

ANGLICAN CHURCH OF AUSTRALIA

DIOCESE OF GOULBURN

PAROCHIAL PROPERTY ORDINANCE 1975¹

CONSOLIDATED VERSION AN ORDINANCE

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Regulations

¹ Please note that the Original Ordinances included in this Consolidation are recorded in the Ordinance books of the Diocese of Canberra and Goulburn. If you have any concern about this consolidation please contact; rupert.hammond@netspeed.com.au
This version of the Ordinance has not been approved by the Chancellor in accordance with section 75 of the Diocesan Legislation Ordinance 2007 and is only for information

PAROCHIAL PROPERTY ORDINANCE

To make provision with respect to Property held by or for Parishes or Mission District.²

Be it enacted by the Synod of the Diocese of Canberra and Goulburn, as follows:

PART I INTRODUCTION

1 Short Title

1.1 This Ordinance may be cited as the Parochial Property Ordinance 1975.

2 Commencement

2.1 This Ordinance shall come into operation on the date on which the Administration of Parishes and Mission Districts Ordinance 1975³ comes into operation.⁴

3 Incorporation

3.1 This Ordinance shall be incorporated in and read as one with, the Administration of Parishes and Mission Districts Ordinance 1975.⁵

4 Interpretation

4.1 In this Ordinance, unless the contrary intention appears:

“**Archdeacon**”, in relation to a parish or Mission district, means the Archdeacon appointed by the Bishop to be Archdeacon in respect of the parish or mission district;⁶

“**Bishop**” means the Bishop of Canberra and Goulburn or the person administering the Diocese during the absence of the Bishop of Canberra and Goulburn or a vacancy in the office of Bishop of the Diocese;

⁷

⁸

“**Ornament**” means an article used in accordance with the rites and ceremonies of this Church or with the traditions of this Church;

⁹¹⁰

“**Registrar**” means the Registrar of the Diocese;

“**This Church**” means the Anglican Church of Australia.¹¹

¹² **Note:** The Dictionary included in the Diocesan Legislation Ordinance 2007 provides definitions of the following terms:

- Bishop-in-Council
- Diocese
- Property Trust⁷

² Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

³ Repealed by the Governance of the Diocese Ordinance 2000

⁴ Amended by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁵ Amended by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁶ Amended by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁷ Deleted by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

⁸ Deleted by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

⁹ Deleted by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

¹⁰ Amended by Parochial Property Amendment Ordinance 1989

¹¹ Amended by Parochial Property Amendment Ordinance 1989

¹² Inserted by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

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- 4.2 In this Ordinance, unless the contrary intention appears:
- (a) a reference to a church, in the sense of a building, is a reference to a building set apart, or intended to be set apart, exclusively for the worship of God according to the usage of this Church, or a building licensed by the Bishop for any such worship; and
 - (b) a reference to the Registrar-General is a reference to the Registrar-General of New South Wales, and includes a reference to the Registrar of Titles of the Australian Capital Territory.
- 4.3¹³ Where a deacon holds an appointment to have, or to have jointly with a priest or another deacon, responsibility for the pastoral affairs of a parish or mission district¹⁴, this Ordinance applies to the parish or district as if references in this Ordinance to the priest of the parish or district were read as references to the deacon holding that appointment or the deacon holding the appointment and the priest or other deacon, jointly, as the case requires.

PART II CHURCH PROPERTY

5 Land to be Vested in the Property Trust

- 5.1 A person may, with the approval of the Bishop and the Property Trust:
- (a) provide land as a site for the erection of a church, or for the erection of another building, for use by this Church for charitable or other purposes;
 - (b) provide land as Glebe land or as a burial ground; or
 - (c) provide a building erected on land for use by this Church for charitable or other purposes,

by transferring the land, or causing the land to be transferred, to the Property Trust.

- 5.2 ¹⁵Where land is transferred to the Property Trust in accordance with sub-section 5.1 the Property Trust shall, if required to do so by Bishop-in-Council, execute a declaration of trust approved by Bishop-in-Council, being a declaration that will ensure that the land or building is used for the purposes for which it is provided.

5.3 ¹⁶A declaration of trust, or an attested copy, shall, if Bishop-in-Council so directs, be deposited or registered with the Registrar-General.

- 6.1 No grant or loan of moneys shall be made by the Property Trust to a parish or mission district¹⁷ for the purpose of erecting a building on land or of repairing or

¹³ Inserted by Parochial Property Amendment Ordinance 1991

¹⁴ Amended by the Governance of the Diocese Ordinance Amendment Ordinance 2012

¹⁵ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

¹⁶ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

¹⁷ Amended by the Governance of the Diocese Ordinance Amendment Ordinance 2012

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extending a building erected on land, unless the land is vested in the Property Trust and the deeds are deposited with the Registrar.

7 Insurance

- 7.1 ¹⁸Bishop-in-Council shall cause all church property held for, or used by, a parish or mission district to be adequately insured and kept insured, at the cost of the parish or mission district, against fire and other risks that having regard to good commercial practice, it is prudent to insure against.¹⁹
- 7.2 ²⁰Before causing property to be insured Bishop-in-Council shall consult the parish or district council concerned with regard to the value of the property and the risks to be insured against.
- 7.3 ²¹If Bishop-in-Council and the parish or district council concerned fail to agree on the value of any property or of the risks to be insured against, a person skilled in insurance appointed by the parish or district council with the approval of Bishop-in-Council shall determine the matter.
- 7.4 The expenses of a person appointed in accordance with sub-section 7.3 shall be borne by the parish or mission district²² concerned.
- 7.5 ²³Where a parish or mission district fails to pay the amount of the cost of any insurance effected at its cost, or any part of that amount, Bishop-in-Council may deduct an amount equal to that amount or that part of that amount from any moneys held by the Property Trust on behalf of the parish or mission district.²⁴

8 Maintenance and Repair of Property

- 8.1 A parish or district council shall, whenever it is necessary to do so for the purposes of this section, cause a competent person approved by the Property Trust to inspect all lands, buildings and other property held on behalf of, or used by, the parish or mission district and report to the council and the Property Trust concerning the condition and state of repair.²⁵
- 8.2 A person appointed under sub-section 8.1 shall, in a report referred to in that sub-section, also make recommendations with respect to any maintenance and repairs required in connection with the lands, buildings and property.

¹⁸ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

¹⁹ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

²⁰ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

²¹ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

²² Amended by the Governance of the Diocese Ordinance Amendment Ordinance 2012

²³ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

²⁴ Amended by the Governance of the Diocese Ordinance Amendment Ordinance 2012

²⁵ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

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- 8.3 A report referred to in sub-section 8.1:
- (a) ²⁶shall be in accordance with a form made available by the Bishop-in-Council for the purpose; and
 - (b) ²⁷shall be made at such times as Bishop-in-Council directs but so that not more than 3 years shall elapse between the making of any 2 successive reports.
- 8.4 A copy of a report furnished in accordance with sub-section (1) shall be forwarded by the parish or district council to the Archdeacon appointed by the Bishop for the purpose in order that the Archdeacon may consult with that Council from time to time concerning the carrying out of maintenance and repairs recommended in the report.²⁸

9 Erection or Alteration of Buildings

- 9.1 In this section, “building” means a church, hall, house or other building.
- 9.2 A building shall not be erected in the Diocese by, or for use by, a parish or mission district otherwise than after this section has been complied with.²⁹
- 9.3 A building held for, or used by, a parish or mission district shall not be altered otherwise than after this section has been complied with.³⁰
- 9.4 Application for permission to erect or alter a building:
- (a) shall be made to the Bishop in writing by the priest of the parish or mission district concerned on behalf of the parish or district council;³¹
 - (b) shall contain, or be accompanied by, particulars of the proposed building or alteration; and
 - (c) if the application is for permission to erect a building - shall specify the site on which the building is to be erected.
- 9.5 If the Bishop approves the application in principle:
- (a) if the Bishop so requires - instructions for the erection or alteration of the building shall not be submitted to the architect unless they have been approved by the Bishop;
 - (b) working drawings and specifications for the erection or alteration of the building shall not be prepared unless the Bishop has approved sketch plans for the building or alteration;

²⁶ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

²⁷ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

²⁸ Amended by Parochial Property Amendment Ordinance 1989

²⁹ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

³⁰ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

³¹ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

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- (c) if the Bishop so requires - the erection or alteration of the building shall not be commenced unless the Bishop has approved the working plans and specifications; and
- (d) if the Bishop so requires - alterations shall not be made to the approved plans or specifications unless the Bishop has approved the alterations.

9.6³²³³ Where sketch plans are furnished to the Bishop for approval, there shall be furnished with them an estimate of the cost of the building or alteration.

9.7 If the Bishop so requires, an estimate of the cost of the building or alteration by a qualified quantity surveyor shall also be furnished to the Bishop.

10 Furnishings

10.1 Furnishings for a church, hall, house or other building held, or to be held, for, or used, or to be used, by, a parish or mission district shall not be placed in the church, hall, house or other building unless the design and specifications of the furnishings have been approved by the Bishop.³⁴

10.2 Sub-section 10.1 does not apply to the furnishings of a house provided by the occupier of the house, or furnishings referred to in paragraph 18.1 (e) of the Administration of Parishes and Special Districts Ordinance 1975³⁵.

11 Churches

11.1 A building shall not be licensed or consecrated as a church unless it has been provided with fittings and furnishings necessary for the celebration of divine services according to the law and usage of this Church.³⁶

11.2 A building shall not be consecrated as a church unless it is erected on land vested in the Property Trust.³⁷

11.3³⁸

12 Debts

12.1)³⁹ Parish or mission district⁴⁰ shall not incur a debt in connection with the erection or alteration of a building or the acquisition of any property, or for any other purpose, unless the parish or district council has authorised, and Bishop-in-Council has approved, the incurring of the debt.

³² Amended by Parochial Property Amendment Ordinance 1991

³³ Amended by Parochial Property Amendment Ordinance 1991

³⁴ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

³⁵ Repealed by the Governance of the Diocese Ordinance 2000

³⁶ Amended by Parochial Property Amendment Ordinance 1989

³⁷ Amended by Parochial Property Amendment Ordinance 1989

³⁸ Deleted by Parochial Property Amendment Ordinance 1989

³⁹ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

⁴⁰ Amended by the Governance of the Diocese Ordinance Amendment Ordinance 2012

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12.2⁴¹⁴² Bishop-in-Council may, by resolution, exempt from the operation of subsection (1) debts included in a class of debts specified in the resolution.

12A Delegation

12A.1⁴³⁴⁴ Bishop-in-Council may, by resolution, delegate to:

- (a) the Registrar or another member of the diocesan staff all or any of its powers under section 7;
- (b) the Registrar all or any of its powers under subsection 8.3; or
- (c) the Registrar or the Finance Division all or any of its powers under section 12.1.

12.2⁴⁵ The delegation of a power under this section does not prevent the exercise of a power by Bishop-in-Council.

12.3⁴⁶ A power so delegated, when exercised by the delegate, shall, for all purposes, be deemed to have been exercised by Bishop-in-Council.

PART III CHURCHES AND THEIR USES

13 Officiating at Services

13.1 A person shall not administer the sacraments, celebrate divine service, perform any other rites or ceremonies of this Church or preach a sermon in a church in the Diocese unless the person is licensed or authorised to do so by the Bishop.⁴⁷

14 Use of Churches

14.1 A licensed, dedicated or consecrated church in a parish or mission district shall not be used otherwise than for the administration of the sacraments, the celebration of divine service, the performance of the rites and ceremonies of this Church, or the giving of religious instruction, or for another purpose approved by the Bishop upon application by the priest of the parish or district.⁴⁸

14.2 A person other than the Bishop and the priest of a parish or mission district shall not perform the functions of a clerical office in the parish or mission district (including an office in a church in the parish or district) unless:⁴⁹

- (a) the person is licensed by the Bishop to perform the functions of the office;
or⁵⁰

⁴¹ Inserted by Parochial Property Amendment Ordinance 1991

⁴² Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

⁴³ Inserted by Parochial Property Amendment Ordinance 1991

⁴⁴ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

⁴⁵ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

⁴⁶ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

⁴⁷ Amended by Parochial Property Amendment Ordinance 1989

⁴⁸ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁴⁹ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁵⁰ Amended by Parochial Property Amendment Ordinance 1989

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- (b) the person is licensed or authorised by the Bishop to officiate in the Diocese and:⁵¹
 - (i) the priest of the parish or district has consented to the performance of the functions by the person; or⁵²
 - (ii) in a case where the priest of the parish or district is, by reason of absence from the parish or district or inability, unable to decide whether to consent, or there is a vacancy in the office of priest of the parish or district - the Bishop has consented to the performance of the functions by the person.⁵³

15 Parish Records

- 15.1 The priest of a parish or mission district⁵⁴ responsible for the pastoral affairs of a congregation worshipping in the parish or district and the churchwardens of the congregation are responsible for the safe custody of all registers, records, church plate and other articles held on behalf of the congregation or used in connection with the administration of the sacraments, the celebration of divine service or the performance of the rites and ceremonies of this church connected with the congregation.
- 15.2 The registers and records referred to in sub-section 15.1 are, at all reasonable times, open to inspection by the archdeacon.
- 15.3 An archdeacon shall, when required to do so by the Bishop, report to the Bishop concerning the condition of any records and registers referred to in sub-section 15.1.
- 15.4 Records and registers referred to in sub-section 15.1 that are not in current use shall be deposited with the Registrar for safe custody.

16 Alteration to Fabric of Churches

- 16.1 No alteration shall be made to the fabric or internal arrangements of a church unless approved by a faculty given by the Bishop.

17 Ornaments and Monuments

- 17.1 No ornament or monument shall be placed in, or removed from, a church unless approved by a faculty given by the Bishop.
- 17.1 No monument shall be placed in, or removed from, a churchyard unless approved by a faculty given by the Bishop.

⁵¹ Amended by Parochial Property Amendment Ordinance 1989

⁵² Amended by Parochial Property Amendment Ordinance 1989

⁵³ Amended by Parochial Property Amendment Ordinance 1989

⁵⁴ Amended by the Governance of the Diocese Ordinance Amendment Ordinance 2012

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18. Application for a faculty:

18.1 Application for a faculty:

- (a) approving an alteration to the fabric or internal arrangements of a church in a parish or mission district;⁵⁵
- (b) approving the placing of an ornament or monument in, or the removal of an ornament or monument from, a church in a parish or mission district; or⁵⁶
- (c) approving the placing of a monument in, or the removal of a monument from, a churchyard in a parish or mission district;⁵⁷

may be made in writing by the priest of the parish or district and the churchwardens of the congregation worshipping in the church, jointly.

18.2 Before making an application for a faculty, the priest of the parish or mission district shall cause notice of intention to apply for the faculty to be displayed in the church concerned for not less than 14 days.⁵⁸

18.3 A notice of intention to apply for a faculty shall:

- (a) contain particulars of the proposal for which approval is to be sought, and
- (b) state that objection may be made to the proposal by furnishing particulars of the objection to the priest of the parish or special district or to the Bishop, in writing, before a date specified in the notice, being a date 14 days after the notice is first displayed in the church.

18.4 An application for a faculty:

- (a) shall state whether notice has been duly displayed as required by subsection 18.3 and whether any objection has been received; and
- (b) if any objection has been received by the priest of the parish or mission district - shall be accompanied by the objection.⁵⁹

18.5 In considering whether to grant a faculty, the Bishop shall have regard to any objection made to the proposal.

18A Buildings and Faculties Committee for the Diocese

18A.1⁶⁰ For the purposes of this Ordinance, there shall be a Buildings and Faculties Committee for the Diocese.

⁵⁵ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁵⁶ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁵⁷ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁵⁸ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁵⁹ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁶⁰ Inserted by Parochial Property Amendment Ordinance 1989

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18A.2⁶¹ The Buildings and Faculties Committee shall consist of such persons as are from time to time appointed to be members of it by Bishop-in-Council on the nomination of the Bishop.

18A.3) A member of the Buildings and Faculties Committee:

- (a) ⁶²shall hold office for such term as is fixed by Bishop-in-Council at the time of his or her appointment, but is eligible for re-appointment;
- (b) may resign office by writing delivered to the Registrar;
- (c) if he or she has a pecuniary interest in a matter before the Committee:
 - (i) shall disclose the nature of the interest to the Committee; and
 - (ii) shall not, without the consent of the Committee, take part in any deliberations of the Committee concerning the matter or vote on any resolution relating to the matter.

18A.4 ⁶³At a meeting of the Buildings and Faculties Committee, a quorum is such number of the members of the Committee as Bishop-in-Council determines.

18A.5 The Bishop, or the delegate of the Bishop, shall convene, and shall preside over, meetings of the Buildings and Faculties Committee.

18A.6 The Bishop may appoint a person to be the delegate of the Bishop of the purposes of:

- (a) convening meetings of the Buildings and Faculties Committee;
 - (i) at any time; or
 - (ii) at any time when the Bishop is absent from the Diocese; or
- (b) presiding over meetings of the Buildings and Faculties committee in the absence of the Bishop from the meetings;

or both.

18A.7 Anything done by the delegate of the Bishop in accordance with his or her appointment has the same effect as if it had been done by the bishop.

18A.8 An appointment under subsection 18.6 has effect during the pleasure of the Bishop.

18A.9 Subject to this section, the practice and procedure of the Buildings and Faculties Committee are as determined by the Committee.

⁶¹ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

⁶² Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

⁶³ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

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18B Functions of Buildings and Faculties Committee

18B.1⁶⁴ The functions of the Buildings and faculties Committee are:

- (a) to consider, and tender advice to the Bishop concerning applications for faculties under this ordinance;
- (b) ⁶⁵to consider, and tender advice to the Bishop or Bishop-in-Council on such matters concerning land, buildings or furnishing of buildings held on behalf of this Church within the Diocese as are referred to the Committee by the Bishop or Bishop-in-Council, as the case may be.

18B.2 Nothing in this section shall be taken to prevent the Bishop from granting a faculty under the Ordinance without having received advice from the Buildings and Faculties Committee in respect of the application for that faculty.

PART IV GLEBES AND CEMETERIES

19 Glebes

19.1 The priest in charge of a parish or mission district and the churchwardens of the principal congregation in the parish or district are responsible for the management and control of any glebe lands held on behalf of the parish or district.⁶⁶

19.2 Unless the terms of the trust applicable to any glebe lands held on behalf of a parish or mission district provide otherwise, the revenues from, and the proceeds of, the lands shall be paid into the general funds of the parish or district.⁶⁷

20 Management of Cemeteries

20.1 Where a cemetery vested in the Property Trust, or in the Bishop, is associated with the church in a parish or mission district, the priest of the parish or district and the churchwardens of the congregation worshipping at the church are responsible for the management of the cemetery.⁶⁸

20.2⁶⁹ A cemetery vested in the Property Trust, or in the Bishop, may be transferred to the Local Governing Authority concerned if Bishop-in-Council approves and the rights of this Church with respect to use of the cemetery are safeguarded.

20.3 As soon as possible after each 31 December, the persons responsible for the management of a cemetery shall furnish to the Registrar an audited account of all moneys received or expended in connection with the cemetery.

⁶⁴ Inserted by Parochial Property Amendment Ordinance 1989

⁶⁵ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

⁶⁶ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁶⁷ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁶⁸ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁶⁹ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

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PART V RIGHTS OF PRIEST OF PARISH OR MISSION DISTRICT

21 Rights of Priest of Parish or Mission District⁷⁰

21.1 The priest of a parish or mission district:

- (a) is entitled to access, at any time, to every church building and land held on behalf of, or used by, the parish or district;
- (b) may exercise spiritual functions in any such building without hindrance by any member of this church; and⁷¹
- (c) is entitled to hold keys to any such building and to gates giving access to any such land.

20.2 The priest of a parish or mission district is entitled to occupy, and to quiet enjoyment of, a residence made available by the parish or district for the priest and of its gardens and appurtenances.⁷²

20.3 Nothing in this section shall be taken to confer any rights on a priest after the priest has ceased to be the priest of a parish or mission district or while the priest is suspended from office.⁷³

22 Use of Church Buildings

22.1 Church buildings held on behalf of, or used by, a parish or mission district:⁷⁴

- (a) may be used by the priest of the parish or district at all reasonable times for purposes connected with the performance of the priest's functions; and⁷⁵
- (b) subject to paragraph (a), may be used for such purposes as the priest and the parish or district council determine, jointly.

23 Meetings

23.1 The priest of a parish or mission district is entitled to notice of, and to attend, any meetings of churchwardens, or a vestry, for a congregation worshipping in the parish or district, of a committee of the parish or district council or such a vestry or of a church organisation formed within the parish or district or any other church meeting to be held in the parish or district.⁷⁶

23.2 For the purpose of sub-section (1), a meeting called by or held under the auspices of a church organisation shall be deemed to be a meeting of the organisation.

⁷⁰ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁷¹ Amended by Parochial Property Amendment Ordinance 1989

⁷² Amended by Parochial Property Amendment Ordinance 1989

Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁷³ Amended by Parochial Property Amendment Ordinance 1989

Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁷⁴ Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

⁷⁵ Amended by Parochial Property Amendment Ordinance 1989

⁷⁶ Amended by Parochial Property Amendment Ordinance 1989

Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012

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- 23.3 Except as provided otherwise by the Administration of Parishes and Special Districts Ordinance 1975, the priest of a parish is entitled to preside at a meeting referred to in sub-section (1) at which the priest is present and to nominate a person to preside at such a meeting in the absence of the priest.

The following Regulations made pursuant to this Ordinance do not form part of the Ordinance

REGULATIONS TO ACCOMPANY PAROCHIAL PROPERTY ORDINANCE 1975 (Issued 1979)

1. THE ERECTION AND/OR ALTERATION OF BUILDINGS (Parochial Property Ordinance, section 9)

- (a) **Note** that final responsibility in this area rests with the Bishop. This is because:
- (i) buildings are tools in the Church's mission;
 - (ii) objective, supra-parochial standards need to be maintained with regard to all buildings, and not least to those for the housing of clergy.
- (b) Because the ultimate decision rests with the Bishop, it is sensible for any project to be discussed, in broad terms, with the Bishop **before** the parochial council, or anyone else, becomes so committed to it as to make the Bishop's decision unnecessarily complicated, or, if opposed to what its promoters are seeking, even divisive and destructive of relationships.
- (c) Sub-section 9.4 of the Parochial Property Ordinance then sets out the first formal steps. The remainder of the section is a series of safeguards which clearly necessitate that communication with the Bishop be kept open, stage by stage.

2. AN OUTLINE OF BASIC REQUIREMENTS FOR RECTORIES

- (a) In general, rectories should be capable of accommodating parents, children of both sexes, and occasional guests. They should have studies adequate for normal working, including occasional interviews with up to, say, three people at a time. **i.e., 4 bedrooms and a study is the basic requirement.**
- (b) In many parishes, meetings in the rectory are necessary or desirable. The sitting room (possibly including a dining area, though this may be separate) should be of sufficient size to serve this need. The same need for occasional meetings in the clergyman's house may necessitate providing a family room, so that children need not be banished to bedrooms when a parish meeting is scheduled.
- (c) An adequate garage, or at least a carport with lock-up shed for tools, garden implements, etc., is equally necessary. **Plans will not be approved unless they either meet these requirements from the outset, or detail the plans which the parish has to provide them over a period.**
- (d) More generally, the Bishop will concern himself with such matters as the suitability of the site; the proposed orientation of the house; whether the plan will permit parish business to be conducted without intruding excessively on the rectory family, and vice versa.

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3. FACULTIES AND PERMISSIONS RELATING TO CHURCH AND HALL FURNISHINGS, ALTERATIONS TO THE FABRIC OF CHURCHES, AND PROPOSALS CONCERNING ORNAMENTS AND MONUMENTS

(Parochial Property Ordinance Sub-section 10.1 and sections 16, 17 and 18)

- (a) **Note** that the same fundamental responsibility in these matters reposes with the Bishop. The Bishop asks, therefore, that the same care be taken to consult him before the parochial council or any other person goes firm on what he wants. Not to do so either invites the Bishop to abdicate his responsibility (and probably his better judgment) when the time comes, or to run the risk of offending people in the local scene.
- (b) The process of applying for, and being granted, a faculty is a sensible protection of the rights of everyone concerned - including, as far as one can manage it, posterity. Remember that feelings often run highest in parishes over the very matters that some might think obvious or insignificant.
- (c) General observations concerning some of the commonest types of petitions:
- (i) **Stained glass windows** are amongst the most problematical of all ornaments. Each one should be a work of art, but unfortunately, most so-called stained glass "artists" merely reproduce poor quality Victoriana. Colours are often anaemic; the features of persons portrayed lack character; and there are often a variety of other distortions. Since few windows nowadays cost less than \$750-\$1,000, and what we erect will be there for generations, we must not concur in this type of "art". Better no stained glass at all. When the project has been agreed upon with the Bishop, the artist should be told clearly what is expected of him, and be required to produce a coloured "cartoon". This should then be considered by the church officers and the Bishop, and any alterations suggested (courteously!) to the artist. When he has made them, the Notice of Intention to apply for a Faculty should be posted, with the cartoon on display at service times, so that the congregation is fully aware of the details of the proposal.
- (ii) **Memorial Plaques, including Inscriptions on Windows, etc.** Plaques, as such, are not very good memorials, except in special cases. They should not be erected where the persons they commemorate have not had significant church associations. Simplicity and precision are the essence of good wording. "A.M.D.G." is not as readily understood as "To the Greater Glory of God" - but one must be careful how one uses that expression. The window or other gift should be of a quality that does, unequivocally, give glory to God. In other words, it should be a genuine offering out of the talents which God has given to men. "In memory of Mary Jones, 1890-1970, faithful worshipper in this Church", expresses a good Christian sentiment. Note that years of life are to be preferred to the date of, and age at, death, since it is the life of the person, not the death that is being commemorated. Of course, there are special cases in which the wording must be expanded. The point remains the same: The choice of words should be precise and simple. Avoid a wording that makes much of the donor. "The gift of her family", or some such equivalent, is usually sufficient.
- (iii) **Organs:** This is a most difficult area. There is no doubt that we church people are so wedded to the "religious" character of organ music that we fail to realise how much better we would sing if the accompaniment were a piano instead! Moreover, we would have more people who could play it reasonably well. The most serious problem, in selecting an organ, is the cost. Smaller parishes generally have a ceiling on cost that precludes the purchase of a good instrument. The question, almost invariably is put this way: "We have \$X00: what do you suggest we buy?" or, "We have \$X00, and are thinking of buying a Is that OK?" Fairly obviously, there are going to be some serious

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disappointments if we work simply on that basis. Electronic instruments have in-built obsolescence, and part of the problem of selection is in not knowing how soon this will manifest itself. Moreover, most of the cheaper organs are not built so much for churches as for home entertainment, and consequently, what they offer is peripheral to what the Church needs. At the earliest point in consideration of this matter, there should be informal discussion with one or other of our knowledgeable musicians. Try not to let some salesman's talk overrule the practical musical advice that can be given you. Moreover, if you can wait a while to accumulate funds for a better instrument then try and do so. Bring the Bishop into the matter at an early date. When the best has been done, publish the Notice of Intention to apply for a Faculty. Your application will be referred by the Bishop to **his** Advisory Committee, and the decision made on their advice.

- (iv) **Re-arrangement of furniture** is a common request in these days of liturgical experiment. Some people resent it strongly. The problem is that one cannot be sure, in advance, what changes may be best in the long run. It is sensible, therefore, to apply for a faculty seeking the temporary, experimental, rearrangement of furniture - giving the reasons for it, of course - and indicating the term during which you wish to experiment. Three or four months should be long enough. At the end of the experimental term, a faculty should be sought for whatever permanent re-arrangement is decided upon

Notes

Parochial Property Ordinance 1975 passed by Synod on 17 August 1975 and assented to by Bishop Cecil on 26 August 1975

Amended by

Parochial Property Amendment Ordinance 1989 passed by Synod without amendment on 22 September 1989 and assented to by Bishop Owen on 23 September 1989

Parochial Property Amendment Ordinance 1991 was passed by Synod with amendment on 3 August 1991 and assented to by Bishop George on 3 August 1991

Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009 Assented to by Bishop Stuart 18/9/2009

Interiority by the Governance of the Diocese Ordinance Amendment Ordinance 2012 by Synod on 1 September 2012 and assented to by Bishop Stuart 1 September 2012

See also the Diocesan Lands Commission Ordinance 1974

The numbering of this ordinance is in accord with present usage by Diocesan Legislation Ordinance 2009.