DIOCESE OF NELSON STRUCTURES STATUTE 2021

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A Statute to provide for the more effective and efficient governance and management of the Diocese by specifying the roles of principal diocesan bodies and those with management responsibilities.

BE IT ENACTED by the Bishop, Clergy and Laity of the Diocese of Nelson in Synod assembled and by authority of the same as follows.

1. The Short Title of this Statute shall be "The Diocese of Nelson Structures Statute 2021".

PART ONE: DIOCESAN GOVERNANCE STRUCTURE

A. Introduction

Mission, Vision and Values

2. The Mission, Vision and Values Statements of the Diocese of Nelson are as set out from time to time by Standing Committee and subsequently ratified by Synod.

Definition of Diocesan Governance

3.

(1) Diocesan Governance is the system by which –
   (a) the operation and activities of the Diocese are governed to advance its Vision, Mission and Values, and
   (b) authority to act to enable this is granted, and
   (c) those given authority to act are required to be accountable.

(2) Good governance principles which must apply to all diocesan bodies with a governance role are set out in Schedule 1, including an annual, internal review of performance.

Principal Diocesan Bodies

4.

(1) For the purposes of this Statute, the principal diocesan bodies are those that have a principal role in diocesan governance, being:
   (a) The Diocesan Synod
   (b) The Standing Committee
   (c) The Nelson Diocesan Trust Board
   (d) The Risk and Assurance Committee.

(2) The responsibilities and powers of the Nelson Diocesan Trust Board are defined primarily by the General Synod Code of Canons, Title F, especially Canon III of Title F, the Anglican Church Trusts Act 1981, the Trusts Act 2019 and by general trust and charity law.

(3) In the exercise of their powers the principal diocesan bodies must be guided at all times by the Mission, Vision and Values Statements of the Diocese.

Limitation of role of Chairperson

5.

(1) Other than the Bishop, the chairperson of a principal diocesan body listed in section 4 must be limited to holding that office for a period of six consecutive years.

(2) Any person who has compulsorily retired from the chair of a diocesan body under subsection (1) is eligible for re-election, appointment or co-option to that office after the expiry of one calendar year from the date of that person's compulsory retirement.

(3) Notwithstanding subsection (1) the Standing Committee or the Diocesan Trusts Board (as the case may be) may extend the limit of six consecutive years by no more than one year.

Appointments by Standing Committee to Diocesan Bodies

6.

(1) Every appointment to a principal diocesan body is for a term of three years, or such shorter term as Standing Committee specifies at the time of making the appointment.

(2) Where any particular condition is made in respect of any appointment or election to any position in any other diocesan statute or resolution, this section shall be read subject to that particular provision.

B. DIOCESAN SYNOD

Representative Governing Body

7. Synod is the representative governing body of the Diocese, consisting of members of the three Orders (bishop, clergy and laity) within the Diocese.

Meetings

8. The Diocesan Synod shall meet at such time, whether in person or electronically, as shall from time to time be prescribed for that purpose by the Bishop but not less than once every year.

2024 ***Quorum***

9.

(1) The presence of the Bishop, of one half of the Clergy of the Diocese qualified to be members of the Synod, and of one half of the Lay Representatives shall be necessary to constitute a meeting of the Synod for the due exercise of its powers and in addition that at least one Clergy and Lay Representative is present from each area of the Diocese (Nelson, Waimea, Marlborough and Māwhera).

(2) For the purposes of assessing a one fourth membership of clergy, no ordained minister admitted to the Synod by virtue of holding a Permission to Officiate shall be counted as a member for the purpose of subsection (1).

Role of Vicar General/Commissary in Absence of Bishop

10.

(1) In case of the absence of the Bishop from the Diocese and if the Bishop shall be prevented by illness or other cause from acting personally, the Synod shall be convened and presided over by the Vicar-General or by a Commissary specially authorised to do so.

(2) If the See is vacant the Synod or Standing Committee shall be convened and presided over by the Commissary appointed by the Primate under Title A, Canon I Clause 6.4.

(3) The Vicar-General or Commissary so authorised shall not exercise a vote as a member of the order of which the Vicar-General or Commissary is a member.

(4) The Vicar-General or Commissary when presiding over the Synod shall exercise all the powers ordinarily exercised by the Bishop in the Synod.

Resolutions and Statutes

11.

(1) Every resolution and statute of the Synod shall be assented to by the Bishop and by a majority of the Members of the Clergy and by a majority of the Members of the Laity present in person at a duly constituted meeting.

PROVIDED that the President may declare a motion carried upon the voices unless a division is called for.

(2) Unless otherwise stated every statute passed by the Synod shall come into force on the day on which it is signed and dated by the President and every resolution of Synod shall come into force on the day it was passed.

(3) Any resolution or statute passed by the Synod shall remain in force until rescinded or annulled.

Synod to Elect Standing Committee

12.

(1) The Synod shall elect a Standing Committee from amongst the Clerical and Lay Members of Synod in accordance with the provisions of this Statute.

(2) Nominations for the Standing Committee shall close at 5pm six weeks prior to the date fixed by the President for the commencement of Synod and notified to Synod members.

(3) Any member of Synod desirous of making a nomination shall do so in the form set out in Schedule 2 and deliver the same to the Diocesan Manager's office by the close of nominations deadline.

(4) Each nomination form should be accompanied by a brief biographic note focused on the nominee's attributes for the position sought.

(5) Upon receipt of any nomination the Diocesan Manager shall forthwith cause such nomination to be published on the Diocesan website for the information of members of Synod.

(6) If the number nominated of either Order shall not exceed the number to be elected, the President shall forthwith declare the persons so nominated to be duly elected.

(7) If the number nominated of either Order shall exceed the number to be elected, the President shall forthwith determine the day and hour of the election.

(8) In the event of an election which includes an election to fill a casual vacancy the elected member obtaining the lowest number of votes shall be deemed to have been elected to fill the casual vacancy and shall be a member only for the balance remaining of the term of the former member.

(9) In any case where for any reason Synod appoints or elects fewer than the number of members required for Standing Committee the shortfall is to be treated as an extraordinary vacancy as provided for in section 21.

Synod Membership

13. The Synod of the Diocese of Nelson shall consist of:

(1) The Bishop of the Diocese of Nelson, and any Assistant Bishop or Assistant Bishops licensed in the Diocese of Nelson.

(2) Ordained Ministers holding a licence issued by the Bishop of the Diocese of Nelson pursuant to section 6.4 The Diocesan Pastors Appointment and Termination Act 1996.

(3) Persons holding a licence issued by the Bishop of Nelson to be in charge of a Parish.

(4) The Chancellor of the Diocese of Nelson.

(5) Such Lay representatives of Parishes and Designated Mission Units within the Diocese as are contained within the provisions of this Statute.

(6) For each session of Synod up to two persons from each regional deanery appointed by Standing Committee to represent the Youth of that deanery.

At least four months prior to Synod, Standing Committee shall invite expressions of interest from the youth of each deanery for these positions to be lodged with the Diocesan Manager at least three months prior to Synod.

PROVIDED however that no person holding office as an elected Lay member of a Parish or Designated Mission Unit or the Association of Anglican Women or any clergyperson holding the Bishops licence shall be eligible to be appointed under the provisions of this section.

(7) Two Lay persons residing in the Diocese of Nelson elected at the annual meeting of the Association of Anglican Women in the Diocese of Nelson prior to the 30th June in the year of the first Session of each Synod.

PROVIDED however that no person holding office as an elected Lay member of a Parish or Designated Mission Unit, or representing Youth shall be eligible to be elected under the provisions of this section. In the event of a vacancy occurring among such Lay members, the Diocesan Executive of the Association of Anglican Women may make an appointment for the balance of the term of the current Session of the Synod.

(8) Ordained ministers, other than those holding a licence from another Episcopal authority, who have been issued with a Permission to Officiate by the Bishop of the Diocese of Nelson under Title A Canon II Clause 1.9 shall have the right to a seat in the Synod with the right to speak but without the right to vote.

(9) The Diocesan Manager shall ex-officio have a seat in the Synod with a right to speak but without the right to vote unless otherwise entitled to vote by virtue of some other provision of this Act.

(10) The Diocesan Ministry Enablers shall ex-officio have a seat in the Synod with a right to speak but without the right to vote unless otherwise entitled to vote by virtue of some other provision of this Act.

(11) Any ordained minister or lay member of any other Christian Church recognised by resolution of the General Synod/te Hinota Whanui and duly appointed to serve in or represent a co-operating parish or co-operative venture in which this Diocese is a partner is entitled to a seat in the House of Clergy or House of Laity in the Synod with the right to vote except when the Synod shall be acting under the following provisions, namely:

(a) Part B Clause 6(b) of the Constitution (alteration of the formularies)

(b) Part E Clauses 10 and 11 of the Constitution (nominating a Bishop)

(c) Part G Clause 4 of the Constitution (amending the Constitution)

(d) In respect of any proposal or matter pursuant to The Church of England Empowering Act 1928.

Parish and Mission Unit Representatives

14.

(1) In this Statute unless repugnant to the context -

(a) "District" shall mean and include any Parish or Designated Mission Unit now constituted and any Parish or Designated Mission Unit hereafter to be constituted from the date of the constitution thereof.

(b) "Synod Representative" means a duly elected representative of the Laity in the Diocesan Synod.

(c) "Designated Mission Unit" means the Mapua [Hills Community Church] Mission Unit or any other Mission Unit authorised by Synod or Standing Committee resolution to elect Lay synod Representatives under the provisions of section 13(5) of this Statute.

(2) The number of Lay representatives shall be as set out in the Schedule 3. Such Synod representation shall be determined by the percentage that the population of each District bears to the total population of the Diocese and in particular -

(a) Districts containing five per cent and above of the total population of the Diocese ascertained as aforesaid shall be represented by three Synod representatives.

(b) Districts containing less than five per cent of the total population of the Diocese ascertained as aforesaid shall be represented by two Synod representatives.

(3) Standing Committee upon the release of the Department of Statistics information affecting such representation is authorised to amend the Schedule 3 in accordance with the aforesaid provisions.

(4) Whenever any new district shall be created or when the population of a district entitles it to a greater or lesser Synod representation in accordance with the formula set out in section 14 (2) of this Statute the Bishop shall forthwith take the necessary steps for the election of Synod representatives or additional Synod representatives for such district.

(5) Synod representatives shall be elected every third year at the Districts Annual Meeting of Parishioners for a period of three years and shall hold office until the 30th April of the year of the next election.

PROVIDED that if at any time prior to the 30th April of the election year the See shall have become vacant or if the Bishop shall have given notice of intention to resign the See then and in either of such case the election of Synod representatives shall not be held until the first Districts Annual Meeting of Parishioners after the enthronement of the Successor to the said Bishop and the Synod representatives for that time being shall continue in office until the 30th April after the Bishop's enthronement.

(6) The seat of any Synod representative shall be vacated by death or upon receipt by the Bishop of the resignation thereof in writing under the hand of such Synod representative or by such Synod representative being absent during one whole Session of Synod without leave of the Bishop or the Synod.

(7) In the event that any Synod Representative is prevented from attending any Session of Synod or there being a vacancy the Vestry of that District may appoint an alternate Synod Representative for that Session or subsequent sessions if applicable, provided that the Session is not acting as an Electoral College in which case no alternate may be appointed.

(8) In case any district shall cease to exist as a separate Parish or Mission Unit or in case the number of Synod representatives to which any district is entitled shall be reduced no Synod representative already elected to represent such district shall cease for that reason to be a member of the Synod until the 30 April of the next election year for Synod representatives as herein provided.

(9) In case any person shall be elected to a seat in the Synod for more than one district that person shall within seven days after notice of the fact given in writing by the Diocesan Manager determine in writing to be forwarded to the Diocesan Manager which of such districts that person will represent in Synod; forthwith after such determination has been received by the Diocesan Manager the seat or seats which such person shall have elected not to accept shall be deemed to be vacant and if no such determination is received by the Diocesan Manager within fourteen days after the delivery of such written notice to such person, the whole of the seats to which such person shall have been elected shall be deemed to be vacant.

Synod expenses

15. For the purpose of defraying the expenses of Synod and such other expenses as Synod shall direct Synod may make an assessment on the Parishes and Mission Units for a Synod Assessment Fund. The principles on which such assessment shall be made shall be decided from time to time by a resolution duly carried by Synod. The apportionment of the Synod Assessment to the several Parishes and Mission Units shall be made upon the recommendation of Standing Committee.

C. STANDING COMMITTEE

Standing Committee

16. Standing Committee is the Standing Committee of the Diocesan Synod, elected by the Synod and empowered under delegated authority to make certain governance decisions when Synod is not in session.

Meetings

17. The Standing Committee shall meet at least once in each quarter of the financial year, and at such other times as shall be necessary for the transaction of business. Special meetings may be convened by the Bishop whenever required by the Bishop.

Quorum

18. No business shall be transacted at any meeting of the Standing Committee unless the Bishop or the Vicar-General or the Commissary specially appointed for that purpose, and one Clerical and two Lay members shall be present.

Chair of Standing Committee

19.

(1) The Bishop shall be ex officio Chairperson of the Standing Committee.

(2) In the absence of the Bishop the Vicar-General or Commissary shall act as Chairperson.

(3) The Vicar-General or Commissary when presiding over the Standing Committee shall exercise all the powers ordinarily exercised by the Bishop in Standing Committee.

Resolutions

20. Except as provided for in this Statute, every resolution of the Standing Committee shall be assented to by the Bishop and a majority of the Clergy and by a majority of the Lay Representatives present in person at a duly constituted meeting.

PROVIDED that the Chairperson may declare a motion carried upon the voices unless a division be called for.

Standing Committee Membership

21.

(1) The Standing Committee of Synod shall consist of the Bishop and three Clerical and five Lay members.

(2) The Vicar General shall attend Standing Committee meetings and have speaking rights but shall not vote unless otherwise qualified to vote.

(3) Each member of the Standing Committee (other than the Bishop) shall be elected by the Synod on a rotation basis for a term expiring at the election held in the third year following that member's election.

PROVIDED ALWAYS that in the event of an election to fill a casual vacancy the member shall be elected only for the balance remaining of the term of the former member.

PROVIDED FURTHER that if any member shall fail to attend two consecutive meetings without leave of absence or shall resign his/her seat the member shall ipso facto cease to be a member of the Standing Committee and an election to fill such casual vacancy for the balance of the term of the former member shall be held at the next Session of Synod. Until such election such casual vacancy shall be filled by the remaining members of the Standing Committee from other members of Synod.

PROVIDED FURTHER that any Lay member who is not returned at the triennial elections of Lay representatives shall continue in office until the next session of Synod when an election to replace them, for the balance of their term (if any) shall be held.

Powers Conferred by General Synod

22. In accordance with the legislation of the General Synod the Standing Committee shall have the following powers -

(a) To report to the Primate if the Bishop is wholly unable to administer the affairs of the Diocese by reason of permanent infirmity.

(b) To originate any proposal for the creation of a new Diocese.

(c) To be and act as the Diocesan Trusts Board/Appointing Body.

(d) To endorse with approval all applications for the sale or exchange of land held for General Synod.

(e) To decide all questions which may arise between Trustees and ministers or the officers of any Parish or Mission District.

(f) When acting as the Diocesan Trusts Board/Appointing Body, to represent the Anglican Church in Aotearoa, New Zealand and Polynesia in the Diocese of Nelson for the purpose of "The Charitable Trusts Act 1957".

Powers and Functions Conferred by Diocesan Synod

23.

(1) The primary function of the Standing Committee is to work with the Bishop in governance of the mission, ministry and management of the Diocese.

(2) In fulfilling its primary function, the key tasks of the Standing Committee are to –

(a) Develop and agree the Vision, Mission and Values of the Diocese.

(b) Develop strategies to advance the Vision, Mission and Values of the Diocese and update these strategies annually.

(c) Determine the financial resources to be allocated to enable those strategies, for approval by Synod.

(d) Oversee the management of the finances and property of the Diocese and to monitor and support the work of the Nelson Diocesan Trust Board, the Risk and Assurance Committee and the Diocesan Manager.

(e) Act as a Council of Advice to the Bishop, when required by him/her, in all questions affecting the welfare of the Church.

(f) Appoint members of the Risk and Assurance Committee.

(g) In its role as the Trusts Board, appoint members of the Nelson Diocesan Trust Board.

(h) Establish and disestablish, develop terms of reference for, and appoint and revoke (for good reason) membership of any diocesan committees and to require reports from such committees as it sees fit.

(i) Be responsible for the appointment of the Diocesan Manager.

Additional Powers and Functions

24. In addition to its key tasks, the Standing Committee shall –

(1) Prepare any business necessary for presentation to Synods and committees as may be required from time to time.

(2) Make such by-laws as it may deem necessary for the due performance and orderly conduct of its business.

(3) Act under Section 6.6 of the Appointment and Termination Act 1996 in any appeal.

(4) Appoint the officers of Synod pursuant to the Standing Orders of Synod.

(5) Appoint an auditor.

(6) Constitute such portions of the Diocese not duly constituted as Parishes into Mission Units and to define the boundaries thereof.

(7) Decide any question referred to it by any Trust Deed.

(8) Exercise its discretion as to the publishing of any notices of motion received by it before the Session of Synod.

(9) Exercise all such powers and authorities as may be committed to it by the Synod and especially to exercise all such powers as the General Synod shall from time to time authorise the Synod to delegate to such Committee.

(10) Subject to the provisos below and in accordance with section 25 (Procedure for the Exercise of Delegated Legislative Powers) to repeal in whole or in part any Statute or Regulation deemed to be redundant and to amend any Statute or Regulation in order to ensure accuracy and relevance of wording.

PROVIDED ALWAYS that Standing Committee shall have no power or authority to repeal, amend or add to:

(i) the Standing Orders of Synod

(ii) Statutes of the Synod being respectively The General Synod/Te Hinota Whanui and Tikanga Pakeha Conference Representation Statute 2014 and PART I of this Statute

PROVIDED FURTHER that Standing Committee shall have no power or authority to act on behalf of or in lieu of the Synod in any of the matters contained in the following Canons:

(iii) Title A Canon I Clause 2.1 (Election of Diocesan Bishop)

(iv) Title A Canon II Clause 2.2 (Election of Assistant Bishop)

(v) Title B Canon I Clause 1.1.4, 1.1.10 (Election of General Synod representatives)

(vi) Title B Canon II and IV (composition of Diocesan Synod, variation of Diocesan boundaries)

(vii) Title C and Title D or under the provisions of Part III of the Anglican Church Trusts Act 1981 or under the provisions of the Church of England Empowering Act 1928.

(11) Nothing contained above shall derogate from the power of the Diocesan Synod in session to require the Standing Committee to carry out any of the directions of the Diocesan Synod.

Procedure for Exercise of Delegated Legislative Powers

25. Whenever the Standing Committee is exercising the powers given to it by section 24(10) of this Statute [as limited and declared by the provisos to section 24(10)] the following procedures shall apply:

(1) Every act or decision shall be assented to by a majority of the members of each of the three Orders present in person as provided in section 20 hereof.

(2) As soon as convenient following such meeting a copy of the Statute or decision shall be sent by the Diocesan Manager to all voting members of Synod, which copy shall be accompanied by a Notice in the form set out in Schedule 4.

(3) Clerical and Lay members of Synod shall have the right to lodge a Notice of Objection in writing with the Diocesan Manager to any Statute or decision assented to in exercise of powers under section 24(10), provided such objection be lodged within the time specified in the Notice forwarded to them pursuant to section 25(2).

(4) If two (2) or more clerical members and two (2) or more lay members so notify the Diocesan Manager in writing of their objection on or before the date specified in the Notice (which date shall be set not less than 28 days after the Notice shall have been posted or emailed, excluding the day of posting or emailing), then the proposed Statute or decision shall have no effect and be referred to the next Ordinary Session of the Diocesan Synod for consideration as a Bill or Motion as appropriate.

(5) If fewer than two (2) clerical members or fewer than two (2) lay members so notify the Diocesan Manager of their objection, or if no person notifies any objection, then the proposed Statute or decision shall be referred to the Standing Committee who may thereupon by a majority present in person assenting to same in each of the three Orders as provided in section 20 hereof confirm the same, or may by like decision decide to refer the same to the next Ordinary Session of the Diocesan Synod for consideration.

(6) Any amended or additional Statute, Regulation, or decision so confirmed by Standing Committee shall come into force at the conclusion of the meeting at which it is confirmed or otherwise in accordance with its specific terms whichever is the later.

(7) On the enactment or passing by the Standing Committee of any Statute or Regulation as hereinbefore mentioned, the text thereof shall be certified by the Chairperson of the Standing Committee with these words or with words to the like effect:

"I certify that this [Statute, Regulation or Standing Resolution] was passed by the Standing Committee of Nelson on the ..... day of..... 20.....

As witness my hand this ..... day of .....20...." and such text so certified shall be deemed to be the original record.

(8) A copy of the text of any item certified under Section 25(7) shall be sent by the Diocesan Manager to all members of Synod as soon as convenient.

Reporting by Standing Committee

26. Standing Committee shall –

(1) Keep minutes of all Acts and Proceedings and to regularly circulate these to Synod members

(2) Not less than twenty-eight days before the commencement of each Annual Session to post to each member of the Synod the Report of the Standing Committee and such other reports as may be necessary.

(3) On the first day of each annual session to present a report to the Synod containing the following:-

(a) A statement of the number of meetings held and the attendance of members of the Standing Committee thereat.

(b) A statement of its proceedings since the last Annual Session of the Synod.

(c) Full and duly audited accounts of all funds under its control made up to the close of the financial year last preceding.

(d) All such matters connected with the activities of the Church as may be required for the information and guidance of the Synod.

(e) A list of the appointments to Mission Districts if any which it specifically recommends to be vested in the Bishop.

(f) Such recommendations to the Synod as may from time to time be necessary.

(4) Cause to be printed and published a Report of the Proceedings of the Synod. The Report shall contain:-

(a) Such information regarding the Diocese and its operations as may be deemed necessary.

(b) The full and duly audited accounts of the Nelson Diocesan Trust Board, the Synod funds and funds under the control of the Committee.

(c) The Reports of Sessional or other Committees and other matters, as directed by the Synod.

(d) A summary of Parish and Mission District Returns.

(e) All Acts and Resolutions passed during the Session and an account of the Proceedings of Synod.

D. Risk and Assurance Committee

2026 ***Risk and Assurance Committee***

27. There shall be a Committee called the Risk and Assurance Committee, the purpose of which is to –

(1) Support the Diocese to attain its vision and mission by providing independent review, assurance and advice regarding the effectiveness of the Diocese's systems of risk management, internal control, compliance and governance assurance, and providing advice to the Standing Committee and Nelson Diocesan Trust Board on whether appropriate systems and processes are in place to manage and mitigate significant risks facing the Diocese.

(2) Provide assurance and advice to the Standing Committee and Trust Board regarding all material aspects of the Diocese's risk management, financial reporting, internal controls and external audit functions as outlined in Terms of Reference agreed with the Standing Committee, which indicatively might include such matters as –
   (a) financial management
   (b) accounting policy and practice
   (c) the robustness of the internal control framework, including risk management
   (d) reviewing the incorporation of changes in law and standards
   (e) health and safety processes
   (f) human resources and employment
   (g) reputational risk
   (h) professional standards
   (i) safeguarding and ministry standards
   (j) privacy, information management and cyber-security risks.

(3) Review and provide governance-level advice regarding the adequacy of financial reporting, financial controls and financial risk management arrangements. The Committee shall not undertake management functions, direct employees, prepare budgets or annual accounts, or assume responsibility for operational risk management. Responsibility for such matters remains with management and the relevant governance bodies.

(4) The Committee has a governance and assurance role only.
The Committee does not own risks, manage risks, direct staff, approve operational actions, investigate disciplinary matters or make executive decisions.
Responsibility for risk ownership and risk management remains with Standing Committee, the Nelson Diocesan Trust Board, diocesan management and any person or body holding delegated authority.

Meetings

28. The Committee shall meet with whatever frequency is required to discharge its functions but shall meet at least quarterly. The Committee shall adopt an annual work programme identifying the assurance activities to be undertaken during the year.

Quorum

29. A quorum shall be not less than three members, one of which shall be the Chair or Deputy Chair.

Chair

30. The Bishop will appoint the Chair and Deputy Chair of the Committee from among its members after considering any recommendations from the Committee.

Risk and Assurance Committee Membership

31.

(1) The Committee will comprise between three and five members appointed by Standing Committee and include at least one member of the Standing Committee and one member of the Trust Board. At least one member shall be independent of Standing Committee and the Trust Board. Standing Committee may appoint additional members or advisers for particular expertise as required.

(2) Each member of the Committee shall be appointed for a three year term on a rotational basis.

PROVIDED that if any member shall fail to attend two consecutive meetings without leave of absence membership of the Committee shall cease.

(3) The Diocesan Manager and Finance Manager will attend but will not be voting members of the Committee. The Diocesan Manager will act as Secretary to the Committee.

(4) Members of the Committee should collectively have a mix of governance expertise with particular skills and knowledge in risk management, health and safety, financial reporting and control, and legislative and regulatory requirements. Standing Committee shall have regard to the desirability of the Committee collectively possessing expertise in governance, finance, audit, risk management, compliance and organisational assurance. Standing Committee shall use its best endeavours to ensure that at least one member possesses accounting, audit or equivalent financial expertise.

Reporting

32.

(1) The Diocesan Manager and other relevant managers will provide reports to the Committee on risk management, compliance, financial controls, assurance activities and other matters requested by the Committee at intervals agreed with the Committee.

(1a) The Committee shall review the diocesan risk register at least annually and receive regular reporting on significant and emerging risks.

(2) The Committee through its Chair will report as required but at least quarterly to Standing Committee and the Trust Board. Such reports shall include significant risks identified, assurance activities undertaken, key findings, recommendations and any matters requiring escalation.

(3) The Committee shall review its performance annually and prepare a report on its business and performance to each session of the Diocesan Synod. The report shall include an assessment of the effectiveness of the Diocese's risk and assurance framework and any recommendations for improvement.

PART TWO: DIOCESAN MANAGEMENT

Definitions

33. In this Statute, unless the context requires otherwise –

"Diocesan Staff" means those diocesan staff, paid or voluntary, part or full-time, who work for the diocese, and does not include staff appointed by a parish or mission unit for the management, administration or ministry of that parish or mission unit.

"Diocesan Manager" means the person appointed under this Statute to manage the diocese and the diocesan staff.

Duties of Standing Committee

34.

(1) The duties of the Standing Committee in the management of the Diocese are to –

(a) Ensure the diocese is a good employer of diocesan staff

(b) Appoint and terminate the appointment of the Diocesan Manager

(c) Appoint the Diocesan Manager on the recommendation of a subcommittee of the Standing Committee, the membership of which –

(i) Will be determined in consultation with the Bishop, who will be an ex-officio member of the subcommittee

(ii) May contain members co-opted from outside the Standing Committee.

(d) Review the performance of the Diocesan Manager.

Duties of Diocesan Manager

35.

(1)The duties of the Diocesan Manager are to –

(a) Manage the Diocese as set out in Schedule 5.
(b) Be a member of the Bishop's Leadership Team.
(c) Appoint, determine the remuneration and terms and conditions of and manage the diocesan staff, including through the appointment of other managers, in consultation with the Bishop, provided that the appointment of the Finance Manager shall also be in consultation with the Risk and Assurance Committee.
(d) Ensure a strong remuneration and Human Resources framework for diocesan staff, including on-boarding new staff.
(e) Offer advice when requested on any matter of human resources relating to diocesan staff.
(f) Manage the income and expenditure of the Diocese.
(g) Provide administrative support to the Nelson Diocesan Trust Board through the appointment of a Finance Manager.
(h) Manage any property for which the Diocese is responsible, including the Anglican Centre.
(i) Administer the Diocesan Synod.
(j) Maintain a framework for the development of policy for consideration by Standing Committee and a clear path for review of existing policies.
(k) Manage a clear communications strategy and enable its delivery.
(l) Maintain appropriate IT systems for the diocesan office.
(m) Ensure compliance with applicable laws, regulations and standards in the work of the diocesan office.
(n) Carry out any other duties as agreed with Standing Committee.

PROVIDED THAT, as in all matters, the Bishop shall have the final say subject to the Constitution of the Anglican Church of Aotearoa, New Zealand and Polynesia.

(2) In carrying out these duties the Diocesan Manager may delegate to other managers and/or diocesan staff as appropriate.

PART THREE: MISCELLANEOUS

36.

(1) The term "financial year" when used herein shall mean the period of twelve months ending on the last day of December in each year.

(2) For the purposes of "The Charitable Trusts Act 1957" or any Act amending or re-enacting the same the Diocesan Synod or the Standing Committee shall be deemed to be a body constituted to represent the Anglican Church in Aotearoa, New Zealand and Polynesia commonly called the Anglican Church in the Diocese of Nelson.

Charities Act requirements

37. Sections 37 to 39 apply to all properties, funds or other assets held under the authority of the Diocese of Nelson that are governed by New Zealand law.

38. In the event of a winding up or other failure of the trusts or purposes for which such properties, funds or other assets are held, they may not be applied for anything other than a charitable purpose.

39. No office holder shall participate in or materially influence any decision in respect of the payment to or on behalf of that office holder (or any associated person of that office holder, as defined by the Income Tax Act 2004) of any income, benefit or advantage whatsoever except –

    (a) Where the income, benefit or advantage is derived from professional services rendered in the course of business and charged at no greater than current market rates;

    (b) Where voting in Houses is required and the office holder votes in accord with a concurrent majority in the other two Houses (having taken no part in the prior discussion).

Explanatory note "Associated person" under the Income Tax Act includes spouses, close relatives ('close relatives' includes first cousins, great great grandparents and great great grandchildren). It can also include companies and trusts in which the office holder or an associated person has an interest.

Repeals

40. The following enactment is hereby repealed –

    Diocese of Nelson Structures Statute 2005.

Consequential Amendments

41. Consequential amendments are hereby made to the Statutory provisions and Standing Orders listed in Schedule 6.

Commencement Date

42. This Statute shall come into force on 1 September 2022.

SCHEDULE 1

GOVERNANCE PRINCIPLES FOR PRINCIPAL DIOCESAN BODIES

1. In this Schedule 'Body' means one of the principal diocesan bodies as defined in section 4.

2. The Body must at all times be guided by the Mission, Vision and Values Statements of the Diocese.

3. In particular:

1. Purpose and vision

Each Body plays an important leadership role in facilitating the purpose and vision of the organisation, including as appropriate by adapting their strategies, direction or plans to help achieve this purpose and vision.

2. Ethical Standards

Members of Bodies must demonstrate high standards of ethical behaviour and responsible decision making and, as able, promote this same behaviour throughout the organisation.

3. Roles and Responsibilities

Bodies should ensure through an effective induction process that all members are clear about the role of the Body, their own responsibilities, and the expectations the Body has of them.

4. Body composition

Each Body's membership should comprise a balance of skills, experience, independence and knowledge.

5. Effectiveness

A Body's effectiveness may be greatly enhanced by:

- careful forward planning
- efficient running of meetings
- determining appropriate performance measures, regularly assessing itself against those measures and addressing any identified issues
- the use of sub-committees, where appropriate
- considering succession issues.

6. Risk management

Body members should have a sound understanding of the key risks the Body faces and should regularly ensure there are appropriate processes to identify and manage these risks.

7. Accountability and transparency

Each Body must have in place systems to ensure:

- a flow of information to Standing Committee and Synod members to aid their decision making
- transparency and accountability to those to whom it is responsible
- integrity of financial statements and other key information, including through independent external audit.

8. Constructive relationships

Bodies should seek to identify, foster constructive relationships with and, as appropriate, encourage participation of its stakeholders.

SCHEDULE 2

Nomination Form for Standing Committee

I hereby nominate……., who has signified consent to this nomination, for election as a member of the Standing Committee.

Full name:……

Signed:…….

Dated……

SCHEDULE 3

LAY SYNOD REPRESENTATION

(a) Districts entitled to three Synod Representatives: (5% and above)

2008	Blenheim	Blenheim South
	Motueka	Richmond
	Stoke	
2015	Wakefield and Districts	

(b) Districts entitled to two Synod Representatives: (Less than 5%)

2008	All Saints'	Atawhai-Hira
	Awatere	Christ Church Cathedral
	Cobden - Runanga	Golden Bay
	Havelock	Kaikoura
	Mapua	Picton
	Reefton	Spring Creek
	Tahunanui	Victory
	Waimea	Wairau Valley
2021	Greymouth	Buller

SCHEDULE 4

Diocese of Nelson

NOTICE to all Clerical members and Lay members of Synod:

STATUTE PROPOSED BY A STANDING COMMITTEE

The Standing Committee has passed and proposes to confirm the Statute a copy of which is attached/enclose.

As a member of the Synod you have a right to object to this proposed Statute. You can object by completing and sending to the Diocesan Manager an advice in writing stating your objection (and the basis thereof) and including:

- The date
- Your name
- Your address
- Your parish/ministry unit
- Your Order (clerical/Lay) in the Synod

And which you sign with your usual signature.

The advice must be sent to:

The Diocesan Manager
PO Box 100
Nelson

(Or delivered to the Anglican Centre, 48 Halifax St, Nelson) to arrive no later than 5.00 pm on ……, the day of ……...,20.….

Signed: by/for
Diocesan Manager

SCHEDULE 5

DIOCESAN MANAGEMENT TASKS

1. Principal Tasks in Managing the Diocese

The principal tasks in managing the Diocese, as required in section 35(a), are the following:

a) Provide all necessary administrative and secretarial assistance to the Bishop, Synod, Standing Committee, Risk and Assurance Committee and the Nelson Diocesan Trust Board, and to such other boards, committees, agencies, and office holders of the Diocese as may be determined by Standing Committee;

b) Keep and prepare the accounts of the Diocese (including its general and special trusts), and of every board, committee, agency, and office holder of the Diocese, and of the parishes, except as otherwise agreed by Standing Committee;

c) Collect all assessments and budget shares payable by parishes and mission units, and encourage and facilitate all such payments by due date;

d) Make all payments necessary or advisable to enable Diocesan personnel and Diocesan obligations to be paid in a timely manner;

e) Prudently manage Diocesan resources and keep all records of property and other assets of the Diocese;

f) Comply with the terms of all trust deeds applicable to any general or special trust of the Diocese;

g) Provide support and assistance to parishes and mission units within the Diocese on such matters as are determined by Standing Committee; and

h) Prepare the budget for the next financial year for presentation, discussion and approval by Synod.

i) Prepare a diocesan work plan to enable delivery of key functions in a timely manner and review the work plans of the principal diocesan bodies to ensure consistency.

j) Report to Standing Committee on any of the matters above and other matters as the Diocesan Manager shall see fit.

SCHEDULE 6

CONSEQUENTIAL AMENDMENTS

Diocesan Properties and Faculties Statute 2006

Analysis	replace reference to Diocesan Finance Team with Finance Manager replace reference to Diocesan Secretary with Diocesan Manager
s3	remove reference to Diocesan Finance Team
s4(3)	replace reference to Diocesan Secretary with Diocesan Manager
s10	replace reference to Diocesan Finance Team with Finance Manager
ss12, 13(2), 14(1), 15 (1) – (5), 19	replace reference to Diocesan Secretary with Diocesan Manager

Home Mission Fund Act 1967

s6	replace reference to Diocesan Finance Team with Standing Committee
s7(d)	replace reference to Diocesan Finance Team with Standing Committee
s10	replace reference to Diocesan Finance Team with Standing Committee

Sustentation Fund Act 1957

s3 (b) (8)	replace reference to Diocesan Finance Team with Standing Committee
s4	replace reference to Diocesan Finance Team with Finance Manager
s4	replace reference to section 12 of the Diocesan Structures Statute 2005 with section 15 of the Diocesan Structures Statute 2021
s5	replace reference to Diocesan Finance Team to read "the Finance Manager shall manage the Fund"
s7	replace reference to Diocesan Secretary with Diocesan Manager, replace Treasurer with Finance Manager
s10	replace reference to Diocesan Finance Team with Finance Manager
s10(d)	replace reference to Diocesan Finance Team with Standing Committee
s12	replace reference to Diocesan Finance Team with Finance Manager
s14	replace reference to Diocesan Secretary with Diocesan Manager
s.16	replace reference to Diocesan Treasurer with Finance Manager

Cathedral Vestry Statute 2015, as amended 2018

s2(2)	replace reference to Diocesan Secretary with Diocesan Manager

General Synod and Tikanga Pakeha Conference Representation Statute 2014

s4(ii) and (iv)	replace reference to Diocesan Secretary with Diocesan Manager

Diocesan Sabbatical Study Leave Statute 2009

ss 2, 3	replace reference to Diocesan Secretary with Diocesan Manager

Diocesan Synod Property Act 1938

Analysis 14	replace with "deleted"
Analysis 15	replace with "deleted"
s13	replace reference to Diocesan Secretary with Finance Manager

Diocesan Overseas Mission Council Act

ss3, 6,	replace reference to Diocesan Secretary with Diocesan Manager

Parishes Statute 2006

ss24 , 51(3)&(4), 60(2), 63(1)replace reference to Diocesan Secretary with Diocesan Manager

Standing Orders

Clauses 1, 3, 5, 8, 9, 19, 20, - replace reference to Diocesan Secretary with Diocesan Manager