

THE ANGLICAN CHURCH
OF
SOUTHERN AFRICA



DIOCESE OF THE HIGHVELD
DIOCESAN RULES
AS AMENDED – SYNOD 2016

RULES OF THE DIOCESE OF THE HIGHVELD

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PRELIMINARIES

SECTION 1 A

These are the Rules of the Diocese of the Highveld, which shall at all times be subject to the Constitution and Canons of the Anglican Church of Southern Africa (ACSA).

SECTION I B DEFINITIONS OF TERMS

For the purpose of interpretation of these Rules and all Acts, Resolutions and Proceedings of the Synod (as hereunder defined) the under mentioned words and phrases shall be deemed to bear the meanings hereunder assigned to them unless inconsistent with the context or subject matter to which they may relate.

- 1 'ACT' shall mean any Resolution passed by Synod intended to have legislative or administrative effect, assented to and duly promulgated by the Bishop.
- 2 'ASSISTANT CLERIC' shall mean a duly licensed Cleric under an Incumbent.
- 3 'CHAPELRY' shall mean any separate congregation established within a Unit of Pastoral Charge in terms of Canon 23 (4) and which has been granted the right by the Bishop to elect a Representative to Synod.
- 4 'CHURCH CENSURE' shall mean any lawful deprivation of Church rights.
- 5 'CURE' shall mean a duly defined sphere of Spiritual and Pastoral authority, activity and responsibility.
- 6 'DIOCESE' shall mean the Diocese of the Highveld of the Anglican Church of Southern Africa. (also referred to as the Church of England) herein referred to as

ACSA, and the words 'THE CHURCH' shall bear a corresponding meaning.

- 7 'INCUMBENT' shall mean a duly licensed Cleric holding a separate Cure and immediately subject to the Bishop.
- 8 'INSTITUTION' shall mean an organisation having its own constitution and established with the approval of Synod or the Diocesan Council.
- 9 'MILITARY CHAPLAINCY' shall mean any Pastoral Charge within the Diocese, recognised by the Bishop and served by a Chaplain licensed by him, whose stipend, allowances and other emoluments are wholly provided by the South African National Defence Force.
- 10 'PARISH' shall mean an Ecclesiastical Division constituted as such by the Bishop, being a Unit of Pastoral Charge in terms of Canon 23 of the ACSA.
- 11 'MISSION DISTRICT' shall mean an Ecclesiastical, but not fully self-supporting Unit of Pastoral Charge constituted as such by the Bishop. The limits of the Mission District shall be as defined by the Bishop.
- 12 'PARISHIONER' shall mean a person who, being baptised and not being under Church Censure and not being a member of any religious body not in communion with the ACSA, is an habitual worshipper in the Church and place of worship of the Parish, and is on the list of Communicants as defined in the Constitution of the ACSA, kept in any Pastoral Charge.
- 13 'PASTORAL CHARGE' shall mean any one of the Units such as Parishes, or Mission Districts into which

the Diocese is divided, under the care of a duly licensed Cleric.

- 14 'PRIEST-IN-CHARGE' shall mean the Incumbent of any Mission District, or any Cleric in temporary charge of a Parish.
- 15 'RECTOR' shall mean the Incumbent of any Parish.
- 16 'RESOLUTION' shall mean a decision of Synod passed in terms of these rules.
- 17 'RULES' shall mean the following and herein contained Acts of Synod, subject to such additions, amendments and repeals as may be made from time to time as herein provided.
- 18 'SENIOR PRIEST' shall mean the Cleric next after the Dean in dignity who is in full-time employment in the service of this Diocese.
- 19 "SESSION OF SYNOD" shall mean a meeting or series of meetings of Synod held in pursuance of any one summons issued by the Bishop.
- 20 "SYNOD" shall mean the Diocesan Synod as defined in Section 8 of Article XXIV of the Constitution of the ACSA.
- 21 "TRUSTEES" shall mean the Diocesan Trustees as provided for under these Rules.
22. Personal pronouns shall be taken to refer to either gender, unless specifically limited.

SECTION II OF AMENDMENTS TO RULES

1. A motion to amend these Rules shall come from a Parish Vestry or any Diocesan Body and thereafter:
 - a) written notice of the change shall be given to the Bishop at least two months before the start of the session of Synod, laying out the grounds for the proposal
 - b) a copy of the notice must be included in the first Agenda Book
 - c) any member of Synod may give written notice to the Bishop up to thirty days before the Session of Synod proposing an amendment to the proposal and giving reasons for it
 - d) The Bishop shall issue to each Member of Synod a copy of the notice under (c) above not less than fourteen days prior to the Session of Synod.
 - e) Any such proposal and any proposed amendment thereto if duly brought before Synod, shall be dealt with in accordance with the provisions of the Constitution and standing Rules of the Provincial Synod of the ACSA.

2. Unless otherwise provided, any Act or Resolution relating to the foregoing shall come into force after promulgation.

3. Any amendment concerning or relating to the Constitution and/or powers of the Diocesan Trustees, and/or the control of fixed properties or land, shall be registered with the Registrar of Deeds by the Diocesan Administrator forthwith.

VOLUME A;
OF THE DIOCESE

SECTION III; OF THE ELECTION OF BISHOPS

Canon 4 lays down the procedure to be followed for the election of a Bishop and Bishops Suffragan.

1. Lay Representatives for the Elective Assembly shall be elected in the same manner as Parish Lay Representatives for the Diocesan Synod.

- 2 In all matters not otherwise provided, the Chairperson shall determine the procedure to be followed in the Advisory Committee, subject to any direction which may be given by the Committee.

**SECTION IV OF THE APPOINTMENT OF THE
DEAN, ARCHDEACONS AND
CANONS**

1. OF THE DEAN AND ARCHDEACONS;
 - 1.1 The Bishop may appoint a Dean for the Cathedral Church.
 The appointment of Archdeacons and their responsibilities is governed by Canon 15.
 - 1.2. The Dean and Archdeacons shall exercise and execute such other duties as the Bishop may direct.
 - 1.3. The Dean and Archdeacons may be granted an additional remuneration at the discretion of the Bishop and Diocesan Council.

2. OF CANONS;
 - 2.1 At each session of Synod
 - 2.1.1 The House of Clergy shall elect two of its number as Clerical Canons.
 - 2.1.2 The House of Laity shall elect two of its number as Lay Canons.
 - 2.2 These Canons shall hold office until the following Session of Synod. They shall carry out such duties as the Bishop may direct.

3. OF ADDITIONAL CANONS;
 The Bishop may appoint as additional Canons retired Clergy, who shall hold the title for life.

4. OF CANONS EMERITUS

The Bishop may appoint up to four Canons Emeritus drawn from benefactors of the Diocese not being members of the Diocese.

SECTION V OF DIOCESAN OFFICERS

1. TERMS AND CONDITIONS OF APPOINTMENT

The Bishop shall appoint the following officers for the Diocese and may appoint deputies or assistants to them with the following conditions:-

- 1.1 They shall be communicants;
- 1.2 They shall (with the exception of the Administrator whose appointment shall be for an indefinite period) hold office for seven years unless removed by the Bishop
 - (a) at his own discretion or
 - (b) at the request of Synod or the Diocesan Council
- 1.3 They shall carry out such duties as may be required in addition to those listed below.
- 1.4 Upon their appointment, they shall make the prescribed declaration and receive from the Bishop a licence of appointment given under the Bishop's hand and seal.

2. A CHANCELLOR learned in Law, who shall:-

- 2.1 be the advisor of the Bishop in all matters in Law;
- 2.2 be the Bishop's assessor in all trials;
- 2.3 attend and assist the Bishop in all Synods, Courts of Visitation, the Bishop's Court, Consecrations and Dedications, or at the request of the Bishop, preside over the Bishop's Court;

- 2.4 advise and assist the President of the Elective Assembly;
3. A REGISTRAR, who shall:-
 - 3.1 advise and assist the President of the Elective Assembly;
 - 3.2 have the principle charge of all title deeds and other documents relating to Church property, and all Register books of the Diocese;
 - 3.3 make an annual examination of the schedule of Diocesan property, and report thereon to the Trustees as soon as convenient after the first of January;
4. A BURSAR, OR TREASURER who shall:-
 - 4.1 have the superintendence and preservation of all accounts of the Diocese;
 - 4.2 have the principal charge of all monies and securities belonging to the Diocese;
 - 4.3 see that all accounts of the Diocese are duly audited and preserved, and that no payments are made to any person until such person shall have fulfilled all duties and made all returns and reports required of the said person by any Canon or Rule, and by any Society or Committee providing funds;
 - 4.4 report to the Bishop and the Finance Board one month at least before the Session of Synod as to the financial position and requirements of the Diocese.

- 5 A DIOCESAN ADMINISTRATOR, subject to the concurrence of the Finance Board, who shall:-
- 5.1 be a member of the Finance Board
 - 5.2 conduct correspondence under the general direction of the Bishop and of the Boards and Committees for which he is acting;
 - 5.3 collect, receive and bank all monies payable to the Trustees and Diocese, and have custody of all securities belonging to these bodies;
 - 5.4 keep and preserve the financial records of the Diocese under the direction of the Bursar;
 - 5.5 keep the schedule of Diocesan property and have the custody of all title deeds, leases and other records of Diocesan property;
 - 5.6 have the custody of all Parish registers and other records sent to him for preservation;
 - 5.7 keep a Register of the Clergy of the Diocese, and prepare the Roll of Members of Synod and of the Elective Assembly.

**SECTION VI; OF OTHER DIOCESAN
 APPOINTMENTS**

1. **AUDITOR.**
 - 1.1 Diocesan Council shall, on the nomination of the Diocesan Finance Board, appoint a qualified Auditor.
 - 1.2 The Auditor shall audit the balance sheet and accounts of the Diocese and report thereon to the Diocesan Council and to Synod, stating;
 - (a) Whether in his opinion the balance sheet exhibits a true and correct view of the state of affairs of the Diocese at the date of the balance sheet according to the best of his information and as shown by the books of the Diocese,
 - (b) Whether he has received all the information required.
 - 1.3 The Auditor shall have the right at all reasonable times to inspect all books of account and vouchers of the Diocese and Diocesan Trustees, and to require from them and other officers of the Diocese such explanations as may be necessary for the performance of his duties.

2. The Bishop may make OTHER APPOINTMENTS with such duties as he may consider necessary.

SECTION VII; OF THE DIOCESAN SYNOD

Notes;

- i. Article xxiv, section 12 of the Constitution of the ACSA defines Diocesan Synod as “an assembly consisting of the Bishop, Clergy and other members...constituted according to such rules as have been or shall be agreed upon in such a Diocese and allowed by the Provincial Synod.”*
- ii. The Constitution states that the “Diocesan Synod be left free to dispose of matters of local interest and to manage the affairs of the Diocese” and that any act of a Diocesan Synod shall be liable to be reviewed by the Provincial Synod.(article ix)*
- iii Article viii of the Constitution lays down that the Diocesan Synod “shall resemble, as far as possible, the Provincial Synod in its constitution and mode of procedure” .*
- iv. Canon 9 provides for the right and conditions of Veto of the Bishop in Synod.*

1. WHEN TO BE ASSEMBLED

- 1.1 The Bishop may assemble Synod as often as he thinks fit and shall do so not less than every three years, provided that Synod shall always meet between each session of Provincial Synod, save that by a two-thirds majority of Diocesan Council such period may be lengthened by up to 12 months.
- 1.2 Where, in accordance with Rule 1.1 above, the Synod does not meet between meetings of the

Provincial Synod, the election of representatives according to Rules 13.3 and 13.4 below shall be done at the next meeting of Diocesan Council.

2 PROCEDURE OF SUMMONING

Not less than four months before the day appointed for the Session of Synod the Bishop shall:

2.1 Summon thereto by citation under his hand and seal all Clergy holding his licence and all Diocesan Officers.

2.2 Issue a mandate for the election of Lay Representatives

(a) to the Incumbent of every Parish and Chapelry or if the Cure is vacant or the Incumbent absent, to one of the Churchwardens thereof.

(b) to the Chairperson of the Board, Executive Committee or controlling body of every Diocesan Institution entitled to elect a representative to Synod.

3 REPRESENTATIVES TO SYNOD

3.1 Each Parish and Chapelry may elect one lay representative per 100 (or part thereof) average Sunday communicants as determined by the latest annual Diocesan Statistical returns, and the same number of lay alternates to take the place of such elected representatives who may subsequently be

unable to attend Synod or any part of the proceedings. Each Diocesan Institution may elect one lay representative and likewise one alternate.

- 3.2 These Representatives shall be confirmed communicants of at least 18 years of age. No person may represent more than one Parish, Chapelry or Institution at any one session of Synod.
- 3.3 In Parishes and Chapelries, the election of the representatives shall take place at a meeting of the Parish or Chapelry Council.
- 3.4 Immediately after the meeting the Chairperson shall certify to the Diocesan Administrator the name and address of each person elected and that such person is duly qualified, and in any event within thirty days of the issuing of the Bishop's mandate aforesaid
- 3.5 If any questions or disputes arise concerning an election, the same shall be settled by Synod at the commencement of the session of Synod, provided that no alteration in the representation at Synod can take place after the roll has been settled.

4. INVITED MEMBERS

The Bishop may invite any lay person who renders or has rendered any service to the Diocese, who is not a duly elected lay representative to Synod, to be present at Synod with the right to speak, but not to vote.

5. DIOCESAN OFFICERS

Diocesan Officers as defined in Section V shall have the rights of representatives, may introduce motions and amendments and shall be entitled to vote.

6. MOTIONS TO BE SUBMITTED

Any motions desired to be moved before Synod shall be submitted in writing to the Diocesan Administrator, duly signed by proposer and seconder, at least four weeks prior to the commencement of Synod. Should the same emanate from any Parish Council or Diocesan Institution, or have been considered by the same at the proposer's request, such fact shall be stated in writing accompanying the proposal.

7. SYNOD ADVISORY COMMITTEE

A Synod Advisory Committee consisting of the Bishop as Chairperson, the Chancellor, the Registrar, the Diocesan Administrator and an elected representative from each Region, with power to co-opt further members, shall:-

7.1 examine all motions, proposals and reports submitted for consideration by Synod and shall then:

- (a) proceed with them, or
- (b) amend them after consultation with the proposer, or
- (c) refrain from placing such motion, proposal or report on the Agenda

- paper, notifying the proposer and seconder of the reasons for such action
- 7.2 arrange the order in which the items on the Agenda shall be taken, provided that matters referred to Synod by the Provincial Synod shall be taken first, and thereafter circulate such Agenda Paper among members as long as possible before the Session of Synod
 - 7.3 consider such questions of procedure as may be referred to it.

8. MOTIONS FROM THE BISHOP'S CHARGE

The Bishop shall be entitled to have any matters, which were mentioned or referred to in his charge, debated at any stage in Synod's proceedings, irrespective of whether or not they appear on the Agenda paper.

9. AGENDA BOOKS

- 9.1 Not less than eight weeks before the first meeting of the Synod, there shall be prepared under the direction of the Advisory Committee and issued to each member of the Synod a first Agenda Book which shall include:
 - (a) the text of any motion in terms of Rule 1 of Section II for any addition, alteration, amendment or repeal of these rules together with a statement of the reasons therefore

- (b) particulars of any other matters on which the Bishop requires the deliberation of the Synod
- 9.2 (a) Not less than three weeks before the first meeting of the Synod, there shall be prepared under the direction of the Synod Advisory Committee and issued to all members of the Synod a second and final Agenda Book setting out all notices of motion received from members of the Synod and approved by the Synod Advisory Committee for submission to the Synod.
- (b) No motion which has not been received by the Diocesan Administrator at least four weeks before the first meeting of the Synod shall be included in the final Agenda Book.

10. PARISH COUNCIL TO DISCUSS AGENDA

After receipt of the final Agenda Book the Incumbent shall meet with the elected Lay Representatives to Synod and the Parish Council to deal with all matters contained in each Agenda Book.

11. HOUSES AND QUORUM

11.1 The Synod shall consist of three Houses, the Laity, Clergy and Bishops, who shall sit, debate and vote together, but at any time a vote by Houses may be demanded by any member and then the votes of each House shall be

taken separately in the sequence of Laity, Clergy and Bishops.

11.2 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 and under the Chairperson elected by the respective Houses for that purpose.

11.3 The quorum of the Synod at all times shall consist of not less than one-half of the number of Members who signed the Attendance Sheets on the first day in accordance with Rule 12.1 below. It shall be competent for any Member of Synod at any time to call for the counting of the Members present.

12. ORDER OF PROCEEDINGS OF SYNOD

12.1 The Synod shall be opened with a celebration of the Holy Eucharist. Prior to the commencement of the Service the Registrar of the Diocese or his deputy shall ascertain from the Attendance Sheets signed in accordance with Rule 12.3 below whether or not at least one-half of the Members of the Synod is present, and shall report thereon to the Bishop. If one-half or more of the Members of the Synod is present the celebration of the Holy Eucharist may commence, and, after the Nicene Creed the Bishop shall declare the Synod duly constituted. If, however, less than

one-half of the Members are present, the Bishop shall refer the matter as soon as conveniently possible to those Members of the Diocesan Council 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.

- 12.2 Before the commencement of the business of the Synod any objections to the Roll shall be settled, and the Registrar or his deputy shall report to the Synod whether any of the Parishes are inadequately represented.
- 12.3. 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 is present or the Parish or Institution which he 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.
- 12.4 The daily order of proceedings shall follow the Standing Rules of the Provincial Synod as far as possible, but may be varied by the Synod where necessary.
- 12.5 The Bishop shall take the Chair at every session of the Synod; provided however that

- (a) if the Bishop shall be unable to be present the Priest present next in seniority shall take the Chair.
 - (b) If the Chairperson shall himself wish to propose, second or speak to any motion, he 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.
- 12.6 The Bishop shall, with the consent of the Synod, appoint a Member to take the Chair whenever the Synod resolves itself into Committee.
- 12.7 The Clergy shall then 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.
- 12.8 Members shall give their votes by standing up or as otherwise prescribed for or against the motion before the Synod.
- 12.9 No motion shall come before Synod unless notice thereof has been given in terms of these Rules, or with the consent of at least two thirds of the Members present at Synod.
- 12.10 Every question for deliberation or motion proposed shall come before the Synod in the first instance, in the form of a motion duly seconded. No resolution shall become an Act

until it shall have been assented to by the Bishop and thereafter promulgated by him, subject, however, to the provisions of Canon 9.

13. DUTIES OF SYNOD

It shall inter alia be the duty of the Synod:

- 13.1 to receive, consider and deal with a report by the Diocesan Administrator setting out the action taken concerning resolutions passed at the previous Synod;
- 13.2 to receive and approve a schedule of all duly constituted Units of Pastoral Charge.
- 13.3 to elect the requisite number of Diocesan Representatives to Provincial Synod as determined by Article VI and Canon 1 of the ACSA. The clergy shall elect the Clerical Representatives and the Laity the Lay Representatives from those present, each House voting separately. Alternate Representatives may also be elected by the same procedure.
- 13.4 to elect representatives to Provincial Standing Committee in accordance with Canon 43 section 3(a)l, 3b and 3c.
- 13.5 to elect a Lay Chairperson and deputy, four Clergy and four Lay Parishioners to serve on the Advisory Committee of the elective Assembly in accordance with Canon 4 rule 9(b)l).

14 CLOSURE 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 Acts of the Session, and then pronounce the Synod closed.

SECTION VIII; OF DIOCESAN COUNCIL

1. COMPOSITION

The Diocesan Council shall comprise

- 1.1 The Diocesan Bishop
- 1.2 Bishops Suffragan (if any)
- 1.3 All Incumbents and Priests-in-Charge
- 1.4 Both Churchwardens of each Parish and Chapelry
- 1.5 Diocesan Officers in terms of Section V above.

2. INVITED GUESTS

The Chairperson may invite to attend meetings such expert and other persons whose counsel and services the Council may from time to time require, who may address meetings but not vote.

3. CHAIRPERSON

The Bishop or his duly appointed Deputy shall be Chairperson of the Council. If neither the Bishop nor his Deputy shall be present, the Council shall elect one of the Members present to take the chair

4. QUORUM

The Quorum shall consist of:

- 4.1 The Chairperson
- 4.2 Fifteen Clerical Members and thirty Lay Members

5. FREQUENCY OF MEETING

- 5.1 The Council shall meet at least three times a year unless otherwise sanctioned by the Bishop.
- 5.2 Meetings shall be held in accordance with such arrangements and on such notice as the Council may determine.
- 5.3 In addition to the foregoing, the Bishop (or, where necessary the Metropolitan) may issue a special mandate under his hand and seal authorising the Vicar General in the name of the Bishop or of the Metropolitan, as the case may be, to summon a meeting or meetings of the Council, to preside thereat and to exercise the Bishop's veto.

6. PROCEDURE

The mode of procedure, including procedure as to voting at meetings of the Council, shall be at the discretion of the Council provided that:

- 6.1 each Member shall have one vote. The Chairperson shall have a casting vote;
- 6.2 if any Member so demands, the Council shall vote by Houses.
- 6.3 the Secretary to the Council shall be responsible for the recording of minutes, copies of which shall, after approval by the Chairperson, be distributed to all Members of the Council and to such other bodies and persons as the Council may decide.

- 6.4 the minutes shall be treated as confidential by those entitled to receive them and by the bodies they represent.

7 RESPONSIBILITIES

The responsibilities of the Council shall be;

- 7.1 To share with the Bishop his ministry of oversight of the Diocese by assisting in directing and co-ordinating the same, and in so doing
- (a) to receive and deliberate upon any matter brought to its attention by any individual Member of the Council or any duly constituted body within the Diocese, and
 - (b) to receive reports from all individuals charged with any responsibility and from all duly constituted bodies within the Diocese.
- 7.2 To see to the financial oversight of the Diocese and in particular;
- (a) to appoint an Auditor for each financial year.
 - (b) to approve the audited accounts for each financial year, and the budget for the ensuing financial year together with the schedule of Parish Assessments.
 - (c) to make recommendations to the Diocesan Trustees as to the manner in which they should proceed in regard to any matter engaging their attention.

7.3 To deal with such matters as may be referred to it by Synod, and to take action on such matters as may require attention on behalf of Synod in between sessions of Synod, as well as to receive on behalf of Synod reports from all Diocesan Institutions.

8. ESTABLISHMENT OF SUB-BODIES

In order to carry out its responsibilities the Diocesan Council may establish such bodies and committees with such terms of reference as it sees fit.

In the same vein, the Council may redefine the terms of reference of or disestablish any such body.

9. BISHOP'S VETO

The Bishop's canonical right of veto upon all resolutions of the Synod of his diocese shall extend to all resolutions of the Diocesan Council, subject to the conditions set out in Canon 9.

SECTION IXA; OF THE DIOCESAN TRUSTEES

1. COMPOSITION

The Bishop, Dean, Archdeacons, Chancellor, Registrar, Bursar, and Diocesan Administrator shall constitute "the Trustees of the Diocese of the Highveld of the Anglican Church of Southern Africa"; for the purpose of holding properties within the Diocese and elsewhere on behalf of the ACSA.

2 CONSTITUTION

Such body constituted in terms of Clause 1 of this Section shall be deemed to be the body authorised by Canon 42, to exercise on behalf of the Provincial Synod the powers set out in Articles XVIII and XIX of the Constitution and Schedule A thereto.

3 LIABILITY

Any liability of the Trustees or any one or more of them arising from their capacity and their bona fide dealings as such, of whatsoever nature, shall be discharged by the ACSA, and no personal liability shall attach to them nor their successors in office, in terms of and subject to the provisions of Article XIX of the Constitution, read with clause 10 of Schedule A thereto, and any other provisions of the Constitution, Canons and these Rules.

4. RESPONSIBILITIES

4.1 Other than in exceptional circumstances, all assets within the Diocese shall vest in the Trustees and all immovable properties shall be

conveyed to them, subject to the provisions of any Special Trusts, Testaments or Wills (which shall be minuted by the Trustees) and the provisions of the Canons and/or these Rules. In the absence of exceptional or special circumstances, the Trustees shall be free to purchase or otherwise acquire, sell or otherwise dispose of, mortgage or pledge or otherwise deal with such assets and property as they in their discretion may deem fit, unless specifically directed otherwise by Synod.

- 4.2 With regard to the control or disposal of immovable property or other assets ordinarily administered or utilised by any Parish or Diocesan Institution the Trustees shall wherever practicable first obtain and consider the opinions of such Parish or Institution and in the event of the Vestry being in disagreement, the matter shall be referred to Synod.

5. MEETINGS

The Trustees shall meet from time to time as they shall determine, and not less than four times per year, unless good reason exists therefor. At least forty-eight hours notice of any meeting shall be given to each trustee by the Administrator. The Bishop, or in his absence a person elected at the meeting, shall serve as Chairperson, who shall have a casting vote. Three Trustees shall form a Quorum. Decisions of Trustees shall be by way of a simple majority of those present and voting at the meeting. No accidental omission to

give notice of a meeting to one or more trustees shall invalidate the proceedings.

6. AUTHENTICITY OF RESOLUTIONS

Any resolution of the Trustees shall be deemed to be sufficiently authenticated if certified by either

- 6.1 the Bishop and the Diocesan Administrator, or
- 6.2 the Chairperson and Secretary appointed at the meeting.

7. MINUTES TO BE KEPT

Minutes of each meeting shall be kept, and the names of members present shall be recorded, and such minutes shall be prima facie proof of the matters therein referred to and recorded.

8. SOLE AUTHORITY

No person or body shall be entitled or authorised to incur any liability, or deal with any properties or assets on behalf of the church unless so authorised by the Trustees, these Rules, or the Constitution and Canons.

SECTION IXB; OF THE DIOCESAN CHAPTER

1. COMPOSITION

The Bishop, Dean, Archdeacons, Canons and Diocesan Administrator shall constitute the Diocesan Chapter.

2. FUNCTIONS

The functions of the Chapter shall be:

- a) to advise the Bishop and assist in his oversight of the Diocese in all such matters as the Bishop shall refer to it.
- b) to carry out the functions of the Cathedral Chapter as defined in or required by the Canons.

3. MEETINGS

- 3.1 Meetings shall be held whenever convened by the Bishop and shall be chaired by him or, in his absence, by someone nominated by him.
- 3.2 For the purpose of order and good governance minutes may be kept. Such minutes shall be confidential and restricted to members of the Chapter, and those to whom the Bishop may consider it appropriate to reveal them, in whole or in part.

SECTION X OF PERMANENT COMMISSIONS AND BOARDS

1 DIOCESAN FINANCE BOARD

1.1 COMPOSITION

- a The composition of the Diocesan Finance Board shall be: the Bishop, the Dean, the Bursar, the assistant Bursar if applicable, the Diocesan Administrator, and two representatives from each region as defined in Section XII. These representatives shall hold office between each session of Diocesan Synod.
- b The Board may co-opt such members as it shall see fit.

1.2 FUNCTIONS: The Board shall

- a examine the statements reflecting the financial affairs of the Diocese, and report on the same to each meeting of the Diocesan Council.
- b prepare for submission to the relevant meeting of the Diocesan Council a budget for income and expenditure for the ensuing financial year, with recommendations on minimum clergy stipends and parish assessments.
- c recommend to Diocesan Council at least annually or whenever else

appropriate, a schedule of fees payable for relieving clergy.

- d administer such other financial matters as the Diocesan Council may refer to it.

1.3 MEETINGS

- a The Board shall meet at least three times a year, no more than six weeks before each meeting of the Diocesan Council, and at any other such times as the Bishop shall deem fit.
- b The Bishop or his nominee shall chair each meeting of the Board.
- c The Board shall appoint a secretary who shall keep minutes of each meeting. Such minutes shall be available to any member of Diocesan Council on request.
- d A quorum at such meetings shall be half of the ex officio members and half of the elected representatives, provided that such members shall include the Bursar or his duly appointed deputy.

2. THE HIGHVELD ANGLICAN BOARD OF SOCIAL RESPONSIBILITY

- 2.1 The Highveld Anglican Board of Social Responsibility shall have broad oversight of all projects related to Social Responsibility and Pastoral Care in the Diocese.

- 2.2 The Bishop or his appointee shall chair the Board and the Diocesan Council shall determine its composition.
- 2.3 The Diocesan Council, on the recommendation of the Board, shall fill any vacancies arising on the Board.
- 2.4 The functions of the Board shall include the following:
 - a To assess social and pastoral needs within the Diocese and to create the means by which these may be alleviated through, among others,
 - skills training
 - capacity building
 - financial assistance
 - pastoral care
 - drawing on structures and resources available at Parish, Archdeaconry and Diocesan levels
 - b To approve and monitor all projects related to Social Responsibility and / or Pastoral Care of any Parish or Diocesan Institution, receiving funding from an outside source. Such approval must be in writing and reflected in the minutes of the Board.

3 THE DIOCESAN BOARD OF THEOLOGICAL EDUCATION AND REFLECTION

3.1 Composition

- a) The Composition of the Board of Theological Education and Reflection shall be:
The Bishop, the Dean; the officers appointed by the Bishop to the following positions:
The Co-ordinator of Lay Minister Training, the Chaplains of Vocation, the Co-ordinator/s of Pre-ordination training, the Co-ordinator/s of Post-ordination training; Any other individual appointed by the Bishop, in consultation with the Board.

3.2 Functions: The Board shall

- a) Establish and oversee the relevant structures for spiritual formation for formal ministry;
- b) Examine the theological education needs of the Diocese and deliberate on curricula and courses to be adopted; submit to the Diocesan Council with approved courses and qualification (benchmarks) for all levels of formal ministry for approval;
- c) Deliberate on Theological issues within the pastoral context of the Diocese and provide guidelines to clergy and laity as to the pastoral application of theological issues;
- d) Reflect upon the theological debates and deliberations within the Communion within the context of the Diocese and contribute through the relevant structures to that process;

- e) Reflect and deliberate at the request of the Diocesan Council on any issue and provide feedback regarding the outcome of and recommendations arising out of such deliberation;
- f) Accept application for study bursaries and grant bursaries as per the budget provided to the Board, and according to the policies developed and approved by the board;
- g) Establish subcommittees where required to conduct the work of the board;
- h) Submit a report to Diocesan Council at least once per year and report to Synod on the work that it has done.

3.3 Meetings

- a) The Board shall meet at least four times a year.
- b) The Bishop or his nominee shall chair the meeting.
- c) The Board shall appoint a secretary who shall keep minutes of each meeting.

SECTION XI; OF DIOCESAN INSTITUTIONS

- 1 No Church School, Home, Hostel, Medical or Social Service or Work of Mercy or Organisation shall be established as a Diocesan Institution without the consent of the Bishop, subject to such conditions as he may decide, and subject to the approval of Synod or Diocesan Council.
- 2 Any such Institution in existence as at the inauguration of the Diocese shall be deemed to have been so established.
- 3 Any amendment to the conditions of establishment thereof or the dissolution thereof required by the Bishop shall be subject to the approval of Synod or Diocesan Council.
- 4 All Diocesan Institutions shall submit reports to each session of Synod and annually submit certified financial statements to Diocesan Council by the 31st of May.

**SECTION XII; OF PARISHES, ARCHDEACONRIES
AND ARCHDEACONS**

Canon 23 provides for a Diocese to be divided into Parishes and other Units of Pastoral Charge.

1. BOUNDARIES OF PARISHES

1.1 The existing boundaries as at the date of inauguration of this Diocese shall be deemed to constitute the division into Parishes.

1.2 Subject to the right of a Parish or Pastoral Charge to refer the matter to Synod, the Bishop shall have power after due notice is given to abolish or amend the boundaries of the same, and to create new Parishes or Pastoral Charges within the Diocese.

2. ARCHDEACONS AND ARCHDEACONRIES

2.1 Archdeacons appointed by the Bishop in terms of Canon 15 and these Rules shall exercise jurisdiction as an Ordinary over such Parishes as the Bishop, after having tabled at Synod a schedule thereof, shall decide. The area of such jurisdiction shall be known as an Archdeaconry.

2.2 Any establishment of or alteration to the Constitution of any Archdeaconry by the Bishop shall be subject to the agreement of the Diocesan Council.

3. ARCHDEACONRY CHAPTER

The stipendiary clergy of each Archdeaconry shall meet together regularly under the Chairpersonship of the Archdeacon and in any case at least four times in each year.

4. ARCHDEACONRY CONFERENCE

Conferences of members of the Archdeaconry shall be called as and when necessary to discuss matters pertaining to the Ministry of the Church. The Archdeacon shall chair such conferences or may appoint a deputy to do so.

5. REGIONS AND REGIONAL COUNCILS

5.1 Archdeaconries shall be grouped into regions as decided by the Bishop.

5.2 At the first meeting of Diocesan Council subsequent to each session of Synod, Diocesan Council shall dissolve into Regions for the purpose of electing such representatives as are required by Section X Rule 1.1 (a) (of the Diocesan Finance Board) and Section VII Rule 7 (of the Synod Advisory Committee).

VOLUME B
OF THE MINISTERS OF THE CHURCH

**SECTION XIII; APPOINTMENT OF PARISH AND
OTHER CLERGY**

1. APPOINTMENT TO A CURE

1.1 Every Parish or Mission district shall, if possible, be placed under the charge of a Priest, who shall be duly Licensed by the Bishop thereto. The Licence shall specify the boundaries within which he shall minister. Wherever possible, an Incumbent shall be collated to his Cure in the presence of the congregation

1.2 All appointments of Incumbents and other Cures within the Diocese shall be made by the Bishop who shall, however, not make appointments of Incumbents except in the case of Mission Districts without the concurrence of the Parish Council of the Parish of which the Incumbency is vacant. The Bishop shall preside in person, or by a deputy appointed by him for this purpose, over the Parish Council at all meetings dealing with the filling of the vacant Cure, provided that the Bishop, if he shall so decide, may consult the Vestry instead of the Parish Council.

1.3 If, because the Bishop and the Parish Council do not concur, the vacant Cure is not filled within three months from the date of the first

nomination, the appointment for that time shall be made by the Bishop's Chapter.

- 1.4 The Bishop may appoint a temporary Priest-in-Charge to a Parish who shall while so acting have the rights of an Incumbent.
- 1.5 Where a temporary Priest in Charge has held office for a period longer than a year, the Bishop shall first notify him as well as the two Churchwardens in writing if and when he decides to seek to fill the vacancy.
- 1.6 Every Cleric appointed for work in the Diocese shall hold a Licence from the Bishop.
- 1.7 Any Cleric holding the Bishop's Licence shall officiate in the Parish to which he is appointed or, if he has received permission from the Incumbent, in any other Parish of the Diocese, but he may officiate privately to non resident parishioners.

2. RESIGNATION FROM A CURE

An Incumbent may resign his Cure by giving six months notice to the Bishop, who may at his discretion shorten the period of notice at the Incumbent's request.

3. RETIREMENT

The Licence of a Cleric shall expire on the Cleric's 66th birthday. The Licence may be renewed by the Bishop for periods of a year at a time

4. ASSISTANT CLERGY

- 4.1 Subject to the Bishop being willing to grant the necessary Licences, an Incumbent may appoint one or more Assistant Clergy to serve within his Parish.
- 4.2 Before the Bishop Licenses an Assistant Cleric, he shall require the Incumbent and the Assistant Cleric to sign an agreement to the effect that:
- (a) six months notice must be given in writing by the Assistant Cleric to his Incumbent if he wishes to resign his appointment;
 - (b) six months notice must be given in writing by the Incumbent to the Assistant Cleric if he wishes him 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 he shall see sufficient cause, to dissolve the contract, subject to at least one month's notice;
- 4.3 If the Incumbency becomes vacant the Assistant Cleric may resign at once or he may choose to receive six month's notice of the termination of his services in that Parish from the next appointed Incumbent.

SECTION XIV; ENTITLEMENTS AND RESPONSIBILITIES OF CLERGY

1. **ROLL OF CLERGY; STIPEND AND ALLOWANCES**
A Cleric upon receiving a Licence from the Bishop and as long as he holds such Licence shall have his name entered on the Roll of Clergy of the Diocese, and unless otherwise stipulated shall be entitled to a stipend and allowances as determined from time to time by the Diocesan Council.

2. **COSTS OF MOVING**
 - 2.1 The Diocesan Council may 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 he shall refund such portion thereof as the Diocesan Council may decide.
 - 2.2 Where feasible the Parish should pay a settling in allowance.

3. **STIPEND PAYABLE**
The Diocesan Council shall determine each year the minimum stipends payable to Clergy. Parishes may pay such additional amounts as they shall decide provided that this in no way interfere with their commitments to the Diocese.

4 LEAVE AND ABSENCE

- 4.1 An Incumbent may not be absent from his Cure without making arrangements for the holding of the usual Sunday services, nor without the consent of the Bishop or his duly appointed deputy, subject to the provisions of rules 4.2 and 4.3 of this section. On all occasions that a Cleric is absent from his Cure for a Sunday or for a period of more than 24 hours, the Cleric shall notify the Archdeacon of his absence.
- 4.2 A Cleric shall be entitled to twenty-eight days leave including not more than four Sundays in each year, provided that public holidays shall not be counted as leave. None of this leave shall be accumulated, nor may it be taken in the calendar year in which the Cleric proceeds on furlough. The Cleric shall arrange his leave in consultation with the Archdeacon and the Parish Council. The Cleric and the Council shall be responsible for providing the necessary services during his absence, but the Council shall bear the financial responsibility of such provision. While on leave a Cleric shall be entitled to receive his full stipend and allowances.
- 4.3 On the production of a medical certificate a Cleric may be granted sick leave by the Bishop for such period as the Bishop considers necessary to fit him for return to duty. In respect of the first six weeks of sick leave during any calendar year, but not of a

continuous period longer than six weeks, the cleric shall be entitled to receive full stipend and allowances. In respect of sick leave beyond six weeks the Diocesan Chapter shall decide what payment, if any, shall be made to him, subject to approval by the Diocesan Council. When considering the granting of sick leave the Bishop may require the Cleric to be examined by one or more medical practitioners nominated by the Bishop. The benefits arising from this rule may at the discretion of the Bishop be withheld if sick leave has become necessary owing to negligence or misconduct.

4.4 A Cleric who has completed seven years service either from the time of arriving in the Diocese or from the time of returning from furlough, may be granted furlough by the Bishop. The period of this furlough shall not be more than six months, and the Cleric shall receive stipend and allowances for the period of such furlough or a period of three months, whichever shall be the lesser, which stipend and allowances shall be payable as decided by the Bishop. This furlough shall not be accumulated and the stipend and allowances shall only be payable on condition that the Cleric shall apply at least twelve months before the date on which he wishes to begin his furlough, which may not be granted unless the Bishop can arrange for the satisfactory care of his Parish during his absence.

5. ACCOMMODATION

- 5.1 On appointment to an Incumbency, a Cleric shall be entitled to live in the Rectory free of rent, or if there be no Rectory, shall be entitled to a monthly allowance. The amount of this allowance shall be agreed upon between the Bishop and the Parish Council. Where an Assistant Cleric is licensed to work in a Parish the Parish Council shall provide him with a place of residence or with a monthly allowance. The Bishop shall not be held responsible if the Parish Council fails to carry out these obligations.
- 5.2 The Parish Council shall pay all rates and taxes and reasonable usage of electricity and water on a house belonging to the Parish. Where the house is not owned by the Parish, the Council shall pay for a reasonable cost of electricity and water, provided that the property is occupied solely by the Priest's immediate family, and may decide to cover all or part of the rates and taxes payable.
- 5.3 If during his furlough an Incumbent does not need the use of the Rectory, and if the Cleric sent to take charge of the Parish during the period does not need it, the Rectory may be let, and if the Archdeacon and the Parish Council agree, the Incumbent may receive such portion of the rent that has been paid less all expenses incurred. Payments for the use of the furniture

shall be arranged between the Incumbent and the tenant.

- 5.4. On the death of a Cleric, his widow or dependants shall have the right to continue to occupy the Rectory or Diocesan dwelling (as the case may be) or such alternative accommodation as the Diocese may find for them, for a maximum period of six calendar months following such death.

6 OF ALLOWANCES

- 6.1 The Parish Council shall furnish a motor car or pay a monthly allowance for a car at the level recommended by the Diocese, and shall pay for the cost of petrol for a reasonable amount of usage each month.
- 6.2 The Parish Council shall provide for a telephone and a reasonable usage as decided by Vestry
- 6.3 The Parish Council may pay for insurance of the priest's household goods
- 6.4 The Parish Council shall provide for the cost of an annual retreat and all such other matters as the Vestry may decide.

7 OF OTHER IMBURSEMENTS

- 7.1 No fee whatever shall be charged by any Cleric or Church Officer for, or in connection with any Church office or service.
- 7.2 All offerings on Easter Day shall be at the sole disposal of the Incumbent, except that where

there is a planned giving scheme the Parish Council, with the concurrence of the Incumbent, may vote a sum of money to be paid to the Incumbent in addition to or in lieu of the Easter Offering.

- 7.3 Offerings on Pentecost Day, in a parish where there are assistant clergy, shall in like manner be at the sole disposal of the assistant clergy.

8 OTHER RESPONSIBILITIES

In addition to the other duties assigned to him under these rules, it shall be the duty of the Incumbent to:-

- 8.1 supervise the work of the Council and see that the Canons and these Rules are observed;
- 8.2 see that the Churchwardens provide a Service Register authorised by the Bishop, and that it be properly kept;
- 8.3 see that the Churchwardens send to the Bursar the financial returns required by these Rules;
- 8.4 keep a Register of the Communicants and other Parishioners of the Parish;
- 8.5 see that the procedure laid down in Section XX, concerning land, building and furniture is carried out;
- 8.6 consult with the Council concerning the times of Service and any alterations thereof;
- 8.7 prepare at the beginning of each calendar year a statement of the Needs of the Parish. This shall be considered by the Vestry for acceptance or amendment.

SECTION XVA; OF THE LICENSED LAY MINISTRY

1. NEED FOR LICENCE

The following activities not reserved to the Ordained Clergy may only be performed by those licensed by the Bishop to do so, except where circumstances dictate otherwise;

- 1.1 regularly leading the Liturgy of the Church
- 1.2 administering the Sacrament of Communion either at the Eucharist or from the Reserved Sacrament.
- 1.3 conducting funerals and burying the dead.
- 1.4 taking responsibility for the teaching of the Church, especially in preparation for Sacraments.

2. REQUIREMENTS FOR LICENSING

- 2.1 The candidate shall be nominated by the Incumbent and shall receive approval from no less than two thirds of the members of the Parish Council.
- 2.2 Thereafter the Incumbent shall complete the application form and submit it to the Archdeacon, who may elect to interview the candidate.
- 2.3 The Archdeacon shall submit the application to the person responsible for the training of Lay Ministers who shall see to the necessary training, and on completion of the necessary training, submit the application to the Bishop.
- 2.4 Those licensed as Lay Ministers in other Dioceses joining this Diocese shall fulfil all the requirements above, save that should he satisfy the person responsible for the training of Lay Ministers that he needs no further training,

he may then be exempted from undergoing such training.

- 2.5 Candidates for licensing to preach at the Liturgy of the Church shall, in addition to the above, also satisfy such additional requirements as may be determined from time to time by the Diocesan Council.

3. **REGISTRATION**

A copy of all Licenses issued shall be kept in the Diocesan Office. Upon resignation or removal, the Lay Minister shall return his Licence to the Bishop.

4. **RETIREMENT**

All Licences shall expire on the Lay Minister reaching his 75th birthday, and may be renewed thereafter for a year at a time providing the Parish Council and the Bishop agree, for no more than a further 5 years.

5. **REMUNERATION**

While a Parish may reimburse a Lay Minister for expenses incurred in the exercise of ministry, no fees shall be payable for this ministry, save as may be approved by the Diocesan Council.

6. Licensed Lay Ministers shall wear as their insignia the Diocesan Medallion bearing the inscription "Lay Minister", with a purple or magenta ribbon.

SECTION XV B OF EUCHARISTIC ASSISTANTS

1. A licence for Eucharistic Assistants, issued by the Archdeacon, shall permit those holding it to assist with the administration of the elements at the Eucharist within the parish in which they are licensed.
2. Candidates shall be nominated by the Rector of their parish to the Parish Council and shall receive approval of four-fifths of those present and entitled to vote at a duly constituted meeting of the same, and shall then be submitted to the Archdeacon for licensing.
3. The licence shall be valid for thirty six months only, unless revoked prior thereto.
4. Appropriate training for the position shall be arranged by the Archdeacon and shall be completed before licensing.
5. Eucharistic Assistants shall vest according to local custom in the same way as Licensed Lay Ministers. The insignia of the office shall be the Diocesan Medallion with the inscription "Eucharistic Assistant" and a ribbon of any colour, other than purple or magenta, as determined by the Parish Council.

**SECTION XVI; OF THE FELLOWSHIP OF
VOCATION AND SELECTION FOR
ORDINATION**

- 1 Candidates of a young age may be selected for training at a Theological College.

- 2 Other candidates shall be accepted into the Fellowship of Vocation only on completion of the following requirements;
 - 2.1 The candidate shall have fulfilled the requirements of the licensed Lay Ministry and shall have been licensed thereto.
 - 2.2 The candidate shall have met the requirements for a preaching licence.
 - 2.3 The candidate shall have been nominated by the Incumbent and approved by at least two thirds of the members of the Parish Council as a candidate for Ordination.

- 3 After a year in the Fellowship of Vocation and the completion of a further two courses of study, the Candidate may be invited to attend the Board of Ministry conference.

VOLUME C
OF THE PARISHES

SECTION XVII; OF THE VESTRY

Canon 27 lays down requirements for vestry, its composition, business, and frequency of meeting.

- 1 PRESIDENT AND MEMBERSHIP
 - 1.1 The Incumbent shall be the primary chair of the Annual Vestry Meeting. The Incumbent shall take responsibility for the preparations for the Vestry Meeting by meeting with the parish Executive at least fourteen days prior to the date set for the meeting.
 - 1.2 During the vacancy of a pastoral charge and at other times, the Bishop or the Archdeacon may deem it necessary that the Bishop, Archdeacon or such other person appointed by the Bishop shall preside at the Annual General Meeting of the Vestry.
 - 1.3 Flowing from the above, in the event of a pastoral vacancy the person designated to chair the Annual Vestry Meeting shall meet with the parish Executive at least fourteen days prior to the date set for the meeting to prepare for the meeting.
 - 1.4 Any question or dispute relating to the eligibility of any person claiming to be a Parishioner or entitled to be registered as such shall be decided by the Incumbent and Churchwardens, subject to an appeal to the Bishop whose decision shall be final.

2. FUNCTIONS

In addition to the functions laid down in Canon 27, the functions of the Vestry shall be to consider and control the business affairs and administration of the Parish (subject where necessary to the consent and approval of the Diocesan Trustees, particularly concerning fixed property), and in particular:-

- 2.1 to receive the financial accounts, after reading the Auditor's report
- 2.2 to approve or amend the Statement of Needs prepared by the Incumbent
- 2.3 to consider, approve or amend the budget prepared by the Parish Council for the coming year
- 2.4 to decide upon the number of Councillors to serve on the Parish Council
- 2.5 to elect the Churchwardens and Alternate, and Parish Councillors, provided that candidates for election as Churchwardens:
 - a) shall have been members of the Anglican Communion for at least five years and have served on the Parish Council for at least one year
 - b) may serve for a maximum of five years consecutively, after which they shall not be eligible for re-election for a minimum of two years,
- 2.6 to appoint an Auditor or Auditors for the coming year

2.7 to consider the Churchwardens' report on the condition of property administered by the Parish, and to recommend to the Incumbent and Parish Council such action necessary for the maintenance and preservation thereof

3 ACCOUNTABILITY OF THE INCUMBENT

The Vestry shall recognise that the Incumbent is responsible to the Bishop alone in matters concerning his Office

4 VESTRY CONVENEED AT REQUEST OF PARISHIONERS

Other than as provided for in the Canons, a Vestry meeting shall be convened within fourteen days of a written request, signed by at least 10 parishioners, or five should the register contain less than fifty names.

5 PROCEDURE

5.1 Minutes of Meetings shall be kept under direction of the Incumbent.

5.2 The Rules of Order of the Synod shall wheresoever relevant apply to Vestry meetings.

6 ELECTION REPORT

The Incumbent shall within seven days of the election of Churchwardens, the Alternate Churchwarden, and Parish Councillors, submit a return to the Archdeacon containing their full names.

SECTION XVIII; OF THE PARISH COUNCIL AND PARISH OFFICERS

Canon 28 outlines the method of electing, the composition of, and duties of the Parish Council.

Canon 29 details the manner of electing, and responsibilities of, the Churchwardens and Chapelwardens.

Canon 30 details the procedure for admission of the Churchwardens and Parish Council.

In addition Section VII 3.3 makes provision for council to elect representatives to Diocesan Synod, and Canon 4 makes provision for representatives to Elective Assembly to be elected in the same way.

1 CHAIRPERSON

The Incumbent or in his absence or should he deem fit a Deputy elected by the Council members from among their elected members, shall be Chairperson of the council. The Incumbent shall in either case have a casting vote.

2 FUNCTIONS

In addition to the powers and functions defined in Canon 28, the council shall generally administer the business affairs of the Parish subject to these Rules and any directive by the Vestry, and :-

- 2.1 in the vacancy of the Cure, represent the Laity in matters affecting the appointment of an Incumbent, unless the Bishop has decided to consult the Vestry;
- 2.2 fill any casual vacancy in the office of Auditors by the appointment of qualified Auditors who shall hold office until the next annual meeting of the Vestry.

3 MEETINGS

- 3.1 The Council shall meet whensoever necessary, and at least once a month, at a time and place to be fixed by the Chairperson. 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.
- 3.2 The accidental omission to give any such notice to any of the members shall not invalidate any resolution passed at such meeting.
- 3.3 In case a meeting be not duly called in any month, it shall be competent for any two members of the Council to make a written request to the Chairperson to convene a meeting to be held within fourteen days; if the Chairperson declines or fails to convene a meeting, the members shall report the matter to the Archdeacon.
- 3.4 Every meeting of the Council or its committees shall be opened and closed with prayer.
- 3.5 The deliberations of the Parish Council shall at all times be confidential, and no person other than the members shall be present, except by the invitation of the Incumbent or in his absence, the duly elected Chairperson.
- 3.6 At least three members present, including the Chairperson, or such larger number as shall be fixed by each Parish Council, shall be a Quorum, save only that the number of Lay

members present shall be at least twice the number of Clerical members present. No business shall be transacted at any meeting unless a Quorum be present. Any meeting of the Council at which a Quorum is present shall be competent to exercise all or any of the authorities and powers vested in the Council.

3.7 The Chairperson 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.

3.8 Should a member of council fail to attend three consecutive meetings then, unless condoned by the Council, such member shall be deemed to have forfeited his membership, and shall be so informed by the chairman within one week of the third meeting missed.

3.9 The continuing members of the Council may act notwithstanding any vacancy in their number; but upon any vacancy happening the Council shall have the power to fill the same, provided such member qualifies for election as a Councillor.

4 SECRETARY

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

- 4.1 give notice of the meetings;
- 4.2 prepare an Agenda for each meeting under the direction of the Chairperson;
- 4.3 record the Minutes of the proceedings of all meetings of the Parochial or Mission 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 Parochial or Mission Council, and when approved, signed by the Chairperson as a correct record. The Archdeacon shall inspect the Minute Book annually.

5 TREASURER

On the advice of the Churchwardens, the 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, but need not, be a member of the Council.

6 SUB-COMMITTEES

The 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 Council and shall report the result of their deliberations as soon as possible to the Council. The Incumbent shall have the right to be a member of such committees.

7 **VALIDITY OF ACTIONS**

All acts done by any meeting of the 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 all 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 Council or any committee in such circumstances, if signed by the Chairperson of the meeting or by the Chairperson of the next meeting, shall be prima facie evidence of the matters stated therein.

8 **RULES OF ORDER**

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

9 **AUTHORISATION OF MODIFICATIONS TO RULES**

It shall be permissible for the Bishop, after consultation with the Archdeacon, to authorise local modification of this and the preceding Section on application being made by the Parish Vestry concerned; but in no circumstances shall a Parish take the matter into its own hands.

10 If any question or disagreement arise between the Incumbent and other members of the Council as to the interpretation of these Rules, the same shall be settled by the Archdeacon, or thereafter on appeal to the Bishop.

**SECTION XIX; OF THE MANAGEMENT AND
CONTROL OF THE REVENUE OF
THE PARISH**

1. AUDITOR

- 1.1 The Vestry shall appoint an Auditor who shall have complete access to all the books of account and other relevant documents and minutes, shall audit the books according to normal and accepted principles, and render a full written report thereon to the annual Vestry meeting.
- 1.2 Any Parishioner intending to nominate any Auditor at the Vestry meeting, other than the existing Auditor, shall give notice thereof in writing to the Incumbent not less than five days prior to the meeting.
- 1.3 The Diocesan Council, on the recommendation of the Bursar, may for good reason approve or direct any other manner of verification of the books and accounts of any Parish, or other unit of Pastoral Charge

2. THE PARISH COUNCIL

- 2.1 In exercising direction and control of the revenue of the parish, the Parish Council shall
 - (a) provide for and pay such assessments as may be decided upon by the Synod, together with salaries, wages, pensions and allowances of the Lay staff of the Parish; provided that after the payment

of any allowance agreed upon with the Bishop under Section IX, and municipal rates, fees and charges, the assessment for Diocesan funds shall form the first charge on all revenue and properties of the Parish. The monthly proportion of the assessment shall be paid to the Diocesan Council before the 24th day of each month;

- (b) use all money for the purpose for which it was collected or given and for no other purpose, except where the permission of the Vestry has been obtained;
- (c) remit to the Diocesan Trustees within three months of receiving it, all building and other capital funds and all money collected for any purpose other than ordinary income and expenditure, which shall be held and invested in the name of the Parish, unless any Special Trusts and provisions, Provincial, Diocesan or Parochial, connected therewith, specify otherwise, provided that all money so raised and collected and not remitted shall be at the joint and several personal risk of the Churchwardens;
- (d) in special cases, in which terms and conditions have first been arranged with and approved in writing by the Diocesan Trustees for such monies to

be retained or invested by the Parish, immediately advise the Diocesan Trustees as to the specific manner of investment, details of which shall be disclosed fully and separately in the annual balance sheet;

- (e) subject to any Trust relating to the same, cause to be transferred and delivered to the 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;
- (f) prepare estimates of revenue and expenditure for the financial year to be presented at the annual meeting of the Vestry;

3. THE CHURCHWARDENS

3.1 The Churchwardens 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 from time to time, and when required by the Bursar, render true extracts and accounts for his inspection.

3.2 The following requirements shall be observed:-

- (a) A receipt shall be issued immediately for all cash received other than Church collections, which is also to be recorded

in the Cash Book together with Church collections without undue delay and deposited with the Bank in an account under the name of the Parish Council.

- (b) All payments shall
 - (i) be approved by the Churchwardens and the Incumbent or by the Council before they are made;
 - (ii) be in accordance with the estimate and needs previously submitted to, and approved by the Vestry;
 - (iii) when made by cheque, be signed by two authorised Officers; and shall be entered in the Cash Book. Cheques for Petty Cash expenditure shall be drawn periodically, and a full record kept of how such money is spent.
- (c) Receipts in support of all payments in the Cash Book or Petty Cash Book are to be obtained, if possible, and filed for the inspection of the Auditors.
- (d) All collections and other cash received shall be counted by no fewer than two persons jointly, and two records of the amount shall be made, one of which shall be kept apart from the cash itself

as a record in case of theft of the money.

(e) All monies shall be kept in a safe on the Church premises until banked.

3.3 The Churchwardens shall submit or cause to be submitted to each monthly meeting of the Council a full statement of income and expenditure during the preceding month. Each such monthly meeting of the Council shall sanction the expenditure for the current month provided that the Council may not approve payments or incur debts for which the necessary funds are not available.

3.4 The annual accounts of parishes shall be closed on the 31st December of each year with the exception of the Mission Districts established for the purpose of ministering to Rural congregations which shall be closed on a date specified by Synod from time to time.

3.5 Before the Churchwardens can jointly vacate their office, they shall present an audited balance sheet and statement of revenue and expenditure containing a summary of the financial transactions of the Parish for their period of office. In the event of the Churchwardens jointly giving notice of their intention to resign before the expiry of their term of office, an audited balance sheet and statement of revenue and expenditure shall be presented up to the date of intended resignation. Should the Churchwardens fail to

present the requisite financial statement, the Incumbent shall as soon as possible report the failure to the Archdeacon, who shall institute an enquiry. The Churchwardens shall not be relieved of their financial responsibilities until the Bishop has accepted their resignations.

3.6 At least seven days before the day appointed for the annual meeting of the Vestry, the Churchwardens shall cause copies of the audited statement of revenue and expenditure and balance sheet signed by the Incumbent and themselves, and certified by the Auditor 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.

3.7 Within 10 days after the adoption of the balance sheet and accounts at the annual meeting of the Vestry or ten days after the date to which an annual meeting of the Vestry is postponed, Churchwardens shall deliver to the Bursar a copy thereof signed and certified as above stipulated, together with a copy of the Auditor's report to be by him inspected and preserved.

4 INABILITY TO PAY ASSESSMENT

4.1 In the event of payment of assessment by the Parish being in arrears the Bishop may either in person or through a deputy meet the Parish

Council, and thereafter he may deal with the matter in the following manner:-

- (a) If it appears impossible for the parish to pay its assessment he shall notify the Diocesan Council to this effect and the Diocesan Council may grant such relief as it may think fit, or
- (b) he may appoint a Commission of Enquiry into the affairs of the Parish, or
- (c) he may deal with it in such Pastoral manner as he may deem fit.

5. DISCLOSURE

The annual Parish Financial Statements shall include a schedule of funds held by all Parish institutions.

SECTION XX: OF BUILDINGS AND PROPERTY

1 TO BE HELD BY TRUSTEES

All immovable property, subject to any Trust related to the same, which may be given to, obtained or held by, the Parish shall be transferred and delivered to the Diocesan Trustees in trust for the Parish.

2. PERMISSION OF TRUSTEES FOR BUILDING

No buildings shall be erected, structurally altered or demolished 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 Diocesan Trustees. Such permission shall be applied for in the following manner:-

2.1 Whenever it is proposed by a Parochial or Mission Council to erect a new building or make structural alterations to an existing building (save in the way of repairs) on any land owned by the Church in this Diocese, the following procedure shall be adopted:-

- (a) Before any plans are drawn or expense incurred, the intention shall be communicated via the Archdeacon to the Bishop's Chapter for approval.
- (b) A plan and detailed specifications shall be prepared by an architect or other qualified person, at the expense of the Parochial or Mission Council, save

- where otherwise permitted by the Diocesan Trustees;
- (c) 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 or Mission District in which the building is situated;
 - (d) After the foregoing have been approved by the Vestry they shall be referred to the Archdeacon for him to make his report thereon to the Bishop, who, if he approves, shall then refer the proposal to the Diocesan Trustees;
 - (e) The Archdeacon shall satisfy himself that adequate accommodation by way of a fireproof safe built into the building has been made for the Communion Plate, valuables and records of the Parish;
 - (f) No major alteration to the approved plan shall be made without the prior consent of the Diocesan Trustees, who may, at their discretion, refer the proposed alterations to the architect and the Vestry. Minor alterations may be made with the permission of the Archdeacon.

2.2 Whenever it is proposed by a Parochial or Mission 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 the regulations framed by the Diocesan Council and approved by the Diocesan Trustees.

3 APPEAL TO BISHOP'S COURT

If it is considered by a Parish or Mission Council or other authority that the permission is improperly withheld or unnecessarily limited, the matter may be brought before the Bishop's Court, the decision of which shall be binding.

4. FACULTY

4.1 No alterations or 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 in 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.

4.2 The Bishop may order the removal of any work or articles referred to in the preceding Rule 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 to the same having been made by Diocesan authority or parishioners it shall be deemed to have received authority, and can only be removed by decision of the Bishop's Court.

5 **RESPONSIBILITY OF THE CHURCHWARDENS**

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 of the Parish at the expense thereof. Incumbents shall report to the Archdeacon if this is not done, and the Churchwardens shall carry out this work at the expense of the Parish whenever called upon by the Archdeacon to do so.

6 **IMPROPER USAGE OF PROPERTY**

Whenever the Bishop is of the opinion that any property vested in the Diocesan Trustees in trust for any Parish is not being used to the best advantage and in the highest spiritual interest of such Parish he shall refer the matter to the Diocesan Council which shall in consultation with the Diocesan Trustees, advise him as to better use of such property

7 ENTERING INTO LOAN

No loan or other form of debt may be entered into by the Parish Council without the permission of the Diocesan Trustees.

8 IMPROVEMENTS AND PURCHASE OF EQUIPMENT

Where a Parish Vestry is desirous of doing improvements to the property or of purchasing equipment for the Parish they shall first obtain permission from the Diocesan Trustees, unless all of the following conditions are fulfilled:

- 8.1 the expenditure in no way affect the fulfilment of their obligations to the Diocese
- 8.2 the total of the expenditure is less than R30,000 or such amount as shall be determined by the Diocesan Council from time to time.
- 8.3 the requirements of Rule 7 above are fulfilled.

SECTION XXI; OF INVENTORIES, INSURANCE AND REGISTERS

1 OF THE DIOCESE

A schedule of all immovable property and an inventory of all movable property belonging to the Diocese shall be kept by the Diocesan Administrator and shall be amended by him to show acquisitions or disposals of property.

2 OF THE PARISH

A schedule of all immovable property and an inventory of all movable property within or utilised by any Parish shall be kept by the Churchwardens thereof, and shall be amended by them to show acquisitions or disposals of property.

3. EXAMINATION OF SCHEDULE AND INVENTORY

3.1 The Churchwardens of any Parish shall within one month of their election examine and if necessary, correct the schedule and inventories of all Parochial property and shall make a declaration to the Archdeacon on a form provided to the effect that all Church property is intact and in good order or otherwise.

3.2 The schedules and inventories of Parishes shall be examined and certified by the Bishop or Archdeacon at each visitation.

4 INSURANCE

All buildings and the contents thereof belonging to the Church shall be insured in the name of the Diocesan Trustees with some office named by them 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 Council; 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 Council shall do so at the expense of the Parish.

5 RECORDS

5.1 Records of all Baptisms, Marriages and Funerals, 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, shall be entered by or on behalf of, the Incumbent.

5.2 All such records shall when full, or no longer in use, be transferred by the Incumbent to the Diocesan Administrator for preservation, unless the Archdeacon is satisfied that they are safely preserved by the Incumbent and Churchwardens of the Parish to which they pertain.

5.3 The Bishop shall instruct the Diocesan Administrator to keep a record of all

Confirmations, Ordinations, Institutions and Licences which take place in the Diocese, and of such other matters of whatsoever nature as the Bishop may consider necessary.

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AD CLERUM EXTRACTS, OF THE ADMINISTRATION OF SACRAMENTS AND CONDUCT OF LITURGY

SECTION XXII; OF ADMISSION TO COMMUNION OF THE BAPTISED

1. Children must be 8 years of age or older to be admitted to Communion.
2. 2.1 The candidate must come from a committed Christian home environment where at least one parent is a regular Communicant.
 OR
 2.2 Where the child attends Church regularly but the family do not, the local congregation may undertake responsibility for the spiritual growth of the candidate.
3. The consent of the parents or guardians must be obtained even if they are not regular worshippers.
4. If the candidate thereafter moves to another Parish or Diocese, the new Parish Priest must be informed.
5. The service of Admission will follow that published by the Synod of Bishops.
Synod of Bishops.

SECTION XXIII; OF CONFIRMATION

- 1 Candidates for confirmation must be at least sixteen years of age.

SECTION XXIV; OF WEDDINGS

- 1 Weddings may be held at Chapels at the place of reception being within the jurisdiction of this Diocese when requested by the couple, provided that;
 - 1.1 the permission of the Bishop is sought before the arrangements are finalised.
 - 1.2 the Service in these Chapels will not include the Nuptial Blessing. This will be done at a Parish Eucharist as soon as possible after the wedding.

Ad Clerum November 1966

- 2 The celebration of marriage within a Nuptial Mass should be the norm, especially whenever the couple involved have been regular in their worship.

- 3 Communion from the Reserved Sacrament may not be used at a Marriage.

Ad Clerum October 2001

SECTION XXV; OF THE EUCHARIST

1. OF THE MANNER OF RECEIVING THE SACRAMENT;

Communicants may receive Communion by intinction in either of two ways;

1.1 the Communicant receives the bread, then carefully dips the bread in the chalice and consumes it

OR

1.2 the Priest is accompanied by the chalice bearer, and himself dips the wafer into the wine before placing it on the Communicant's tongue.
Synod of Bishops.

2 OF BLESSINGS AT COMMUNION

Blessings are for those who do not receive the Sacrament and for them only.

Ad Clerum October 2001

SECTION XXVI; OF FUNERALS

- 1 The celebration of a Requiem Mass should be the norm for the conduct of Funerals.

- 2 Communion from the reserved Sacrament is not permissible at Funerals.
Ad Clerum October 2001.

SECTION XXVII; OF THE RITE OF EXORCISM

- 1 Exorcism should only be attempted when all other counselling procedures have been exhausted.
- 2 No priest shall exercise this ministry without the Bishop's permission in every case unless duly authorised for such a ministry or in unavoidable emergency.

*From the rite of Exorcism, CPSA. Ad Clerum
November 1990.*

SECTION XXVIII; OF VESTMENTS

- 1 Chasubles and three part stoles are Eucharistic vestments. A three part stole may not be worn over a surplice or cotta, nor when not either presiding or concelebrating at the Eucharist.

Ad Clerum October 2001