the delivery of a judgement against which it is proposed to appeal.

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#### **SCHEDULE F: QUALIFICATIONS AND DUTIES OF DIOCESAN OFFICERS AND AUDITORS**

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The Diocesan Officers and auditors shall have the talents and duties to the extent set out in this schedule, namely:

1. **The Chancellor** shall be learned in the law, and shall
  - (a) Be the adviser of the Bishop in all matters of law;
  - (b) Be the Bishop's assessor in all trials;
  - (c) Attend and assist the Bishop in person, in all Synods, Diocesan Tribunals and Consecrations;
  - (d) Hold office at the discretion of the Bishop.
  
2. **The Vice Chancellor** shall be learned in the law, and shall
  - (a) Assist the Chancellor in the performance of his or her functions under paragraph 1 of this schedule;
  - (b) In the absence of the Chancellor, perform all the functions of the Chancellor under these Rules;
  - (c) Hold office at the discretion of the Bishop.
  
3. **The Registrar** shall be skilled in secular affairs, and shall
  - (a) Conjointly with the Diocesan Executive Officer, make an annual examination of the terrier of Diocesan property and report to the Bishop thereon as soon as possible after the first of January in each year;
  - (b) Attend and assist the Bishop in person, or by a deputy appointed and approved by the Bishop, in all Synods;
  - (c) Hold office at the discretion of the Bishop.
  
4. **The Deputy Registrar** shall be skilled in secular affairs and shall
  - (a) Assist the Registrar in the performance of functions under paragraph 3 of this schedule;
  - (b) In the absence of the Registrar, perform all the functions of the Registrar under these Rules;



(c) Hold office at the discretion of the Bishop.

5. **The Bursar** shall be skilled in matters of finance and shall

- (a) Be adviser to the Bishop in all matters of finance;
- (b) Ensure that appropriate systems and controls are in place for:
  - i. the collection, receipt and banking of all moneys payable to Diocese;
  - ii. the safe keeping of all securities belonging to the Diocese;
- (c) Report to the Bishop and to the Diocesan Finance Board, as required by them, on the financial position and requirements of the Diocese; and present to the Synod, after signing the same, the audited accounts of the Diocese for the preceding financial year;
- (d) Hold office at the discretion of the Bishop.

6. **The Deputy Bursar** shall be skilled in matters of finance and shall

- (a) Assist the Bursar in the performance of his or her functions under paragraph 5 of this schedule;
- (b) In the absence of the Bursar perform all the functions of the Bursar under these Rules;
- (c) Hold office at the discretion of the Bishop.

7. **The Diocesan Executive Officer** as the senior executive responsible for the management and control of the administration shall:

- (a) Ensure that the Diocese maintains an effective, efficient and transparent financial management and control system
- (b) Ensure the administrative stability of the Diocese as a whole
- (c) Ensure effective management of movable and immovable assets
- (d) Enable effective support to the various parishes, organisations and schools
- (e) Ensure that appropriate governance procedures are in place to ensure accountability, transparency, compliance with relevant rules and regulations, effective operational efficiency,
- (f) Effectively manage direct human resources and volunteers as well as the provision of support for the management of the human resources of the parishes, organisations and schools,
- (g) Ensure effective communication management,
- (h) Ensure effective risk management system
- (i) Report to each Synod the action taken concerning resolutions passed at the previous Synod;
- (j) Hold office at the discretion of the Bishop, subject to any contractual arrangements that may be in place regarding this appointment.

8. **The Deputy Diocesan Executive Officer** shall be skilled in matters of finance and secretarial practice, and shall
- (a) Assist the Diocesan Executive Officer in the performance and the functions under paragraph 7 of this schedule;
  - (b) In the absence of the Diocesan Executive Officer, perform all of the functions of the Diocesan Executive Officer under these Rules;
  - (c) Hold office at the discretion of the Bishop, subject to any contractual arrangements that may be in place regarding this appointment.
9. **The Auditors of the Diocese** shall report to the Bursar and to the Synod on the results of the audit of the annual statements of Diocese. It shall be the duty of the auditors to audit such statements in terms of generally accepted auditing standards. Such standards shall require the auditors to plan and perform the audit to ascertain with reasonable assurance whether, in all material respects, fair presentation is achieved in the financial statements. The audit shall include an evaluation of the appropriateness of the accounting policies, an examination, on a test basis, of evidence supporting the amounts and disclosures included in the financial statements, an assessment of reasonableness or significant estimates and a consideration of the appropriateness of the overall financial statement presentation.

If the auditors are unable to make an unqualified report, they shall state the facts and circumstances which prevent them from making it without qualification.

The auditors shall have the right of access at all reasonable times to the books of Diocese and shall be entitled to require from the Diocesan Officers such information and explanation as may be necessary for the performance of their duties.

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**SCHEDULE G: PARISH CONTRIBUTIONS AND THE DIOCESAN FINANCE BOARD**

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1. The Board shall consult with the Churchwardens and other representatives nominated by each parish in the Diocese, at a meeting or meetings convened annually by the Bursar. The purpose of such meeting or meetings shall be for the Board to lay before the parish representatives the up- to-date financial situation of the Diocese, and the estimated income and expenditure of the Diocese for the following year. These estimates having been discussed; the Board shall call for contributions from each parish towards meeting the expenditure estimated. If there is a session of Synod in the year, then this process must be completed in time for such session.
- 2.. The contributions shall be divided into two types:
  - (a) A parish contribution, which shall represent the amount needed to meet the stipends, the Diocesan portion of the pension contributions and such allowances as Synod may

approve, of the clergy of that parish. Such contribution shall be paid by debit order on the 15th of each month and each parish shall ensure that sufficient funds are available to meet the debit order.

- (b) A parish contribution to the Diocese, which shall be an amount volunteered by the parish to contribute to the estimated expenditure of the Diocese for the following year, other than as set out in paragraph (a) above. Such contribution shall be divided into equal monthly amounts, which shall be paid on or before the 15th of each month.
- 3. If the Board is not satisfied that the contribution volunteered by the parish represents a fair proportion of the income of that parish, it shall delegate representatives of the Board to meet with the Churchwardens and Parish Council of that parish to discuss the matter and attempt to agree a contribution to the satisfaction of both parties. In the event of failure to reach agreement, the matter shall be referred to the Bishop whose decision shall be final, and subject neither to appeal nor review.

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## **SCHEDULE H: RULES RELATING TO DIOCESAN PROPERTY**

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### **1. New Buildings, Alterations or Extensions and Bishop's Faculties**

Whenever it is proposed to erect a new building or make alterations to an existing building (save in the way of repairs) on any land owned by the Board of Diocesan Trustees, the cost of which exceeds the amount determined by the Trustees at the beginning of each year, the following procedure shall be adopted:

- (a) A plan and detailed specifications shall be prepared by an architect at the expense of the Parish Council, save where otherwise permitted by the Board of Diocesan Trustees;
- (b) The plan and specifications together with an estimate of the cost of the proposed building or alteration, and a statement showing how the cost is to be covered, shall be submitted for approval or otherwise by the Incumbent and Churchwardens to a Vestry meeting of the parish in which the building is situated;
- (c) After the foregoing have been approved by the Vestry, they shall be referred to the chairperson of the Property Function Team to make a report thereon to the Board of Diocesan Trustees;
- (d) No major alteration to the approved plan shall be made without the prior consent of the Board of Diocesan Trustees, who may, at their discretion, refer the proposed alterations to the architect and the Council. Minor alterations may be made with the permission of the chairperson of the Property Function Team;
- (e) The Board of Diocesan Trustees shall satisfy themselves that adequate accommodation

by way of a fireproof safe has been made for the communion plate, valuables and records of the parish.

- (f) No restorations, save necessary repairs, shall be undertaken, nor shall painted windows or mural tablets be set up, nor furniture nor any permanent decoration nor ornaments of the church be introduced into any church or place of worship, nor shall they be changed or altered, save necessary repairs, without the written permission of the Bishop having been obtained, which permission shall take the form of a faculty under the Bishop's seal.
- (g) The Bishop may disapprove and order the removal of any work or article which may have been done or placed in any church without authority, and the same shall be removed within three months of such order being given; except that in the event of such work or article having been in the church for a period of seven years without objection by diocesan authority or parishioners, it shall be deemed to have received authority.

## **2. Acquisition and Disposal of Fixed Property**

The acquisition or disposal of fixed property, by whatever means, must be done by the Board of Diocesan Trustees, in terms of Article XVIII of the Constitution, and Canon 42, in order to be valid. No building shall be erected on any land belonging to the Church or which the Church has the right to use, nor shall the nature or use of such land be altered, without the permission of the Board of Diocesan Trustees. Such permission shall be applied for in the manner set out in paragraph 1 of this Schedule.

## **3. Maintenance and Use of Fixed Property**

- (a) All churches and other buildings belonging to the Church as well as the fencing and layout of the land shall be kept in good order by the Churchwardens.
- (b) Whenever the Bishop is of the opinion that any property, vested in the Board of Diocesan Trustees in trust for any parish, is not being used to the best advantage and in the highest spiritual interest of such parish, the Bishop shall refer the matter to the Board of Diocesan Trustees. In consultation with the Bishop they shall decide as to the best and appropriate use of such property.

## **4. Terriers**

- (a) A terrier of all immovable property and an inventory of all movable property belonging to the Diocese shall be compiled as a responsibility of the Diocesan Registrar, but kept by the Diocesan Executive Officer. The terrier shall be amended by the Diocesan Executive Officer to reflect acquisitions or disposals.

- (b) A terrier of all immovable property and an inventory of all movable property belonging to any parish shall be kept by the Churchwardens thereof and shall be amended by them to show acquisitions or disposals.
- (d) The Churchwardens of any parish shall within one month of their election examine and if necessary, correct the terrier and inventories of all parochial property and shall make a declaration to the Board of Diocesan Trustees on a form provided to the effect that all Church property is intact and in good order or otherwise;
- (e) The terriers and inventories of parishes shall be examined and certified by a representative of the Board of Diocesan Trustees from time to time, as called for by the Trustees.

## **5. Insurance**

All buildings and contents thereof belonging to the Church shall be insured in the name of the Board of Diocesan Trustees against loss by fire or burglary and, where deemed necessary, by storm or riot or any other cause. If such properties are Diocesan, the premiums shall be paid by the Diocesan Finance Board; and, if parochial, the premiums shall be paid by the Churchwardens from the funds of the parish. If the Churchwardens fail to do this, the Diocesan Finance Board shall do so at the expense of the parish.

## **6. Procedure in respect of land not owned by the Church**

Whenever it is proposed by a Parish Council to erect a new building or make alterations to an existing building, situated on land that is not owned by the Church, the procedure shall be in accordance with paragraph 1 of this schedule.

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## **SCHEDULE I: PROPERTY FUNCTION TEAM**

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### **1. Constitution**

This Team has delegated authority from, and responsibility to, the Board of Diocesan Trustees. It shall consist of five persons (or such other number as may be determined from time to time by the Board of Diocesan Trustees) skilled in matters relating to land and buildings, nominated by the Board of Diocesan Trustees and appointed by the Bishop. Each member appointed to the Team shall have the right to appoint a person, skilled in matters relating to land and buildings, to function as an alternate in case of that member's absence, subject, however, to the approval of the Team.

## 2. Functions

The functions of the Team shall be to:

- (a) Make recommendations to the Board of Diocesan Trustees in connection with the acquisition, disposal, construction, preservation, maintenance, repair, renovation and extension of land and buildings held by the Board of Diocesan Trustees, or in which the Diocese has any interest. In so doing they shall have regard to the views, needs and requirements of any parish, school, organisation or Anglican organisation which may have any interest in such property and to consider the possibilities of ecumenical co-operation;
- (b) Make recommendations to the Board of Diocesan Trustees and through them to any parish, church, School or Diocesan Organisation as to the acquisition, development, improvement, maintenance, utilisation or disposal of any land or buildings, whenever the Team considers any such action to be desirable in the interests of the Church;
- (c) Consider and make recommendations in regard to any matter appertaining to land and buildings which may be referred to it by the Board of Diocesan Trustees;
- (d) Bring to the attention of Parish Councils, church schools and Diocesan organisations any matter regarding any land or buildings used or administered by them which may be held by the Board of Diocesan Trustees or in which the Trustees may have any interest;
- (e) Make recommendations to the Board of Diocesan Trustees regarding the appointment of a full-time or part-time property manager, other employees of the Diocese or of a professional firm to undertake the management and maintenance of land and buildings held by the Board of Diocesan Trustees or in which the Trustees may have any interest;
- (f) Make recommendations to the Board of Diocesan Trustees regarding the insurance, letting or hiring, control and administration of land and buildings held by the Board of Diocesan Trustees or in which the Trustees may have any interest;
- (g) Conduct negotiations for the acquisition or disposal of land and buildings when so authorised by the Board of Diocesan Trustees;
- (h) Make recommendations as to the management, use and investment of any funds of the Diocese that may be raised, borrowed, or earmarked for the development of land or buildings.

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**SCHEDULE J:     REGISTERS**

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1.     Records of all baptisms and marriages, admissions to communion, names of communicants, together with the names of parishioners resident within the parish as well as non-resident parishioners, details of church services and congregations, and other matters required by Canon 32, shall be entered by, or on behalf of, the Incumbent in books and forms provided by the Diocese which shall be purchased by the Churchwardens at the expense of the parish.
  
2.     All such records shall when full, or no longer in use, be transferred by the Incumbent to the Diocesan Executive Officer for preservation, unless the Archdeacon is satisfied that they are safely preserved by the Incumbent and Churchwardens of the parish to which they pertain.
  
3.     The Diocesan Executive Officer shall keep a record of all confirmations, ordinations, organisations and licences which take place in the Diocese.