

The Acts of the Diocese of Grahamstown 2013

**AS REVISED BY THE SYNOD
OF THE DIOCESE.**



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BISHOPS OF THE DIOCESE OF GRAHAMSTOWN

1853 John Armstrong
1856 Henry Cotterill
1871 Nathaniel James Merriman
1883 Allan Becher Webb
1899 Charles Edward Cornish
1915 Francis Robinson Phelps
1931 Archibald Howard Cullen
1959 Robert Selby Taylor
1964 Gordon Tindall
1969 Bill Bendyshe Burnett
1974 Kenneth Cyril Oram
1987 David Patrick Hamilton Russell
2004 Thabo Cecil Makgoba
2008 Ebenezer St Mark Ntlali

Suffragan Bishops

1989 Eric Pike
1993 Anthony Thembinkosi Bonga Mdletshe
1998 Nceba Bethlehem Nopece
2002 Thabo Cecil Makgoba

SESSIONS OF DIOCESAN SYNOD

UNDER HENRY COTTERILL, DD, 2nd BISHOP

1860	Grahamstown	1863	Grahamstown
1867	Grahamstown	1869	Grahamstown

UNDER NATHANIEL JAMES MERRIMAN, DD, 3rd BISHOP

1873	Grahamstown	1876	Grahamstown
1880	Port Elizabeth		

UNDER ALLAN BECHER WEBB, 4th BISHOP

1885	Grahamstown	1888	Grahamstown
1892	Grahamstown	1895	Grahamstown

UNDER JOHN GARRAWAY HOLMES, MA, DEAN AND VICAR-GENERAL

1898 Grahamstown

UNDER CHARLES EDWARD CORNISH, DD, 5th BISHOP

1902	Grahamstown	1905	Grahamstown
1909	Grahamstown	1911	Grahamstown
1913	Grahamstown		

UNDER FRANCIS ROBINSON PHELPS, MA, DEAN AND VICAR-GENERAL

1915 Grahamstown

UNDER FRANCIS ROBINSON PHELPS, DD, 6th BISHOP

1917	Grahamstown	1918	East London
1919	Port Elizabeth	1921	Grahamstown
1922	King William's Town	1923	Queenstown
1924	Grahamstown	1926	Port Elizabeth
1927	Grahamstown	1929	East London

UNDER EDMUND KEITH BLUNDELL, MA, DEAN AND VICAR-GENERAL

1931 Grahamstown

UNDER ARCHIBALD HOWARD CULLEN, DD, 7th BISHOP

1932	Grahamstown	1934	King William's Town
1936	Grahamstown	1938	Queenstown
1940	Grahamstown	1942	Port Elizabeth
1944	East London	1946	Port Elizabeth
1948	Grahamstown	1950	East London
1952	Grahamstown	1954	Port Elizabeth
1956	Grahamstown	1958	East London

UNDER ROBERT SELBY TAYLOR, MA, 8th BISHOP

1960 Port Elizabeth 1962 Queenstown
1964 East London

UNDER GORDON LESLIE TINDALL, BA, 9th BISHOP

1966 Grahamstown 1968 Port Elizabeth
1969 Grahamstown ("Division" Synod)

UNDER BILL BENDYSHE BURNETT, MA, 10th BISHOP

1970 Grahamstown 1972 East London

UNDER KENNETH CYRIL ORAM, BA, AKC, 11th BISHOP

1975 Grahamstown 1977 East London
1979 Queenstown 1982 Grahamstown
1985 Grahamstown

UNDER DAVID PATRICK HAMILTON RUSSELL, MA., PhD, 12th BISHOP

1988 East London 1991 Grahamstown
1994 East London 1998 East London
2001 East London

UNDER THABO CECIL MAKGOBA MA, 13th BISHOP

2005 East London 2007 East London
2007 East London

UNDER EBENEZER ST MARK NTLALI BA Hons., 14th BISHOP

2010 East London 2013 Grahamstown

CHAPTER I

DEFINITIONS FOR THE PURPOSES OF THESE ACTS

1. "The Synod of the Diocese" or "The Synod" shall mean the assembly constituted in terms of Chapter II of these Acts.
2. "Property" for the use and management of which provision is made in these Acts shall mean the property vested in the See, the Diocesan Trusts Board, or in any other manner so as to place it under the control of the Synod of the Diocese, or of the Bishop in his/ her capacity as such.
3. "Clergy" shall mean all persons in Holy Orders who on their part have declared their willingness to abide by the Rules and Regulations of the Provincial Synod and of the Diocese.
4. "Lay Ministers" shall mean men or women who hold the Bishop's Licence in terms of paragraph 1 of Canon 20 to perform one or more of the duties prescribed.
5. "Diocese" shall mean the ecclesiastical area constituting the Diocese of Grahamstown of the Church of the Province of Southern Africa.
6. "Resolution" shall mean a decision of the Synod passed in accordance with these Acts.
7. "Act" shall mean a Resolution intended to have legislative, administrative or mandatory effect.
8. "Session" of the Synod shall mean a meeting or series of meetings held in pursuance of any one summons by the Bishop.
9. "Unopposed Motion" when used in Chapter II shall mean a motion which the Synod unanimously agrees to consider without notice, although notice is required under these rules.
10. "Senior Priest" shall mean the priest who stands first in the Diocesan order of precedence, which is the Bishop, the Suffragan Bishop, the Dean, the Chapter in the order laid down in the Statutes of the Chapter, the Honorary Canons, the Rural Deans, other priests by priority of ordination.
11. "Pastoral Charge" shall mean any district of town or country, committed to the charge of one clergy person having the cure of souls therein, which is duly scheduled as such according to the rules of the Diocesan Synod.
12. "Incumbent" shall mean any clergy person whether he/ she be Rector or Priest-in-charge who has been duly licensed by the Bishop to the sole cure of souls within a Pastoral Charge.
13. "Rector" shall mean an Incumbent who has been duly instituted to a Pastoral Charge which has a parish church.
14. "Priest-in-charge" shall mean a Priest licensed by the Bishop to have the oversight of a Pastoral Charge during the Bishop's pleasure and under such conditions as the Bishop may determine.
15. "Parishioner" shall mean any person not being under Church censure who has attained the age of 18 and is on the list of Communicants of a pastoral charge.

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16. "Motion without notice" when used in Chapter II shall mean a motion in regard to which notice is dispensed with by the consent of a two-thirds majority of Synod, and which concerns a situation arising since the beginning of the six weeks prior to the date fixed for the commencement of Synod, or which arises out of any session of Sacred Synod or Diocesan Conference that may have been held during the six weeks before Diocesan Synod.
17. "Faculty" shall mean a formal authorisation given under the hand and seal of the Bishop of the Diocese.
18. "Diocesan organisation" or "Guild" shall mean any organisation recognised as such by Diocesan Synod.

CHAPTER II
DIOCESAN SYNOD
A. CONSTITUTION

1. The Bishop (after consultation with the Chapter) may summon the Synod of the Diocese at any time, but at least once in every two years: provided that if a session of Synod is not held for any reason the Diocesan Council and the various Diocesan Boards shall have full authority in the interim to perform all their functions in terms of the powers conferred on them by these Acts.
2. All clergy licensed in the Diocese other than retired priests who are not licensed to a pastoral charge shall be members of Synod.
3. Lay Representatives of the Diocese elected in terms of Chapter IV and elected or nominated members of the Diocesan Council, the Cathedral Chapter, the Diocesan Trusts Board and the Board of the Clergy and Dependant' Benevolent Fund and heads of Diocesan Departments who are laity shall be members of Synod. The Diocesan Chancellor, Diocesan Registrar, Diocesan Secretary/ Treasurer shall have seats in Synod but shall not have the right to vote. Licensed lay workers nominated by the Diocesan Council in terms of Chapter V. sub-paragraph 8 (l) shall have seats in Synod but shall not have the right to vote unless elected as lay representatives.
4. A quorum shall consist of not fewer than one-third of the qualified clergy and one-third of the laity whose membership of Synod has been certified by the Registrar or accepted by Synod in terms of paragraph 11(d) of this chapter.
5. Lay Representatives shall be elected for every session of Synod.
6. The Bishop shall be President of Synod, except when a Vicar-General has been appointed in his/ her place.

B. PRELIMINARIES TO A SESSION OF SYNOD

7. At least three months before a session of Synod the Bishop shall notify the clergy and churchwardens of every pastoral charge of the proposed date of the session. At the same time the Bishop shall summon all clergy licensed in the Diocese other than retired priests who are not licensed to a pastoral charge to attend the Synod, and instruct all incumbents of pastoral charges to provide for the election of lay representatives in terms of Chapter IV.
8. Notices of motion may be sent to the Diocesan Secretary by any member of Synod or any person having a seat in Synod. Notices of motion shall be in the hands of the Diocesan Secretary not less than six weeks before the session of Synod. The Bishop shall appoint an agenda committee to arrange the order in which (subject to the approval of Synod) such motions and other business of Synod shall be taken. This Committee shall consist of the Diocesan Secretary and two other members.

9. The Bishop shall cause the agenda paper drawn up by the agenda committee to be printed and circulated, together with all notices of motion and the reports of Diocesan Boards and any other reports which may have been required by Synod, three weeks before the session.

C. ORDER OF PROCEEDINGS

10. The Bishop shall fix the day, place, and hours of meeting, provided that Synod may vary the hours of meeting if it shall see fit.
11. Before the constitution of the session of Synod the members, of Synod shall meet for the despatch of preliminary formal business. The proceedings of this meeting shall be provisional until confirmed by Synod and shall be as follows:
 - a. The President shall take the chair, opening the proceedings with prayer.
 - b. The President shall appoint the Chairperson of the Committee of the whole Synod.
 - c. The following officers for the session of Synod shall be elected:
 - i. A clerical and a lay secretary, with assistants if necessary.
 - ii. A press secretary, with an assistant if necessary.
 - d. The Registrar shall report the findings of the committee of scrutiny appointed in terms of paragraph 17 of Chapter IV. If any informality or irregularity shall have been found in the election of any Lay Representatives the meeting shall determine whether that Lay Representative shall be permitted to take his/ her seat or not. The Registrar shall also certify the names and qualifications of other lay members of Synod in terms of paragraph 3 of this chapter.
 - e. The Registrar, or his/ her deputy appointed by the President, shall call the Roll of the Clergy, marking the names of those in attendance, and then the Roll of the Lay Members in the same manner.
12. On the day appointed by the Bishop for the beginning of the session of Synod, the Holy Communion shall be celebrated. After the Gospel is ended the President shall call upon the Registrar, or his/ her deputy, to certify that a quorum is present. That done, the President shall pronounce the session of Synod duly constituted.
13. The President shall then deliver his/ her charge, unless he/ she shall deem it desirable to deliver it at a later hour, in which case prayer shall be said before the charge is delivered.
14. The order of proceedings in Synod shall be:
 - a. Prayers (which shall include the singing of the *Veni Creator*).
 - b. Reading, correcting and confirming of the minutes of the previous day's proceedings, provided that on the first day of the session this shall take the form of con-

firming the proceedings of the preliminary meeting held in terms of paragraph 11 of this chapter.

- c. The Rolls of the Clergy and of the Lay Representatives shall be circulated for members to record their attendance thereon.
 - d. Presenting and reading of petitions.
 - e. Presenting reports of select committees.
 - f. Unopposed motions.
 - g. Giving notice of questions to be asked.
 - h. Asking and answering questions of which notice has been given.
 - i. Consideration of motions without notice.
 - j. Consideration of agenda in the order arranged by the Agenda Committee appointed in terms of paragraph 8.
15. Standing Rules of Order of Synod shall follow (as far as is possible and except where provision is otherwise made herein) the Standing Rules of Order of Provincial Synod, provided that the President may, with the consent of Synod, vary those rules where necessary.
 16. Any new proposal involving increased Diocesan expenditure shall be submitted to the Diocesan Council for consideration and report before being passed by Synod, or else referred by Synod to the Council with power to act.

D. CLOSE OF THE SESSION

17. At the conclusion of business the secretaries shall prepare the minutes of the last day of the session for the delegates to read; and after scrutiny they may be signed by the President. The President shall then adjourn Synod to some suitable time and place for the promulgation of its proceedings.
18. Synod shall re-assemble at the time and place set by the President in terms of the foregoing section, when a solemn service shall be held in the course of which the President shall formally assent to, confirm, and promulge the proceedings of Synod, and shall cause the same to be attested in the presence of Synod. Acts and Resolutions of the session of Synod shall come into effect immediately after such promulgation, unless Synod shall have determined otherwise. The President shall then prorogue or dissolve the Synod; and any other business which has not been disposed of shall be deemed to have been withdrawn. Those present shall thereupon sing the *Te Deum*.

19. The secretaries (together with any commission which may have been appointed by Synod for that purpose) shall compile from the minutes of the proceedings a list of Acts, Minutes, Resolutions, Rules and Regulations which have been passed by the session of Synod, and shall, if necessary, see to the printing of the same. The secretaries shall hand over to the Registrar the minutes of the proceedings, together with any documents or other records which may have become the property of the Synod.

CHAPTER III

ELECTION OF A BISHOP

1. For the election of a Bishop the procedure set out in Canon 4 shall be followed.
2. Lay Representatives for the Elective Assembly shall be elected in the same manner as Lay Representatives for the Diocesan Synod.
3. 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.

CHAPTER IV
ELECTIONS AND APPOINTMENTS

A. ELECTION OF LAY REPRESENTATIVES TO DIOCESAN SYNOD

1. Every pastoral charge shall be entitled to elect one lay representative to the Diocesan Synod provided that the Cathedral parish and any other parish having more than 250 communicants shall be entitled to elect two lay representatives. The Diocesan Youth Guild shall be entitled to nominate two lay representatives. Rhodes University Chaplaincy, Fort Hare Chaplaincy, the College of the Transfiguration, the Community of the Resurrection of Our Lord, the Order of the Holy Cross, Missions to Seamen (East London Branch), the Bernard Mizeki Guild and Operation Outreach, the Diocesan Council of the Mothers' Union and the Diocesan Council of the Anglican Women's Fellowship shall each be entitled to elect one lay representative. Every lay representative shall be of the full age of eighteen years and a communicant in good standing.
2.
 - a. The elections shall normally take place at the Annual Vestry Meeting in the year in which a Diocesan Synod is scheduled. The intention to hold the election shall be published in the notice of the Vestry Meeting in terms of Canon 27 section 7.
 - b. If a Diocesan Synod is called prior to the Vestry Meeting or is called subsequent to the Vestry Meeting being held at which no election took place, a special Vestry shall be called to effect the election in terms of this Act.
3. Every communicant entitled (by Canon 27) to take part in Vestry Meetings, shall be entitled to vote for the lay representatives.
4. No clergy person, having a seat in the Diocesan Synod, shall be entitled to vote for the election of a lay representative, but he/ she may be elected by the meeting as their Chairperson, in which case he/ she shall have a casting vote, but not a deliberative vote.
5. Nominations may be made either in writing beforehand or orally at the meeting, provided that each nomination is made by two qualified voters.
6. A quorum for the election shall be five qualified voters, but, if this number is not present, another day for the election may be decided by the majority of those present, and notice shall be given and posted on the following Sunday.
7. In the case of the non-parochial bodies referred to in paragraph 1 of this chapter meetings shall be called and election made in a manner determined by the Diocesan Registrar after consultation with the bodies concerned.
8. The Chairperson at the election shall sign and send a certificate of due election of lay representative to the Registrar of the Diocese in the following form: -I certify that A.B. has been duly elected as Lay Representative in the Synod of the Diocese of Grahamstown for the Pastoral Charge of according to the Regulations appointed for such election.

Dated

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9. The Chairperson shall also send to the Registrar a certificate of the qualification of the lay representative, in the following form:- I certify that A.B. is duly qualified to act as Lay representative in the Synod of the Diocese of Grahamstown.

Dated

This certificate shall be signed by the incumbent of the pastoral charge, if he/ she be not the Chairperson, to which the said representative belongs, or, if there is no incumbent, then by two communicants of the said pastoral charge.

10. The certificates completed in terms of paragraphs 8 and 9 above shall reach the Registrar of the Diocese not less than one week before the date set for the opening of the session of the Synod.
11. If it shall appear that the candidate elected is not duly qualified, or if he/ she decline to act, a meeting to elect another representative shall be held, of which it shall be sufficient to give and post a notice on the preceding Sunday.
12. The temporary vacancy of the cure shall not affect the rights of a pastoral charge to elect a representative, but, if for this or any other reason the regulations set out in this chapter cannot be complied with, then the Archdeacon shall authorise such departure from the said regulations as shall seem to him/ her to be necessary.
13. No lay person shall represent more than one pastoral charge or other body.
14. Should any question or dispute arise as to the election of any candidate, the case shall be referred to the Synod, which shall determine the same.
15. At the election an alternative representative may be elected to serve should the first chosen be unable to act.
16. When an alternative representative is elected certificates as described in paragraphs 8 and 9 of this chapter must be sent to the Registrar of the Diocese, with the addition of the word "Alternative" before the words "Lay Representative", in the first part of the certificate.
17. The Registrar of the Diocese, or his/ her deputy, assisted by a committee of one clergy person and one lay person appointed by the Bishop, shall proceed to scrutinise the qualifications of the lay representatives whose election has been notified to the Registrar, and if any informality or irregularity shall be found or alleged in the election of any such representative, the Registrar or his/ her deputy shall report the same to Synod. (Chapter 11, paragraph 11 (d)). This scrutiny shall take place at least three days before the date set for the opening of the session of Synod.

B. ELECTION OF LAY REPRESENTATIVES TO AN ELECTIVE ASSEMBLY

18. Lay representatives shall be elected in the same manner as lay representatives to a Diocesan Synod.

C. ELECTION OF REPRESENTATIVES TO PROVINCIAL SYNOD

19. On the first full day of every session of the Diocesan Synod, the President shall call for nominations of representatives to any session of Provincial Synod which may take place before the next session of Diocesan Synod.
20. Nominations shall be made in full Synod, but a member of Synod may nominate only representatives of his/ her own order.
21. The Secretaries shall prepare ballot papers containing the names of all those nominated, and these papers shall be handed to members of Synod when it resumes on the following day.
22. Every member of Synod shall be entitled to vote for the number of representatives signified by the President, and shall record his/ her vote by marking the ballot paper with an X against the names of those persons for whom he/ she wishes to vote provided that a member of Synod may vote only for representatives of his/ her own order and may not vote more than once for the same person.
23. The votes shall be collected before Synod adjourns on the day on which ballot papers are distributed.
24. The Deacons shall be entitled to vote in the election for clerical representatives.
25. The President shall appoint scrutineers who shall count the votes and arrange the names of the candidates in order, according to the number of votes each receives.
26. Should any two or more candidates receive the same number of votes, the President shall decide in which order their names shall appear.
27. The Diocesan Secretary shall notify as many clerical and lay candidates as the Diocese is entitled to send to Provincial Synod, the fact of their election, taking the names in order from the list prepared in terms of the two preceding paragraphs. He/ she shall further require each lay representative to send a certificate of qualification in the following form: -I certify that A.B. is duly qualified, according to the regulations of the Provincial Synod, to act as Lay Representative in the Synod of this Province. This certificate shall be signed by the incumbent of the pastoral charge to which the said representative belongs, or, if there is no incumbent, then by two communicants in the said pastoral charge.

D. ELECTION OF ADVISORY COMMITTEE TO ACT IN CASE OF A VACANCY OF THE SEE

28. An Advisory Committee to act in case of a vacancy of the See before the next session of the Diocesan Synod shall be elected in every session of the Synod in the same manner as the representatives to Provincial Synod.

E. ELECTION OF MEMBERS OF DIOCESAN BOARDS

29. Before each session of Diocesan Synod the committee appointed by the Bishop in terms of Chapter II, paragraph 8, shall compile a list of vacancies of elected members of the Diocesan Council, the Diocesan Trusts Board, the Board of the Clergy and Dependents' Benevolent Fund and Diocesan Departments (as determined by their constitutions - see Chapter V) and of the names of persons retiring, but eligible for re-election. The committee shall circulate this information with the agenda paper for the session of Synod, together with suggested names of persons recommended by them as suitable for election to the vacancies.
30. At the time appointed on the agenda paper for the elections to Diocesan Council, Diocesan Boards and Diocesan Departments the President shall call for nominations. Persons recommended by the committee in terms of the preceding section shall be deemed to have been nominated and seconded. Any member of Synod may nominate any other person, provided that nominations to the Diocesan Council shall be by orders.
31. Voting shall be by ballot. Every member of Synod exercising his/ her right to vote shall do so in respect of each vacancy for which, as a member of his/ her order, he/ she is entitled to vote. No member of Synod shall vote more than once for the same person in each ballot.
32. The President shall appoint scrutineers who shall collect and count the votes.

F. APPOINTMENT OF CERTAIN DIOCESAN OFFICIALS

33. The Bishop shall, from time to time, appoint the following officers in the Diocese:
 - a. A Chancellor, who shall be a communicant, and learned in the law and who shall
 - i. be the adviser of the Bishop in all matters of law;
 - ii. be the Bishop's assessor in all trials, either in person or by a deputy appointed by him/ her and approved by the Bishop;
 - iii. attend and assist the Bishop in person, or by a deputy appointed by him/ her and approved by the Bishop, in all Synods and Diocesan Tribunals;
 - iv. hold office at the will of the Bishop.
 - b. A Registrar who shall be a communicant and an Attorney of the Supreme Court, and who shall
 - i. act as the standing attorney of the Diocese and discharge such legal matters connected therewith as may be referred to him/ her by the Bishop;
 - ii. conjointly with the Diocesan Secretary make an annual examination of the terrier of diocesan property and report thereon to the Bishop as soon as possible after the first of January in each year;
 - iii. attend and assist the Bishop in person, or by a deputy appointed by him/ her and approved by the Bishop, at Synod;

- iv. perform any duties specially provided in these Acts;
 - v. hold office at the will of the Bishop.
- c. The Bishop may also appoint a Deputy Registrar, who shall be an attorney of the Supreme Court and who may
- i. carry out such functions of the Registrar, as may be referred to him/ her by the Bishop;
 - ii. hold office at the will of the Bishop.
- d. With the consent of the Diocesan Council, a Diocesan Administrator who shall be a communicant, and skilled in secretarial and administrative matters, and who shall:
- i. be Secretary for the Diocesan Trustees, Diocesan Finance Committee, Diocesan Council, and such other diocesan boards and committees as the Bishop may decide;
 - ii. keep and preserve the financial records of the diocese, and signed audited statements in respect thereof;
 - iii. ensure all the systems in the Diocesan Office work;
 - iv. be in charge of staff management and development in the Diocesan Office;
 - v. develop and maintain a healthy partnership between the Diocesan Office, the lay leaders and the parishes;
 - vi. inform the clergy on Provincial matters;
 - vii. deal with policy and fiscal issues, insurance and pensions;
 - viii. conduct correspondence on Diocesan matters under the direction of the Bishop and the Diocesan Council, Diocesan Boards and committees for which he/ she is secretary;
 - ix. Have charge of all Registers and Books of the Diocese and Parish Registers sent to him/ her for preservation; and of all papers and documents committed to his/ her care; and of all title deeds of Church property and of all leases, bonds, certificates of occupation, contracts or other documents in respect thereof;
 - x. Have custody of all financial securities;
 - xi. advise on matters of finance;
 - xii. deal with Diocesan property;
 - xiii. keep a terrier of all Diocesan property;
 - xiv. keep a register of the clergy of the Diocese;
 - xv. organise, with the help of others, Synods, Elective Assemblies etc;

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- xvi. perform any duty specially mentioned in these Acts;
 - xvii. Do such other duties as may from time to time be assigned;
 - xviii. Hold office for an indefinite period which shall be determinable, by notice given by or to the Bishop, the period of such notice, which shall not exceed six months, being agreed in the letter of appointment.
- e. With the consent of the Diocesan Council, a Diocesan Treasurer, who shall be a communicant skilled in financial matters, alternatively a duly qualified member of an Accounting firm appointed by the Bishop after due consultation with the Diocesan Council. The Treasurer shall:
- i. operate the payroll, pay accounts and control the accounting systems of the Diocese;
 - ii. control the debtors and creditors processing;
 - iii. process the budget;
 - iv. perform, review and maintain the reconciliation of all accounts;
 - v. prepare all financial reports;
 - vi. interpret and analyse the budget versus the actual income and expenditure, on a daily, weekly and monthly basis;
 - vii. produce annual financial statements for all the accounts;
 - viii. analyse parish financial returns, and produce relevant reports;
 - ix. attend the budget meetings and inform parishes of the diocesan budget plans;
 - x. take control of accounting systems;
 - xi. design appropriate accounting systems;
 - xii. transfer correct balances from year to year, ensuring proper roll-forward of balances;
 - xiii. have some knowledge of posting transactions;
 - xiv. keep back-up systems;
 - xv. collect, receive and bank all moneys payable to the Diocese.
34. The Bishop at his/ her discretion may appoint a Director of Religious Education and/ or a Ministries Development Officer.
35. Every such officer shall, upon his/ her appointment, make the prescribed declaration, and shall receive from the Bishop a licence of appointment to his/ her office under the Bishop's hand and seal.

CHAPTER V
DIOCESAN COUNCIL, BOARDS AND DEPARTMENTS
AND ARCHDEACONRY COUNCILS

A. THE DIOCESAN COUNCIL

There shall be a Diocesan Standing Committee known as the Diocesan Council.

1. Composition:

- a. The Diocesan Council shall consist of:
 - i. Ex officio
 - The Bishop
 - The Suffragan Bishop
 - The Dean
 - The Cathedral Chancellor
 - The Diocesan Chancellor
 - The Diocesan Registrar
 - The Archdeacons
 - ii Elected
 - One priest and one lay person and their alternates from each archdeaconry, to be elected not later than two months before each session of Diocesan Synod by the Archdeaconry Council. The manner of election shall be determined by the Archdeaconry Council but regard shall be had to the different groups which should be represented. Three persons and their alternates to be elected by Synod.
 - iii Nominated
 - Three other persons to be appointed by the Bishop after consultation with the Diocesan Council. In making such appointments account shall be taken of the desirability of providing representation for diverse interests in the Diocese.
- b. In Attendance:
 - The Diocesan Secretary/Treasurer. Such executive ministers of diocesan boards and departments as may be determined by the said boards or departments.
- a. Persons whose counsel may be desired may from time to time attend a meeting of the Council on the invitation of the Chairperson.
- b. The Alternates elected by Archdeaconry Councils or by Synod may attend a meeting of Diocesan Council only if the elected member is prevented from attending for good reason, and if the Alternate is authorised to attend by the Bishop. If a vacancy occurs as a result of the resignation, transfer or continuous absence from meetings of the elected member, the Alternate shall take the place of the elected member.
- c. Any member of the Council absent without leave of absence for three successive meetings shall be deemed to have resigned.

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- 2. Term of Office:** The term of office of elected and nominated members shall be from date of appointment until the next session of Synod.
- 3. Chairperson:** The Bishop shall be the Chairperson of the Council and shall have the right to appoint a clerical or lay member of the Council to deputise for him/ her. In the absence of both the bishop and his/ her deputy the Council shall elect one of the members present to take the chair.
- 4. Meetings:** The Council shall meet at least twice a year.
- 5. Quorum:** Ten members, of whom three shall be laity, will constitute a quorum.
- 6. Secretary:** The Diocesan Secretary shall be the Secretary of the Council.
- 7. Minutes:** After approval by the Chairperson, the minutes shall be distributed to all members of the Council, to persons in attendance and such other bodies or persons as the Council may determine.
- 8. Functions:**
 - a. To perform such duties as may be referred to it by the Diocesan Synod.
 - b. To take action on behalf of Synod on such matters as may require attention from time to time between sessions of Synod.
 - c. To advise the bishop on such matters as he/ she may refer to it or the Council may desire to bring to his/ her notice.
 - d. To make recommendations to the Diocesan Trusts Board in any matter engaging the Board's attention.
 - e. To receive reports from and assist in the direction and co-ordination of Diocesan Departments, and between sessions of Synod to approve their budgets.
 - f. To receive and administer the revenues of the Diocese between sessions of Synod and to appoint a duly qualified Accountant as auditor.
 - g. To report to each session of Synod on its work since the preceding Synod and to make such recommendations to Synod as may seem necessary from time to time.
 - h. To appoint and decide on the duties of an Executive Committee. The Executive Committee shall consist of the Bishop, the Suffragan Bishop, the Dean, the Diocesan Secretary and four members of the Diocesan Council elected at its first meeting after each Diocesan Synod. This committee shall have the power to co-opt four additional members, and the Diocesan Council shall fill casual vacancies.
 - i. To appoint sub-committees, from among its members and others, to advise on all such matters as shall be determined by the Council.
 - j. To frame by-laws and regulations laying down procedure to be followed at meetings of the Council and for carrying out its duties.

- k. To nominate, if it thinks fit, not more than three of the licensed lay workers of the Diocese, who shall have seats in Synod but shall not have the right to vote, unless elected as lay representatives.

9. Finance:

The Funds of the Diocese shall be administered by the Diocesan Council. It shall be responsible for financial policy between sessions of Synod and will receive, administer and expend money from pastoral charges and from other sources. It shall allot monies received as follows:

- a. To the General Fund Account (for the payment of the clergy).
 - b. To the Diocesan Expenses Account.
 - c. To the Special Funds Account.
10. a. Every pastoral charge shall pay an annual sum to the Diocese, to be determined by the Diocesan Council after consultation with the pastoral charge concerned.
- b. Payment of the annual sum shall be made to the Diocesan Treasurer in monthly instalments by the 25th of each month, and shall be the first charge on all parochial finance, excluding rent received in accordance with Chapter VI, paragraph 3.
 - c. In the event of the failure of a Pastoral Charge to pay the monthly instalments for a period of three months or longer, the Diocesan Council shall have the authority to appoint in consultation with the Parish Council two persons who, together with the Archdeacon, shall examine the finances of the Pastoral charge and other related matters, and make recommendations to the Council.

These recommendations may include:

- i. Remission of the current obligation in part or in whole;
 - ii. Reduction of the amount of the annual sum;
 - iii. The loss by the Pastoral Charge of its status as a Pastoral Charge, in which case the Diocesan Council shall request the Bishop to appoint a commission in terms of Chapter IX, section 4. After receiving the report of such a commission, it shall be competent for the Bishop, with the agreement of the Diocesan Council, and after consultation with the Cathedral Chapter, to declare that the Pastoral Charge should cease to exist as such, provided that Synod at its next session shall have the power to confirm or annul the action taken.
- 10.(A) There shall be a Diocesan Finance Committee (DFC) which will be a sub-committee of the Diocesan Council.
- a. The Diocesan Finance Committee shall consist of:

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- i. Ex officio The Bishop
 The Suffragan Bishop
 The Dean
 The Archdeacons
 The Diocesan Administrator or Treasurer
- ii. Elected: One suitably financially qualified person or the alternate from each archdeaconry, to be elected by the 31st of May each year by the Archdeaconry Council.
- iii. Appointed: In order to ensure an adequate financial skill base for DFC the Bishop may appoint additional members.
- b. Persons whose counsel may be desired may from time to time attend a meeting of DFC on the invitation of the Chairperson but will not have voting powers.
- c. The Alternates elected by the Archdeaconry Councils may attend a meeting of DFC only if the elected member is prevented from attending for good reasons, and if the Alternate is authorized to attend by the Chairperson. If a vacancy occurs as a result of a resignation, transfer, or continuous absence from meetings, the Alternate shall take the place of the elected member.
- d. Any member of the DFC absent without leave of absence for three successive meetings shall be deemed to have resigned.
- e. **Term of Office:** The term of office of elected and nominated members shall be from date of appointment until the next election.
- f. **Chairperson:** The Bishop shall be the Chairperson of DFC and shall have the right to appoint a clerical or lay member of DFC to deputise for him/her. In the absence of both the Bishop and his/her deputy the DFC shall elect one of its members to take the chair.
- g. **Meetings:** The DFC shall meet at least four times a year.
- h. **Quorum:** Five members will constitute a quorum.
- i. **Secretary:** The Diocesan Administrator or Treasurer shall provide a minute secretary for the DFC.
- j. **Minutes:** After approval by the Chairperson, the minutes shall be distributed to all members of DFC, to members in attendance and such other bodies or persons as DFC may determine.
- k. **Functions:** The overall responsibilities of DFC will be firstly to provide sound advice and assistance on financial matters wherever and whenever required, secondly to be responsible for the sound administration and control of the diocesan finances and to generate creative new ways of managing and enhancing the diocesan financial base.
 - i. The DFC will be responsible for investigating and developing all possible areas that might be utilized to expand the income generating base of the Diocese of Grahams-

town subject to the requirements of the Bishop of Grahamstown, Acts of the Diocese of Grahamstown and the Constitution and Canons of the ACSA.

- ii. The DFC will be responsible for the compilation, approval and communication of the annual budget of the Diocese of Grahamstown subject to the requirements of the Bishop of Grahamstown, Acts of the Diocese of Grahamstown and the Constitution and Canons of the ACSA.
- iii. The DFC will be responsible for the initial allocation and possible reallocation of priorities of funding and the control of the expenditure of the Diocese of Grahamstown subject to approved annual budget, the Bishop of Grahamstown and the Acts of the Diocese of Grahamstown and the Constitution and Canons of the ACSA.
- iv. The DFC will be responsible for any interventions that may have to be made with parishes which are experiencing problems in meeting their financial obligations to the Diocese subject to the requirements of the Bishop of Grahamstown, Acts of the Diocese of Grahamstown and the Constitution and Canons of the CPSA.
- v. The DFC will be responsible for reporting on the finances of the Diocese to each Diocesan Council meeting and to any other interested parties as directed by the Bishop of Grahamstown.
- vi. The DFC will be responsible for the development/updating of the financial policies of the Diocese of Grahamstown and the presentation of these to the Diocesan Council for approval. Following approval the DFC will be responsible for the communication of the same to all interested parties; this includes dealing with any queries/suggestions arising from the auditing of the Diocesan books.
- vii. The DFC will be responsible for the development, implementation and monitoring of the diocesan stewardship programme subject to the requirements of the Bishop of Grahamstown, Acts of the Diocese of Grahamstown and the Constitution and Canons of the CPSA.
- viii. The DFC will be responsible for determining the level of the annual sum payable (assessment) by every pastoral charge to the diocese subject to the approval of the Diocesan Council.
- ix. The DFC will be responsible for the clergy emoluments committee which will be a subcommittee of the DFC. This subcommittee will have the responsibility of reviewing the existing levels of clergy stipends, pensions and allowances and recommending suitable levels of payments in the medium and long term and will also at the same time recommend ways of achieving such payments. The Chairperson of this subcommittee will be the Diocesan Administrator and the membership will consist of the lay members of DFC and any other specialists that may be required.
- x. The DFC will be responsible for the Lay Diocesan Staff Remunerations Committee which will be a subcommittee of the DFC. This subcommittee will have the respon-

sibility of reviewing the existing salaries and packages of all lay diocesan staff members, pensions and allowances, and recommending suitable levels of payment and remuneration in the medium and long term and ways of achieving them. The Chairperson of this subcommittee will be appointed by the Bishop. The membership will consist of lay and clerical members of DFC, together with any other specialists that may be required, and will be appointed by the Bishop. Lay diocesan staff are excluded from this sub-committee.

- I. **Exclusions:** The following are areas which are specifically excluded from the functions of DFC:
 - i. All activities and funding which fall under the responsibility of the Diocesan Trust Board as defined in the Acts of the Diocese of Grahamstown.
 - ii. All activities and funding which fall under the responsibility of the Board of the Clergy and Dependants' Benevolent Fund as defined in the Acts of the Diocese of Grahamstown.

11. General Fund Account:

- a. The payment of the Clergy shall be on scales drawn up by the Diocesan Council and reviewed by Synod at each session, and shall include allowances for the following, viz, service, marriage and dignitaries.
- b. The Incumbent and assistant clergy of a Pastoral Charge shall each be provided at the cost of the Pastoral Charge with suitable accommodation which shall, unless excused by the Archdeacon for cogent reasons, be equipped with fixtures and fittings and conveniences conforming to modern standards, as shall be determined from time to time by the Diocesan Council. Such accommodation shall not be let by the Incumbent and Churchwardens without the consent of the Archdeacon and the Bishop or the Suffragan Bishop in his/ her area.
- c. The Incumbent and assistant clergy of a Pastoral Charge shall each be entitled to necessary transport for parochial duties. All stipendiary clergy using privately owned vehicles on parish business shall be entitled to an allowance or an amount calculated on each kilometre travelled, whichever shall be the greater, such allowance and rate per kilometre to be determined from time to time by the Diocesan Council or the Executive Committee. Such allowance shall be claimable from the relevant Pastoral Charge, provided however that any shortfall may be claimed from the Diocesan Council if the Council is satisfied that:
 - i. the Pastoral Charge is unable or has undue difficulty in paying the claim;
 - ii. the vehicle used is adequate and properly maintained by the claimant; and
 - iii. a detailed log-book is kept and submitted quarterly to the Diocesan Treasurer.

- c. Where clergy work in rural areas the rate charged per kilometre may be increased. This rate will be laid down by the Diocesan Council or Executive on an annual basis.
- d. Clergy appointed in terms of this Chapter, Para 42(a) shall be entitled to accommodation and travelling expenses as specified in Paras (b) and (c) above at the charge of the Diocesan Council. Travelling expenses incurred by all non-parochial clergy on the business of the Diocese or of a Pastoral Charge shall be paid by the Diocese or the Pastoral Charge as the case may be at the scale determined by the Diocesan Council.
- e. Clergy appointed in terms of this Chapter, Para 42(a) shall be entitled to accommodation and travelling expenses as specified in Paras (b) and (c) above at the charge of the Diocesan Council. Travelling expenses incurred by all non-parochial clergy on the business of the Diocese or of a Pastoral Charge shall be paid by the Diocese or the Pastoral Charge as the case may be at the scale determined by the Diocesan Council.
- f. Every clergy person shall be enrolled on the Clergy Stipend Schedule unless the Bishop and the Diocesan Council determine otherwise. He/ she shall thereafter come under any rules for grading stipends, and shall be entitled to receive the stipend for the time being in force for such grade, so long as he/ she holds the licence of the Bishop. Other clergy who may be licensed by the Bishop shall be placed on a separate schedule, and at such rates of payment as the Bishop and the Diocesan Council shall decide. The schedules mentioned above shall be drawn up by the Diocesan Council and submitted for review at each session of Synod.
- g. All stipends and allowances shall be paid monthly.
- h. It shall not be lawful for any clergy person to receive any payment for his/ her services other than that provided under the schedules (save and except the customary Easter offerings, the Whitsunday offerings for assistant clergy and surplice fees) or to do any outside paid work without the consent in writing of the Bishop.
- i. All retired clergy (other than retired clergy licensed to a Pastoral Charge) shall be entitled to receive fees from a Pastoral Charge for occasional duty therein, such fees being on a scale determined, and reviewed from time to time, by Diocesan Council.
- j. The Bishop, after due consultation with the Diocesan Council, may license a Deacon upon his/ her ordination to any Pastoral Charge for preliminary training at the charges of the General Fund.
- k. When additional expense is incurred by the appointment of a clergy person from without the Diocese, the Diocesan Council shall make such grant as it deems suitable to meet the expenses of removal, provided always that if the clergy person does not remain in the Diocese for at least three years he/ she shall refund a proportionate amount of such grant.
- l. When a stipendiary clergy person dies, his/ her spouse shall receive his/ her stipend and allowances for the month of his/ her death, and for three full months thereafter. She/

he may reside in the house for the same period unless it be required in which case an equivalent rent shall be paid to her/him for the unexpired time. If the clergy person be a bachelor/ spinster or a widower/ widow, a similar gratuity may be paid, at the discretion of the Council, direct to any person or persons who have been either solely or partially dependent on the deceased clergy person.

12. Diocesan Expenses Account: This account shall be used for the following purposes:

- a. Salaries of the Diocesan Secretary / Treasurer and the office staff.
- b. Travelling expenses of the Bishop, the Suffragan Bishop, the Archdeacons, and of clergy attending the Diocesan Council, Diocesan Boards, and Committees and Commissions appointed by Synod, the Diocesan Council, or by the Bishop, and of non-parochial clergy attending Synod.
- c. General office expenses, including rent, printing, postage, etc.
- d. Provincial pension premiums of the clergy on the Diocesan stipend schedules.
- e. Upkeep of the Bishop's house and Suffragan Bishop's house.
- f. Upkeep of non-parochial Diocesan property.
- g. Grant towards the Bishop's and Suffragan Bishop's stipend.
- h. Provincial assessment.
- i. Synod expenses.
- j. Diocesan Secretary / Treasurer's pension premium.
- k. Diocesan Secretary / Treasurer's travelling expenses.
- l. Such other items as are approved by the Diocesan Council.

13. Special Funds Account: This account shall be used for the following purposes:

- a. Cathedral fabric and services.
- b. Diocesan Departments.
- c. Diocesan Development.
- d. Grants within and outside the Diocese.

14. No proposal involving increased expenditure shall be approved by the Diocesan Council until it is satisfied that funds are available.

15. Any Pastoral Charge in receipt of a loan for building purposes from the Diocesan Council, or any source guaranteed by the Council, receiving compensation for vacated building or ground, shall be required to liquidate the debt as far as the sum received allows.

B. DIOCESAN BOARDS

16. There shall be the following Boards:
 - a. The Diocesan Trusts Board.
 - b. The Board of the Clergy and Dependants' Benevolent Fund.
17. The Chairperson of each Board, or in his/ her absence the Vice-Chair, shall have a deliberative as well as a casting vote.
18. Each Board shall meet at least once a year and at such other times as may be required for the transaction of business.
19. Any member of a Board absent without leave of absence for three successive meetings shall be deemed to have resigned.
20. The Boards shall have the power to fill any vacancies amongst their nominated or elected members occurring through death, resignation or removal, but such appointments shall last only until the next session of Synod.
21. Each Board may appoint sub-committees, from among its members and others, to advise it on such matters as it desires.
22. Each Board may appoint from among its members and others, delegates for the purpose of consultation with similar Boards in neighbouring dioceses to make recommendations on matters of mutual concern.

The Diocesan Trusts Board:

23. The Diocesan Trusts Board shall be constituted as follows:
 - a. Ex officio: The Bishop, who shall be Chairperson of the Board
The Suffragan Bishop
The Dean of Grahamstown
The Diocesan Chancellor
The Diocesan Registrar
The Diocesan Secretary/Treasurer.
 - b. Elected: Two lay members elected by the Diocesan Synod.
 - c. Nominated: Two members appointed by the Bishop.

Elected and nominated members shall hold office for four years or until the session of Synod immediately following the expiration of this period.

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24. The quorum shall consist of not fewer than three members.
25. The Diocesan Trusts Board is appointed, in accordance with Canon 42 "Of Trusts" and Article XIX of the Constitution, to hold and administer the endowments of the Diocese.
26. All capital moneys held by the Diocesan Trusts Board shall be invested by the Board in such stock, loans, mortgage bonds or other securities as the Board shall consider advisable, and such other investments as are permitted by Canon 42 as amended from time to time, safety of capital being the first consideration.
27. It shall be sufficient if documents which are required to be signed by the Trustees are signed by the Chairperson or Vice-Chair and the Diocesan Secretary/ Treasurer, on their having been authorised thereto by a resolution of the Board.
28. All immovable property hereafter given or acquired for the benefit of the Church in this Diocese, shall be transferred to the Trustees for the time being of the Diocesan Trusts Board, with such special trusts and conditions as may be attached thereto.
29. The Diocesan Trusts Board shall be entitled to let property vested in it, provided that the consents mentioned in Chapter VI, paragraph 2, have been obtained and that the lease shall in no case be for a term of more than 9 years.
30. a. All incumbents and churchwardens are required to co-operate with the Registrar of the Diocese, and the Diocesan Secretary/ Treasurer, in ascertaining whether there are title-deeds of all Church properties in their respective pastoral charges.
b. Any title-deeds in the possession of the incumbent or churchwardens of any pastoral charge shall be forwarded to the Registrar of the Diocese.

The Board of the Clergy and Dependants' Benevolent Fund:

31. The Board of the Clergy and Dependants' Benevolent Fund shall be constituted as follows:
 - a. Ex officio: The Bishop; who shall be Chairperson of the Board.
The Suffragan Bishop
The Dean of Grahamstown
The Diocesan Registrar
The Diocesan Secretary/Treasurer.
 - b. Elected: Two clergy and two lay persons elected by Synod. One clergy person and one lay person shall retire by rotation at each session of Synod, but shall be eligible for re-election.
32. A quorum shall consist of not fewer than four members.
33. The Diocesan Secretary/Treasurer shall act as Secretary of the Board and he/ she shall keep minutes of the proceedings of the Board's meetings; and such minutes shall be confidential.
34. The Capital of the Clergy and Dependants' Benevolent Fund shall be held and invested by the Diocesan Trusts Board. The interest received from the capital shall be paid over to the

Board of the Clergy and Dependants' Benevolent Fund, who shall administer and expend it in the following manner:

- a. pay the necessary costs of administration;
 - b. make allowances and grants to any of the persons specified in paragraphs 35 and 37 as they think desirable and, in their discretion and without assigning any reason, refuse to make allowances or grants to particular persons. The amount of any allowance or grant shall be at the sole discretion of the Board and shall be governed by the need of the applicant. No allowance or grant shall be without the minuted authority of the Board or without the consent in writing of a majority of the Board.
35. The following persons are entitled to submit to the Board either personally, or through an agent, applications for allowances:
- a. Bishops and other clergy who have served in the Diocese of Grahamstown for at least five years and are not less than sixty years of age.
 - b. Widows, widowers, orphans, or dependants of bishops and other clergy of the Diocese of Grahamstown.
 - c. Clergy licensed in the Diocese of Grahamstown who, through accident, sickness or infirmity, may be incapacitated from following their vocation and who thereby lose their source of income.
36. All applications for allowances shall be supported by full particulars of the applicant's financial position. The particulars so supplied shall be treated as strictly confidential, and shall not be disclosed to anyone who is not a member or an official of the Board. Further, the Board shall be entitled to call for and receive medical certificates and financial vouchers before considering any application for an allowance. All allowances shall be subject to annual reconsideration by the Board.
37. Any clergy person licensed in the Diocese of Grahamstown and the Diocesan Office Staff may apply to the Board for a grant to meet such expenses as doctors', dentists', chemists', and hospital bills, and the cost of spectacles. The Board shall be the sole judge as to whether the above expenses can be met by the applicant without hardship, and make such a grant as it thinks fit.
38. The Board shall render to each session of Synod of the Diocese of Grahamstown an audited statement of receipts and expenditure for the preceding calendar year, together with a report of its work since the last session of Synod signed by the Bishop. The names of beneficiaries shall not be mentioned in either the statement or report.
39. By "allowance" is meant an annual sum, paid monthly (or quarterly if the recipient so desires) to augment the income of the applicant.
40. By "grant" is meant a single payment for a specified purpose.

C. DIOCESAN DEPARTMENTS

41. The Bishop may, with the approval of the Diocesan Council, set up such Departments as may be deemed necessary.
42. Departments shall either:
 - a. be served by a full-time officer or officers who may be clerical or lay; and/or
 - b. be served by a part-time officer or officers, to be responsible for the execution of the policy of the Department.
43. The budgets of all Departments shall be approved by the Diocesan Council.
44. Committees of Departments shall be constituted as follows, unless otherwise determined by the Diocesan Council:
 - a. Ex officio: The Bishop.
The officers of the Department.
 - a. Nominated: Three persons nominated by the Bishop of whom at least one shall be a lay person. One of these shall retire by rotation at each session of Synod.
 - b. Elected: Three persons elected by Synod of whom at least one shall be a lay person. One of these shall retire by rotation at each session of Synod.
 - c. In addition, the Committee may co-opt further members.
45. a. The Bishop shall be Chairperson of each Departmental Committee except that he/ she may nominate any other person to act in his/ her stead. Each Committee shall elect its own Vice-Chair.
 - b. The Chairperson, or in his/ her absence the Vice-Chair, shall have a deliberative as well as a casting vote.
 - c. Each Committee shall meet at least once a year and at such other times as may be required for the transaction of business.
 - d. Any member of a Committee absent without leave of absence for three successive meetings shall be deemed to have resigned. The Committee shall have power to fill any vacancies amongst their nominated or elected members occurring through death, resignation or removal, but such appointment shall last only until the next session of Synod.
 - e. Each Committee may appoint Sub-Committees from among its members and others, to advise it on such matters as it desires.

D. ARCHDEACONRY COUNCILS

46. An archdeaconry council shall be formed in each archdeaconry.
47. The council shall consist of the Archdeacon, all clergy in the archdeaconry who hold the Bishop's licence, other than retired clergy not licensed to a pastoral charge, elected and nominated lay representatives who shall be communicants. The number of lay representatives and the manner of election shall be determined by the Archdeacon after consultation with the parish councils of the archdeaconry. The Mothers' Union, Bernard Mizeki Guild, Diocesan Youth Guild and Anglican Women's Fellowship shall each be entitled to nominate one lay representative. Council shall have the power to co-opt.
48. The functions of each council shall be:
 - a. to seek to promote the mission of Christ in the area.
 - b. to consider matters referred to it by the Bishop, Diocesan Synod, Diocesan Council, the Archdeacon or Parish Councils.
 - c. to elect representatives to the Diocesan Council in terms of this chapter.

E. DIOCESAN ORGANISATIONS

49. Every diocesan organisation or guild shall have a constitution approved by Diocesan Council, which shall include at least the presentation of annual reports and audited financial statements.

CHAPTER VI
ACQUISITION, TENURE AND
MANAGEMENT OF CHURCH PROPERTY

1. All immovable property hereafter given or acquired for the benefit of the Church in this Diocese shall be transferred to the Trustees for the time being of the Diocesan Trusts Board, with such special trusts and conditions as may be attached thereto.
2. a. No pastoral charge shall enter into any contract for the purchase or acquisition of immovable property without the prior consent of the Diocesan Trusts Board.
b. No legal agreement relating to the exclusive use of any church property for a period of three months or more shall be concluded without full consultation with and the written approval of the Diocesan Trusts Board.
c. All landed property given or acquired for parochial purposes shall be under the general management and control of the duly instituted minister of the pastoral charge and, the Parish Council, and if they wish to alienate or hypothecate such property, they shall first obtain the consent of:
 - i. The parishioners assembled in Vestry;
 - ii. The Archdeacon having jurisdiction over the area in which the property is situated;
 - iii. The Diocesan Trusts Board;
 - iv. The Bishop.
3. All rent received from the lease of any immovable property shall be placed in a separate interest-bearing account, or shall be kept and reflected as a separate ledger entry in the parish book-keeping and accounts. The first call on such rent and any interest earned thereon shall be the payment of rates and the cost of necessary maintenance incurred in respect of the said immovable property. Detailed account of such income and expenditure must be presented to the Diocesan Secretary once every three months.
4. The duly instituted minister of a pastoral charge shall have the use of the church and the exclusive right of occupying the parsonage and its immediately adjacent garden, without let or hindrance, so long as he/ she is under no sequestration or sentence of deprivation in the manner recognised by the Synod.
5. No church or other parochial building shall be erected, nor shall any church or other parochial building be altered, added to or demolished, nor shall any expenditure whatsoever be incurred in connection with such projects unless:
 - a. The consent of the Vestry or Parish Council, with permission of the Archdeacon, has been obtained, and
 - b. the procedure described in paragraph 6 has been followed.
6. a. Projects involving expenditure exceeding an amount to be determined from time to time by the Diocesan Council shall require a Faculty.

- b. A project requiring a Faculty shall be submitted to the Archdeacon together with preliminary plans, an estimate of the cost and a statement showing how the cost is to be met.
 - c. After the project has received the approval of the Archdeacon the Pastoral Charge may prepare final plans and specifications and these together with updated estimates shall be submitted through the Archdeacon to the Bishop who may issue a Faculty for the plans to be implemented.
 - d. Final plans and specifications shall be made by a registered architect or, with the consent of the Archdeacon, some other competent person.
 - e. Copies of all final plans, specifications and contract documents shall be filed in the Diocesan Office.
7. When maintenance work is to be effected on parochial buildings at a cost exceeding an amount to be determined from time to time by the Diocesan Council, the following procedure shall be adopted:
 - a. The proposal shall be referred to the Archdeacon together with an estimate of the cost and such information as he/ she may require.
 - b. If the Archdeacon is satisfied that the work involves only minor alterations to the structure or appearance of the building and is satisfied as to the financial feasibility of and necessity for the work he/ she may consent to the proposal without reference to the Bishop, and subject to such conditions as he/ she may see fit to impose. If the Archdeacon is not satisfied he/ she shall require that application be made for a Faculty in which case the procedure prescribed in Paragraph 6 shall be followed.
8. Any parochial authorities who have endowment funds at their disposal may forward the same to the Diocesan Treasurer for investment on their behalf. Such funds shall then be invested in the name of the Trustees for the time being of the Diocesan Trusts Board.
9. a. All church properties of whatever description shall be insured against fire, storm and riot in the name of the Diocesan Trusts Board, Diocese of Grahamstown.
 - b. Premiums shall be paid through the Diocesan office, and in no case shall the rate of premium exceed that normally charged in the Republic of South Africa.

CHAPTER VII
THE STATUS OF THE CLERGY
A. OF CLERGY

1. The functions of incumbents are defined in Canon 24.
2. All appointments of incumbents to pastoral charges shall be made by the Bishop after consultation with the Chapter. The Parish Council of the Pastoral Charge may suggest to the Bishop the type of qualities which it deems suitable in an incumbent.
3. The Bishop shall communicate his/ her nomination to the Parish Council of the charge concerned before the appointment is made. Should the church officers dissent from the Bishop's nomination, and after three months no agreement be reached, the appointment shall be referred to the Metropolitan, whose decision shall be accepted forthwith by the Bishop and the churchwardens and Parish Council concerned.
4. No clergy person shall be removed from his/ her cure of souls except it be in the execution of a sentence by an ecclesiastical tribunal or in accordance with Canon 25, section 7. In no case shall he/ she be removed from a pastoral charge at the instance of the parishioners themselves except by the process already affirmed.
5. a. A clergy person appointed to any pastoral charge appearing on the schedule of pastoral charges shall be licensed or, if the Bishop, after consultation with the Chapter, so decide, shall be instituted to the cure of souls therein.
b. The Bishop, after consultation with the Chapter, may appoint a Team Ministry, consisting of two or more clergy, one of whom shall be the incumbent, to care for one or more pastoral charges. The status and title of office of members of such a Team Ministry shall be decided by the Bishop after consultation with the Chapter.
6. An incumbent may resign his/ her charge by giving three months' notice in writing to the Bishop who may, at his/ her discretion and at the request of the incumbent, shorten the period of notice.
7. Assistant curates shall be appointed by the Bishop in consultation with the incumbent. Such appointments may be terminated by either the incumbent or the curate himself by giving three months' notice, provided that upon the application of either party the Bishop shall be empowered to terminate the appointment earlier, but subject to at least one month's notice.
8. If the pastoral charge becomes vacant, the assistant curate may resign at once by giving three months' notice: the new incumbent may also terminate the appointment in like manner.
9. Clergy of the diocese shall attend such clergy schools as are authorised by the Bishop unless leave of absence has been given by him/ her. Travel costs and subsistence allowances shall be determined by the Diocesan Council, and paid by the Pastoral Charge to which each clergy person is licensed, provided that a Pastoral Charge may apply to the Diocesan Council for the payment of such expenses as the Pastoral Charge is unable to meet.

Non-parochial clergy on the diocesan stipend scale, and retired priests not licensed to a Pastoral Charge, shall be entitled to payment of expenses by the Diocesan Council. Other non-parochial clergy, including non-stipendiary clergy, shall be responsible for meeting their own expenses, provided that the Bishop may at his/ her discretion and at the request of the clergy person concerned recommend that the Diocesan Council pay part or all of such expenses.

Stipendiary Clergy

10. a. Annual Leave: All stipendiary clergy shall be entitled to thirty days paid leave in each calendar year of service (including not more than four Sundays and excluding Statutory public Holidays). Such leave must be taken within six months of its falling due. At least one period of fifteen consecutive days must be taken in each calendar year.
- b. Accumulative Leave: In addition to annual leave, stipendiary clergy shall be entitled to accumulate twelve calendar days leave in respect of each completed calendar year of service. Such leave to accumulate up to a maximum of sixty days. This leave shall be available after thirty six days have been accumulated subject to consultation with the Bishop and Chapter.
- c. Sick Leave
 - i. Clergy shall be entitled to thirty six days paid leave during each period of thirty six consecutive months of service in the Diocese. Should more than three consecutive days of sick leave be required at any one time (within a reasonable period) a medical certificate shall be required by the Diocesan Secretary to justify the requirement of sick leave.
 - ii. Any extension of the entitlement to sick leave may be granted at the discretion of the Bishop, who shall consult at least two members of Cathedral Chapter and the Diocesan Secretary in time exercise of such discretion, and may be granted on full pay, or partial pay, or be unpaid.
- d. Compassionate Leave: After consultation with at least two members of the Cathedral Chapter the Bishop may place clergy on compassionate leave, which leave shall not exceed thirty days in any one calendar year.
- e. Study Leave
 - i. Study leave may be granted by the Bishop in consultation with the Cathedral Chapter, and after consultation with any Parish Council which might be affected.
 - ii. Study leave may be granted only for the pursuit of courses approved by the Bishop and the Chancellor of the Cathedral.
 - iii. At the discretion of the Bishop in consultation with the Cathedral Chapter, study leave may be granted on full pay, or partial pay, or be unpaid

Chap. VII. The Status of the Clergy

- iv. Upon the completion of study, clergy who have benefited from study leave shall be required to spend a period of time which is equivalent to the period of study leave granted, in the service of the Diocese.
- f. Maternity/ Paternity Leave: Clergy shall be entitled to twelve weeks paid maternity leave alternatively two weeks paid paternity leave.
- g. Provision of Services: In Pastoral Charges where there are no assistant clergy, the provision of services during the absence of the Incumbent shall be at the expense of the Pastoral Charge, subject to the approval of the Bishop, and by arrangement between the Incumbent and the Church wardens.
- h. Days Off: Clergy shall be entitled to take one day off in each working week, which shall be determined in consultation with the Church Wardens and may be accrued within one calendar month.
- i. Leave Forms: Whenever Annual, Accumulative, Sick, Compassionate, Study, Maternity, or Paternity leave is taken, a leave form shall be submitted to the Diocesan Secretary, and copied to the Archdeacon

Self-Supporting Clergy

- j. Leave: All self-supporting clergy shall be entitled to leave. Such leave shall be arranged with the relevant authorities.
11. A clergy person, temporarily unfitted through ill health or accident to carry out his/ her duties, may be granted such leave and such emoluments as the Bishop, in consultation with the Diocesan Council may decide.
12. Except in terms of paragraphs 10 and 11 of this chapter, no incumbent shall absent himself from his/ her pastoral charge on a Sunday, without having previously reported the matter to the Archdeacon, and having provided for the necessary services. He/ she may not absent himself for periods longer than a week, except in accordance with the provision of paragraphs 10 and 11 above, without the consent of the Bishop.

B. OF ARCHDEACONS

13. a. Archdeacons shall be appointed by the bishop to hold office in terms of Canon 15 and shall have jurisdiction over an area to be defined by the Bishop.
- b. In the Cathedral Church the jurisdiction proper to the office of Archdeacon belongs to the Dean, who may also be appointed by the Bishop as Archdeacon of a wider area.
- c. Every Archdeacon, in addition to the stipend to which he/ she is entitled, shall receive such additional allowances as the Bishop in consultation with the Diocesan Council shall determine.
- d. The duties and powers of Archdeacons shall be those defined in Canon 15.

CHAPTER VIII

LAY MINISTERS

1. The exercise of the office of Lay Minister shall be by licence of the Bishop who may grant, revoke, or renew such licence as he/ she deems fit.
2. Lay Ministers who are licensed by the Bishop to perform one or more of the duties prescribed in paragraph 2 (a), (b), (c) and (d) of Canon 20, shall exercise such ministry within a particular pastoral charge or chaplaincy and elsewhere within the Diocese only by invitation of the person having the cure of souls and with the consent of their own incumbent or chaplain.
3. In pastoral charges the Bishop's licence shall be issued only upon the recommendation of the Incumbent, who shall first consult the Parish Council. The views of the Parish Council shall be made known to the Bishop.
4. In extra-parochial chaplaincies the Bishop's licence shall be issued only upon the recommendation of the chaplain concerned.
5. A person duly appointed to be admitted as Lay Minister in accordance with the provisions of paragraphs 2, 3 and 4 above shall first in the presence of the Bishop or a priest appointed by him/ her, make the following declaration:

"I, A B, do solemnly declare that with God's help, I will faithfully perform the ministry to which I believe He has called me and for which I am now to be licensed. I promise to give due obedience to the Bishop and to those set over me in the Lord."

This declaration shall be made, whenever possible, during an act of public worship in the Pastoral charge or Chaplaincy to which the Lay Minister is to be licensed. During such service, the members of the congregation are to be reminded of their calling and duty as lay persons.

6. Persons to be licensed as lay ministers shall undergo such training as the Bishop may determine.
7. Any Lay Minister who for any reason is unable to exercise his/ her lay ministry within the Pastoral Charge or Chaplaincy to which he/ she is licensed shall immediately notify the Incumbent and surrender his/ her licence to the Bishop.

CHAPTER IX

PASTORAL CHARGES

1. A schedule of all pastoral charges compiled by the Diocesan Council shall be presented to each session of Synod for approval. The constitution of a new pastoral charge as hereinafter provided shall always be subject to the approval of Synod, provided that a pastoral charge shall be deemed to have been constituted from the date of its definition by the Bishop with the agreement of the Diocesan Council until the next following session of Synod, which shall have the power to confirm or annul the constitution of any such new pastoral charge.
2. Boundaries of pastoral charges shall be defined geographically with territorial overlapping kept to a minimum. It shall be the primary aim of such definition to secure the best possible pastoral oversight of the people living in the areas concerned.
3. The power of constituting new pastoral charges and of altering the limits of existing pastoral charges, and of designating the nomenclature and defining the status of such pastoral charges or of any other pastoral work in the diocese, shall rest in the Bishop, subject to the provisions of this chapter and to such other rules as the Diocesan Synod may from time to time lay down.
4. When it is desired that a new pastoral charge be constituted, or that an existing one should cease to exist, or that extensive changes be made to the boundaries that have already been defined, the Bishop shall appoint a commission which shall consult with the incumbents and Parish Councils of all pastoral charges concerned with or affected by the new arrangement, and report back to the Bishop within three calendar months of its constitution.
5. When the Bishop wishes to designate as the principal church of a Pastoral Charge (in terms of Canon 23) a church other than that which has hitherto been recognised as such, he/ she shall first consult with the Incumbent and Parish Council and in the event of their agreement and that of the Archdeacon, he/ she shall designate the principal church accordingly. In cases where the Incumbent or the Parish Council or both disagree with the proposed designation, the Bishop, after consultation with the Archdeacon, the Chapter and the Diocesan Council, and subject to their agreement, may designate the principal church accordingly. The Rectory shall be situated in the region where the principal church has been designated, unless the Bishop shall determine otherwise.
6. The incumbent of any pastoral charge shall have the right, if the Bishop approves, to establish within his/ her charge chapelries where separate congregations shall assemble for divine worship, such chapelries remaining under his/ her jurisdiction saving all ordinary rights of the Bishop.
7. The incumbent shall also have the right to establish within his/ her pastoral charge outstations which may be used as chapels of ease to the principal church of the charge, but those worshipping at such outstations shall have no other rights or privileges save those which they derive as members of the principal church.
8. The Bishop shall have the right to declare those areas which, though having the services of, and being exclusively administered by a full time priest, have not yet attained the status of

pastoral charges, to be mission districts. The territorial limits of such mission districts shall be defined in the same way as those of pastoral charges.

9. The Bishop may establish extra-parochial chaplaincies for the ministrations to schools, colleges, religious communities, units of the armed services, missions to seamen, or any other group of people for whom he/ she considers special provision should be made. Such chaplaincies shall be administered by those whom the Bishop has licensed for the work, and shall not fall under the incumbent of the pastoral charge in which they are situated.
10. Except as is provided in this chapter, no clergy person of the Church may conduct public ministrations within the limits of a pastoral charge other than that to which he/ she is licensed, without the consent of the incumbent concerned.

CHAPTER X
VESTRIES, PARISH COUNCILS AND OTHER PAROCHIAL MATTERS
A. THE VESTRY

1. In every Pastoral Charge a Vestry Meeting shall be held in accordance with the provisions of Canon 27.
 - (i) at least once every calendar year not later than the second Sunday after Easter;
 - (ii) whenever required under the Canons;
 - (iii) whenever the Parish Council shall determine that a meeting be convened;
 - (iv) at the request of at least ten parishioners, except in parishes where there are fewer than 50 parishioners where no fewer than 10% will suffice, who have signed a document requesting such a meeting which has been delivered to the Incumbent. Such document shall state the object of the meeting. The meeting shall be convened within fourteen days from the day on which the Incumbent received the document. No business other than that stated in the document shall be discussed at the meeting. This meeting shall not occur more than once a quarter.
2. All parishioners, as defined in Chapter 1, Section 15, shall be entitled to be present, to speak, and to vote at Vestry Meetings.
3. The function of the Vestry meeting held in accordance with the provisions of Section 1 (i) shall include the reception of the Churchwardens' accounts for the previous year and the election of Churchwardens and Parish Councillors.

The functions of all Vestry meetings shall include the care, with the incumbent, of the parish in matters affecting worship, ministry, education, evangelism, unity and development.

4. All accounts shall be scrutinised by a qualified auditor, or some competent person approved by the Archdeacon, before being presented to the Vestry meeting and copies of these financial statements, together with a declaration of all marketable securities, Bank and Savings Accounts, and cash in hand, must be signed by the Priest and Churchwardens, and together with the official financial and statistical returns, must be submitted each year by the Churchwardens to the Archdeacon and the Diocesan Secretary/ Treasurer before May 31st.
5. Meetings of the Vestry shall be convened in accordance with the provisions of Canon 27, Section 7.

B. CHAPELRIES

6. At every chapelry a Vestry meeting shall be held in accordance with Canon 27, section 3, and in accordance with the provisions of this Chapter, so far as they apply.

C. CHURCHWARDENS AND CHAPELWARDENS

7. a. Two Churchwardens shall be elected annually by the Vestry held in terms of Section 1 of this Chapter in accordance with the provisions of Canon 29, to perform the duties defined in Section 7 thereof.

- b. An alternate Churchwarden may be elected by the Vestry in terms of Canon 29, Section 4.
- 8. Where a Chapelry has been established within a pastoral charge, the congregation thereof shall elect two Chapelwardens and at their discretion may elect one alternate Chapelwarden. The election shall be held at a meeting of members of the Chapelry not later than the second Sunday after Easter each year.
- 9. a. No Churchwarden or Chapelwarden shall serve for consecutive periods in excess of 5 years without the authority of the Bishop.
 - b. The Bishop may authorise a Churchwarden or Chapelwarden to serve for consecutive periods in excess of 5 years only where the Incumbent of the Pastoral Charge or Chapelry has shown to him/ her (or his/ her nominated representative) that:
 - i. The retirement of the serving Churchwarden or Chapelwarden will seriously impair the sound administration of the Pastoral Charge or Chapelry; or
 - ii. efforts to find an alternative candidate for Churchwarden or Chapelwarden have failed.
 - c. Any extension given by the Bishop under (b) above shall be in writing for a period to be determined by him/ her in each case.
- 10. It is expected that all Churchwardens, Alternate Churchwardens and Chapelwardens be persons faithful in worship, service and stewardship.
- 11. At the time of their election, or as soon after as may be possible, Churchwardens and Chapelwardens shall be given a copy of Canon 29 by the incumbent.

D. PARISH COUNCILS

- 12. A Parish Council shall be elected annually in each pastoral charge, in accordance with the provisions of Canon 28, to perform the functions defined in Section 4 thereof.
- 13. If the Vestry shall determine that the number of elected members be more than fifteen, the Churchwardens shall inform the Archdeacon accordingly.
- 14. Parish Councils shall be entitled to make such regulations as shall ensure representation of recognised parochial organisations on the Council.
- 15. A Parish Council may co-opt not more than five additional members.
- 16. Every Parish Council shall meet at least once every quarter during the year, and at such other times as the Council may decide. A special meeting of the Council may be summoned by the Bishop or Archdeacon, when one or both shall attend the meeting.
- 17. A Chapelry may elect a Chapelry Council at the meeting at which Chapelwardens are elected, provided that due notice has first been given.

18. The Incumbent shall be the Chairperson of the Council, unless he/ she shall have appointed one of the Churchwardens to assume the Chair of the Council either during his/ her term of office or for a particular meeting of the Council. In the absence of the incumbent, and where a Churchwarden has not been appointed as Chairperson by him/ her, the Council shall elect a Chairperson for the meeting.
19. Every Parish Council shall elect a Secretary and a Treasurer, though one person may exercise the functions of both.
20. a. In terms of Canon 29 section 7 (b) (iv) and Canon 28 section 4, the Churchwardens shall
 - i. present to the Parish Council an interim financial statement at least once a quarter for the consideration of the Council; and
 - ii. submit such financial statements, together with the comments of the Parish Council, to the Diocesan Secretary/Treasurer and to the Archdeacon within seven days of the meeting of the Council to which the statement was presented.
- b. In case of the failure of the Churchwardens to submit the financial statements as required in the previous sub-section, the Archdeacon shall take such action as he/ she may deem fit, by virtue of his/ her authority in terms of Canon 15 section 3, and shall have the right to suspend the Churchwardens from the exercise of their office.
- c. If after four weeks from the date of such suspension the Archdeacon is not prepared to re-instate one or both of the Churchwardens to the exercise of their office, the Bishop shall, if after due enquiry he/ she is satisfied that the Archdeacon has acted with good cause, declare the office of one or both Churchwardens, as the case may be, vacant in terms of Canon 29 section 6 (b) (iii) and the vacancy shall be filled in terms of Canon 29 section 6 (c) and Canon 27 section 6. During the suspension of the Churchwardens the alternate Churchwarden if there be one, or otherwise the Parish Council, shall discharge the duties of the Churchwardens.
- d. Provided that any disciplinary actions in terms of the preceding sub-sections (b) and (c) shall be taken only after the Archdeacon has satisfied himself by pastoral ministrations that no other course is possible.
21. Sidespersons may be appointed in each parish to carry out such duties as the Council, with the agreement of the Incumbent, may determine.
22. Churchwardens, Parish Councillors and Sidespersons (if any) shall be admitted to their office in accordance with the provisions of Canon 30.
23. Every member of the Parish Council shall be given a copy of these regulations and of Canon 28.

E. BOOKS AND REGISTERS

24. Each pastoral charge shall provide a fire-proof safe in which shall be kept the books and registers.

25. The following books shall be kept in each pastoral charge:
 - a. Registers of baptisms, confirmations, marriages, and burials;
 - b. an account book;
 - c. a register of services held, numbers attending, and collections received;
 - d. a vestry book in which shall be recorded:
 - i. the minutes and resolutions of the Vestry;
 - ii. all immovable property acquired by gift or purchase for pious or charitable purposes connected with the church, and situate within the boundaries of the said pastoral charge;
 - iii. all moneys invested, together with the nature of the trusts (if any) under which such moneys are held;
 - iv. movables of a durable nature in connection with the fabric or furniture of the church.
 - e. A book in which are recorded the minutes and resolutions of the Parish Council.
26. It shall be the duty of the incumbent to keep an up-to-date list of the communicants within the pastoral charge.
27. Should any pastoral charge or chapelry be abandoned, the registers and parish books shall be handed to the Diocesan Secretary/Treasurer for safe keeping, or to the pastoral charge in which the area then falls, as the Bishop shall direct.

F. CHURCHYARDS, MONUMENTS ETC.

28. Where any church possesses a churchyard that may be used for burials the following rules shall apply:
 - a. all interments shall comply with municipal and legal requirements;
 - b. no interment, including interment after cremation, shall take place within the church or within fifteen feet of the walls thereof, except with the written permission of the Bishop;
 - c. a plan of the graves and plots shall be prepared and kept by the incumbent and churchwardens;
 - d. any moneys or fees received in respect of the plots shall be used for the keeping of the churchyards in good order;
 - e. the design of any monument with the inscription thereon, or other work to be erected on any plot, shall be submitted to the incumbent and churchwardens for approval, provided that the petitioner has the right of appeal to the Bishop.

Chap X, Vestries, Parish Councils and Parochial Matters

29. No monuments, mural tablets, stained glass windows, statues, or other permanent fixtures shall be set up in any church without a faculty from the Bishop, and no such faculty shall be given without the consent in writing of the incumbent, churchwardens, and Archdeacon.
30. No ornament or furnishing shall be placed in a church, removed from it, or altered without agreement between the incumbent and churchwardens.
31. No permanent alteration in the ornaments or furnishings of the church may be made without the consent of the Bishop, who may require that the Vestry be consulted, or that a faculty be applied for, or both.

G. SERVICES

32. The hours of all services are fixed by the Incumbent. If the Parish Council considers the times to be unsuitable, a Vestry Meeting shall be summoned and if the majority so direct, the Churchwardens shall represent the case to the Archdeacon.
33. The incumbent is responsible for directing the music in church and also for the appointment of the organist.

H. TABLE OF FEES

34. Fees according to custom are payable to the officiating minister for the subjoined services, at rates determined by the Parish Council, provided that they may be reduced at the discretion of the Incumbent.
 - i. Certified extracts from the parish registers.
 - ii. The Solemnisation of Holy Matrimony.
 - iii. The use of transport for Funeral services.
35. Fees are payable at rates determined by the Parish Council to the Organist and Verger when they are in attendance at a service of Holy Matrimony or at a Funeral service.
36. Fees may be payable to the Diocesan Registrar for his/ her services.

I. BOOKS OF REFERENCE

37. An up-to-date copy of the Acts of the Diocese, together with a revised copy of the Constitution and Canons of the Church of the Province of Southern Africa, shall be kept in the Vestry of each Pastoral Charge and Chapelry in the Diocese..

APPENDIX

DEED OF CONSTITUTION AND STATUTES OF THE CHAPTER OF THE CATHEDRAL OF ST MICHAEL AND ST GEORGE, GRAHAMSTOWN

Letters of Constitution

for the Chapter of the Cathedral Church

of St Michael and St George, Grahamstown

Know all persons by these Presents that whereas in the year of Our Lord one thousand eight hundred and seventy-eight the Bishop of Grahamstown granted to the Chapter of the Cathedral Church of Grahamstown a fixed and permanent Constitution;

And whereas we, Ebenezer, by Divine Permission, Bishop of Grahamstown, have now deemed it advisable to revise the said Constitution;

Now therefore these Presents witness

That we, Ebenezer, by Divine Permission, Bishop of Grahamstown, do by these Presents revoke the Letters of Constitution aforesaid and do hereby ordain and appoint that the Chapter shall be governed by Statutes promulgated by us and bearing even date with these Presents.

Provided always, and we do hereby expressly declare that the dignitaries and Canons, or any persons hereafter to be appointed by us, or our successors, to the said offices and dignities, or any of them, shall not either jointly or severally exercise any jurisdiction but such only as shall be committed to them, or any of them, by ourselves, or our successors.

And lastly, we do hereby reserve to ourselves, and to our successors, all Episcopal jurisdiction, rights and privileges whatsoever.

In testimony whereof we have hereunto caused our Episcopal Seal to be affixed, and do subscribe our hand this Sixth day of August, in the year of Our Lord Two Thousand and Thirteen, in the fifth year of our Episcopate.



EBENEZER GRAHAMSTOWN

CAP. I

OF THE CHAPTER

1. The Chapter of the Cathedral Church of St Michael and St George, Grahamstown, shall consist of the Bishop Suffragan, the Dean, the Chancellor of the Cathedral, all the Archdeacons, and eleven other Canons. Seven of the Canons shall be priests holding a current licence, under the hand of the Bishop, to minister in the Diocese, and shall include the Bishop's Executive Officer, the Canon Administrator and the Canon Theologian. The other four shall be communicant Lay persons living within the Diocese.

The Archdeacons shall hold precedence according to the order of their appointment as an Archdeacon in the diocese, followed by the Canons according to the order of their election.

The Bishop may at his/ her discretion after consultation with at least three members of the Chapter terminate the membership of Chapter of a Canon whom he/ she has suspended or put under discipline.

2. The Chapter is the Bishop's standing Council for the administration of the Spiritualities of the Diocese. It shall be the duty of the Canons to deliberate on such matters as the Bishop may refer to them, and advise him/ her thereon, and to assist the Bishop, if he/ she so desires, in the examination of such as are to be admitted to Holy Orders, and in the Laying-on of hands, or if there be judicial proceedings in the Diocesan Court, or other exercise of spiritual discipline.
3. The Chapter shall be empowered to tender of their own accord their counsel and advice to the Bishop whenever it shall appear to them desirable to do so.
4. The Bishop may at any time summon the Chapter, and preside therein. The Chapter shall ordinarily be summoned by citation, or convened by the Chancellor, either in obedience to the Bishop's mandate, or at the request of the Dean (provided in the latter case that the Dean shall have obtained in writing the consent of two Canons), at least ten days before the day appointed for the meeting.
5. A Chapter meeting shall be convened at any time if a majority of Canons notify to the Dean in writing their desire for such meeting; ten days' notice of such meeting to be given by the Chancellor.
6. The Chapter shall be convened, and shall meet so often as occasion shall require, and not less than once a year.
7. The Chapter shall be empowered to meet under the presidency of the Dean in order to make representations to the Bishop in any grave matter affecting the welfare of the Diocese.
8. All Canons shall have stalls assigned to them and shall assist as occasion requires at Divine Service and other offices in the Cathedral, and in the ministrations of the Sacraments and other rites of the Church. And further it shall be their duty to preach in the Cathedral from time to time at the invitation of the Dean.
9. The Bishop has the right of officiating and performing all Ecclesiastical functions at his/ her own option within the Cathedral Church.
10. The business of the Chapter shall be considered as strictly private, unless it shall be decided otherwise.

CAP. II

OF ELECTION AND INSTALLATION

The Dean, Chancellor and Archdeacons are appointed by the Bishop, after due consultation with the Chapter, and in accordance with the requirements of Canon 15, in the case of Archdeacons.

Of the remaining seven clergy Canons, the Bishop's Executive Officer, the Canon Administrator and the Canon Theologian shall be appointed by the Bishop and Chapter; three shall be elected by the general body of the duly licensed clergy of the Diocese being in Priest's orders; the other one shall be elected by the Chapter.

The four Lay Canons shall be elected by the Chapter from nominations received from the Parish or Archdeaconry Councils in the Diocese.

In the event of a vacancy among the Lay Canons, the Chancellor shall call on Parish Councils to nominate suitable communicant Lay Persons living in the Diocese to serve as Lay Canons.

Canons appointed after the promulgation of these Statutes shall serve for a period of seven years from their election after which they shall be eligible for re-election, confirmation by the Bishop being in all cases necessary to the validity of such election. Provided that:

1. The person chosen shall be a priest, or Communicant Lay person in full communion with the Church, well reported of for gravity, zeal, and learning, and the Bishop shall be certified that the subscriptions and declarations required by the Canons of the Church of this Province have been made, before he/ she proceeds to confirmation.
2. The Bishop may refuse to confirm the candidate elected in, the above manner, for Canonical reasons only, viz., that the Person so elected is not of competent learning, or not of sound faith, or not of good morals, or on the ground that the election was informal.
3. Such refusal to confirm the election shall be notified to the Dean or other head of Chapter, in order that it may by him/ her be communicated to the rest of the Chapter within thirty days after the date of the notification of the election.
4. The Chapter shall have the right of appeal from the Bishop's decision to the Metropolitan, whose judgment shall be final.

When elected and confirmed, a new Canon shall be installed according to a form to be provided for that purpose, having first made the following Declaration:

"I, A.B., appointed Canon in the Cathedral Church of St Michael and St George, in the Diocese of Grahamstown, do profess and promise due and Canonical obedience to the Diocesan Bishop, and to the Statutes of the said Cathedral Church which are or shall be imposed by the authority of the Bishop, with the consent of the Chapter, for the furtherance of the work of Christ and His Church in this Diocese, so help me God, through Jesus Christ."

The person appointed as Dean shall make a similar Declaration to the one above.

CAP. III

OF THE OFFICE OF DEAN

The Office of the Dean of the Cathedral, as Caput Numerale, shall be, in subordination to the Bishop,

1. To maintain in the Cathedral the solemn worship of Almighty God, the preaching of the Word, and the administration of the Sacraments and other rites of the Church.
2. To have the cure of souls in the Cathedral Parish, and rule over all ministers of the Cathedral whether Clerks or Laics, and the general control of all ministrations in the said Church.
3. To exercise Archidiaconal functions within the limits of the Cathedral City and Parish.
4. To preside, in the absence of the Bishop, at Cathedral Chapters.
5. On the voidance of the See, pending the formal appointment of a Vicar-General, to administer in conjunction with his/ her Chapter the spiritualities thereof, and to maintain discipline according to the Canons of the Church of this Province.

The Dean, when presiding, will have a casting vote in addition to his/ her own vote in any question whereon the Chapter is equally divided.

OF THE OFFICE OF CHANCELLOR

The Office of Chancellor shall be, in subordination to the Bishop,

1. To have charge of the Diocesan Theological Students and the oversight and direction of their studies.
2. To encourage efficient teaching of the Church's faith in schools and colleges throughout the Diocese and to be available for advice on educational matters.
3. To have charge of the Chapter Records.
4. To be Scriba to the Dean and Chapter.

The Chancellor of the Cathedral shall have the second place in the Chapter.

OF THE OFFICE OF ARCHDEACON

The Office of the Archdeacon shall be exercised in subordination to the Bishop and in accordance with the Provincial Canon 15 Of Archdeacons and with the rubrics of the Ordinal.

No alteration in or addition to the Statutes of the Cathedral after they have been promulgated under the Bishop's hand and seal shall be made without the joint consent of the Bishop and Chapter.

Revised by the Chapter and approved by the Bishop, 6 August 2013, the members of the Chapter being:

The Very Reverend Andrew John Hunter, Dean and Archdeacon of Grahamstown
The Reverend Canon Doctor William Robert Domeris, Cathedral Chancellor and Canon Theologian
The Venerable Robin Patrick Murray, Archdeacon of Albany
The Venerable William Mziwamandla Fobosi, Archdeacon of Alice
The Venerable Mark Spyker, Archdeacon of East London East
The Venerable Pumzile Penrose Mpumlwana, Archdeacon of East London Central
The Venerable Zamile Theophilus Dlanjwa, Archdeacon of Scenery Park East London
The Venerable Lorraine Rusch, Archdeacon of East London South
The Venerable Esther Nomathamsanqa Mhlana, Archdeacon of East London West
The Venerable James Frederick Rusch, Archdeacon of Kidd's Beach East London
The Venerable Mziwoxolo Doda, Archdeacon of King William's Town East
The Venerable Professor Peter Mtuze, Archdeacon of King William's Town West
The Reverend Canon Lawrence Mlulami Nzwana, Bishop's Executive Officer and Chaplain
The Reverend Canon Cynthia Nan Webbstock
The Reverend Canon Simphiwe Magxwalisa
The Reverend Canon Bubele Theophilus Mawethu Mfenyana, Canon Administrator
The Reverend Canon Lulama Mtanjiswa Ntshingwa
Mrs Stephanie Lee, Lay Canon
Mrs Nontsikelelo Lubelwana, Lay Canon
Mrs Nontobeko Moletsane, Lay Canon
Professor Paul Walters, Lay Canon

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