

ORDINANCE FOR A DIOCESAN MINISTRY COUNCIL 2017

Explanatory Memorandum

This Ordinance provides for a Council, which will become a Standing Committee of the Diocesan Council, to provide strategic leadership in assisting the Bishop with the mission and ministry planning for the Diocese. The Diocesan Ministry Council will bring together a number of oversight and leadership roles including that of the CEY Board. The Council works alongside the Newcastle Anglican Church Corporation.

The Council will administer the Diocesan Budget for mission and ministry.

It will pursue the Diocese's commitment to affirm and develop the ministry of all members of the Anglican Church in the Diocese of Newcastle including assisting ordained and lay persons understand that they are called to minister in Christ's name, to identify their gifts with the help of the Church, to be educated and formed for ministry and to serve Christ's mission at all times and in all places.

The Bill puts in place the indemnity provisions that apply to Board and Committee members of corporations and incorporated associations.

The Bill

THE DIOCESAN MINISTRY COUNCIL ORDINANCE 2017

BE IT ORDAINED AS FOLLOWS

Short title

1. This Ordinance may be cited as the Diocesan Ministry Council Ordinance 2017.

Repeals and amendments

2. The Newcastle School of Theology for Ministry Ordinance 2009 is repealed.
3. The CEY Ministries Ordinance 2011 is amended by the repeal of sections 8 – 20 and the insertion in their place of a new section to read
 8. The Diocesan Ministry Council established pursuant to the Diocesan Ministry Council 2017 shall be the Board of CEY Ministries.

Diocesan Ministry Council Membership

4. There shall be a Council comprising
 - a. A Chairperson appointed by the Bishop;
 - b. Three Clergy elected by the Synod;
 - c. Three Lay persons elected by the Synod;
 - d. Two Clergy appointed by the Bishop;
 - e. Two Lay persons appointed by the Bishop.
5. The election of clergy and lay persons by the Synod shall take place at the first ordinary session of each term of the Synod.
6. A person elected under section 5 holds office until the end of the first session of the next term of the Synod and is eligible for re-election.
7. The Bishop may from time to time appoint two members of the clergy and two lay people to hold office as members of the Council.
8. A person appointed as the Chairperson or under section 7 holds office until the end of the first session of the next term of the Synod after the term during which they were appointed and is eligible for re-appointment.

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9. The Bishop shall be the President of the Council and may exercise the right to Chair any meeting of the Council at which he or she is present. The Bishop may appoint a delegate to exercise the office of President in his or her place.
10. The Assistant Bishop and the Diocesan Chief Executive if not otherwise members of the Council are entitled to attend and speak at any meeting of the Council.
11. Despite any other provision of this Ordinance, a person must not be appointed or elected as a member of the Council under this Ordinance, and such appointment or election will be of no effect if the person :
 - a. is in one of the following roles;
 - i. the Diocesan Chief Executive;
 - ii. the Executive Officer of the Diocesan Ministry Council;
 - iii. is or becomes a staff member of the Council or the Newcastle Anglican Church Corporation (not including an Archdeacon or a Canon to the Ordinary having no other staff role);
 - iv. a member of the Board of the Newcastle Anglican Church Corporation;
 - b. has since 1 November 2014 served for more than eight consecutive years on the Diocesan Ministry Council.
12. The office of any member of the Council shall become vacant if that person –
 - a. resigns by notice in writing to the Bishop;
 - b. dies;
 - c. becomes an insolvent under administration;
 - d. ceases to hold any qualification which was necessary for election to office;
 - e. is absent from 3 consecutive ordinary meetings of the Council without the leave of the Council and the Council by resolution declares the office to be vacant;
 - f. becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the laws relating to mental health or becomes otherwise incapable of acting;
 - g. fails within two months of election or appointment to sign the Board Code of Conduct set by the Diocesan Council;
 - h. is removed from office in accordance with any Ordinance of this Diocese; or
 - i. becomes or is a prohibited person within the meaning of the Child Protection (Prohibited Employment) Act 1998.
13. Any vacancy in an appointment made by the Bishop shall be filled by the Bishop.

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14. Any vacancy in an appointment made by the Synod shall be filled by the Diocesan Council.

Objects and Powers

15. The Council shall

- a. assist the Bishop and Diocesan Council establish a plan for mission and ministry in the Diocese;
- b. assist parishes and agencies in the education and formation of church members;
- c. assist parishes and agencies identify opportunities for evangelism and mission;
- d. consult with and support the work of the bishops, archdeacons, parish, and any regional leadership;
- e. exercise oversight of the ongoing process for recruitment, discernment, formation for ministry of all types;
- f. advise and assist the Bishop in guiding persons engaged in a process of ministry discernment to determine appropriate avenues for the expression and support of their ministries, either lay or ordained;
- g. establish and oversee partnerships with ministry education providers; and
- h. oversee the Diocesan Ministry Education and Training Budget and the CEY Ministries Budget.

16. The Council shall support the development of lay ministry in the Diocese by

- a. promoting the understanding that every disciple is called to minister in Christ's name,
- b. conducting training and education for church members, for congregations and for the Diocese in all facets of ministry development including, but not limited to, gifts identification, discernment, and life-long formation for lay persons,
- c. providing affirmation and support of ministries in daily life,
- d. recruiting and training lay leaders in the Diocese,
- e. providing information and referrals to individuals and congregations in the Diocese regarding ministry resources,
- f. Providing guidance for Lay Professionals employed in ministry in the Diocese; and
- g. sponsoring diocesan wide conferences on lay ministry.

17. The Council shall support the development of ordained ministry in the Diocese by assisting the Bishop in matters pertaining to

- a. the selection, examination, education, training, pastoral care, deployment, and continuing development of Enquirers, Postulants and Candidates;

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- b. supporting the work of the Examining Chaplains including their work in advising the Bishop on the readiness of persons for ordination as a deacon or priest;
- c. supporting overseeing the work of staff employed in ministry discernment and training; and
- d. the continuing development of Clergy of the Diocese.

18. The Council shall support the development of ministry to all ages within the Diocese by:

- a. promoting the understanding that the whole people of God includes all ages.
- b. overseeing the appointment of all age, family, youth and children's workers.
- c. ensuring appropriate support and training for ministry to children, youth and all age activities.
- d. establishing and implementing protocols for the teaching of Special Religious Education and
- e. exploring new expressions of ministry in this area.

19. The Council shall support the Diocesan Missions Committee in undertaking its functions.

20. The Council shall be subject to the direction of the Diocesan Council.

Procedures

21. The Council shall establish procedures for its organization and governance.

22. The Council shall meet at least four times each year.

23. The Council may establish Committees with each committee of the Council establishing procedures for its organization and governance consistent with the particular responsibilities of that committee.

24. The Council may appoint Specialist Panels to assist in the work of the Council on such basis and with such terms of reference as the Council shall from time to time determine.

25. No person may be appointed or continue to serve on the Council unless he or she

- a. is a member of this Church;
- b. satisfies the requirements for being safe with children as determined by the Diocesan Council; and

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- c. is not inhibited from holding office by a determination made in accordance with any Ordinance of this Diocese.

26. At any meeting of the Council or a Committee of the Council half of the appointed members shall constitute a quorum.

27. The proceedings of the Council may be conducted with the agreement of the President or Chairperson by electronic means including but not limited to email and facsimile transmission.

28. The Council shall on a regular basis and in such manner determined by the Council meet with the Canons to the Ordinary and Council Staff.

Ministry Council Staff

29. The Bishop may on the recommendation of the Council appoint a person to be the Executive Officer of the Council on such terms and conditions as the Council approves with the concurrence of the Bishop.

30. The Bishop may appoint up to three members of the clergy with the honorary title of as a Canon to the Ordinary with responsibility to encourage specific areas of ministry and mission under the auspices of the Council, and on such terms as the Bishop may determine.

31. The Council may subject to the approval of the Bishop appoint staff on such terms and conditions as the Council determines.

Business Support

32. The Diocesan Chief Executive shall in consultation with the Council
- a. ensure the provision of suitable office space for the conduct of Council Ministries;
 - b. ensure the provision of administrative support to the Council and Staff;
 - c. ensure the proper record of accounting transactions for the Council and reporting of those transactions to the Council;
 - d. arrange for the preparation of annual financial statements and the audit of those statements; and
 - e. such other functions as agreed by the Newcastle Anglican Church Corporation and the Council.

Reporting

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33. The Council shall make a written report to each ordinary session of the Synod and at such times to the Bishop and Diocesan Council as the Bishop and Diocesan Council require.

Council members' access to documents

34. A Council Member has a right of access to the financial records of the Council at all reasonable times.

35. If the Council Members agree, Council must give a Council Member or former Diocesan Council Member access to:

- a. certain documents, including documents provided for or available to the Council Members; and
- b. any other documents referred to in those documents.

Indemnity

36. To the extent permitted by law every Council Member shall be indemnified out of the funds of the Diocese against all costs, expenses and liabilities incurred as such by the Council Member or employee (or former Council Member or employee). However, no such person shall be indemnified out of the funds of the Diocese under this clause unless:

- c. it is in respect of a liability to another person (other than Synod) where the liability to the other person does not arise out of conduct involving a lack of good faith; or
- d. it is in respect of a liability for costs and expenses incurred:
 - i. in defending proceedings, whether civil or criminal, in which judgment is given in favour of the Council Member (or former Council Member) or in which the Council Member (or former Council Member) is acquitted; or
 - ii. in connection with an application, in relation to such proceedings, in which the court grants relief to the Council Member (or former Council Member)

Payment of indemnity policy premium

37. To the extent permitted by law, the Diocese may at the discretion of the Diocesan Council enter into and pay a premium in respect of a policy of insurance insuring the Council Member (or former Council Member) against any liability incurred by such person in that capacity (whether in respect of acts or omissions prior to or after the date of the issue of the policy or both) except for a liability arising out of conduct involving a wilful breach of duty.

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38. The Council shall have the discretion to approve the terms and conditions of any such policy of insurance.

39. Where Council Member (or former Council Member) has the benefit of an indemnity pursuant to an insurance policy in respect of his actions or omissions then the Diocese shall not be required to indemnify the Council Member under clause 33 except to the extent that the indemnity affected by the insurance policy does not fully cover the persons liability.

Indemnity to continue

40. The indemnity granted by the Diocese, contained in clause 33 shall continue in full force and effect notwithstanding the deletion or modification of that clause, in respect of acts and omissions occurring prior to the date of the deletion or modification.

Application of the Ordinance

41. The Diocesan Council may determine such measures as may be necessary to resolve any conflict or doubt about the application of this Ordinance. The decision of the Diocesan Council shall be final.

I HEREBY CERTIFY the Ordinance as printed is in accordance with the Ordinance as reported.

PASSED BY DIOCESAN COUNCIL on the 11th day of May 2017.

Ms Linda Wilson
Secretary, Diocesan Council

THE ASSENT of the Right Reverend Dr Peter Stuart the Commissary to the Bishop of the Diocese was given to the above Ordinance on the **11th** day of **May 2017** in the **Ninth** year of our Consecration.

PRESIDENT