

# **THE CONSTITUTION OF THE CHURCH OF CONFESSING ANGLICANS AOTEAROA NEW ZEALAND**

## Table of Contents

1. Preamble
2. Doctrinal Basis
3. Purpose
4. Composition
5. The Synod and its Convening
6. Synod Powers
7. Synod Meetings
8. Standing Committee
9. The Bishop
10. Officers
11. Liturgy
12. Discipline
13. Parish Administration
14. Ownership of Property
15. Amending the Constitution
16. Commencement
17. Relationship with ACANZP
18. Winding Up
19. Interpretation

## **SECTION 1: PREAMBLE**

### WHEREAS

- 1.1 We are members of the one, holy, catholic, and apostolic Church.
- 1.2 We are united by the Holy Spirit in a common faith in the crucified, risen, ascended and glorified Christ.
- 1.3 The Gospel of Jesus Christ first came to Aotearoa/New Zealand in the early years of the nineteenth century. Then in 1814, through the initiative of the Reverend Samuel Marsden and the invitation of Ruatara, the Church Missionary Society established a Christian mission at Rangihoua in the Bay of Islands.
- 1.4 Our roots lie in the evangelical mission work of the early CMS missionaries and Māori Christians who, following in the example of Marsden and Ruatara, worked in partnership to establish an indigenous Church in these Islands.
- 1.5 We believe that because there was a rejection of the authority of scripture by the Anglican Church in Aotearoa, New Zealand and Polynesia at the 2018 General Synod/Te Hīnota Whānui, there is a need for a new expression of Anglicanism for those people and parishes who wish to continue in the teaching of the Apostles and in the faith once for all delivered to the saints, and they have determined to do this by the formation of a new Anglican Church.
- 1.6 We believe that this Constitution is consistent with the historic faith and order of the Anglican Church.

NOW the people of God unable to remain in the Anglican Church in Aotearoa, New Zealand and Polynesia, inviting the prayers of all faithful Anglicans as they seek to be obedient disciples of Jesus Christ, our Lord and Saviour,

DECLARE that they have agreed to unite in an Anglican Church under this Constitution, to be known as the Church of Confessing Anglicans Aotearoa New Zealand.

## **SECTION 2: DOCTRINAL BASIS**

This Church receives and accepts as its Doctrinal Basis the canonical books of the Old and New Testaments as the inspired Word of God, containing all things necessary for salvation, and the final authority and unchangeable standard for Christian faith and life. It also accepts as faithful expressions of this doctrine:

- 2.1 The Christian faith as declared in creeds known as the Apostles' Creed, the Nicene Creed and the Athanasian Creed.
- 2.2 Baptism and the Lord's Supper as the two sacraments ordained by Christ himself.
- 2.3 The *Book of Common Prayer* as set forth by the Church of England in 1662, together with the Form and Manner of Making Ordaining and Consecrating of Bishops Priests and Deacons, and the Articles of Religion agreed in 1562 as the authorised standard of worship and doctrine.
- 2.4 The *Jerusalem Declaration 2008* as a contemporary expression of Anglican doctrine and practice.

## **SECTION 3: PURPOSE**

The Church of Confessing Anglicans Aotearoa/New Zealand is a Christ-centred church in the historic Anglican faith and order. It is part of the one, holy, catholic, and apostolic church of our Lord Jesus Christ. Its overarching task is to glorify God, engaging in the mission of God in all its aspects, led and empowered by the Holy Spirit. Respectful of its particular context—a nation founded on the Treaty of Waitangi, and the principles of partnership enshrined therein—it will, primarily through its Parishes and Mission Units:

- 3.1 proclaim the Gospel of Jesus Christ and his kingdom, calling all to repentance and faith in him;
- 3.2 disciple believers for the work of ministry in the Church, the community and the world, to present everyone mature in Christ;
- 3.3 promote global mission;
- 3.4 discern, develop and deploy leaders, both lay and ordained;
- 3.5 plant and multiply Parishes and Mission Units taking culture and context into consideration;
- 3.6 promote true worship of God – worship in spirit and truth;
- 3.7 support the suffering church throughout the world;
- 3.8 proclaim the Lordship of Christ over all creation, working in every sphere to advance the values and purposes of his Kingdom, in accordance with his justice and righteousness; and

- 3.9 recognise and nurture relationships with other faithful Anglican parishes, dioceses and provinces.

#### **SECTION 4: TERRITORY & COMPOSITION**

- 4.1 The Church is initially established as a single diocese in Aotearoa/New Zealand with a view to establish new dioceses and/or partner with other dioceses to form a province.
- 4.2 A diocese within the Church comprises Parishes and Mission Units under the oversight of a bishop. The creation, affiliation and operation of Parishes and Mission Units and the office of the bishop are regulated by canon.

#### **SECTION 5: THE SYNOD AND ITS CONVENING**

- 5.1 The Synod is the governing body of a diocese;
- 5.2 The Synod comprises the following:
- 5.2.1 the Bishop;
  - 5.2.2 such clergy holding the Bishop's licence in the Diocese, as determined by canon;
  - 5.2.3 lay persons who are Voting Members of a Parish elected as synod representatives by a General Meeting of the Parish. Their number and term are regulated by canon;
  - 5.2.4 such other members, clergy or lay as may be provided by canon, ensuring that the overall composition has a lay majority.
- 5.3 The clerical members of Synod comprise the House of Clergy. The lay members of Synod comprise the House of Laity.
- 5.4 The Bishop must convene a Synod to meet at least once every calendar year and may summon members to a special meeting pursuant to section 5.6.
- 5.5 The Bishop must promptly convene a special meeting of the Synod, to meet as soon as reasonably practicable, upon receipt of a request to do so, signed by not less than one fifth of the members of the House of Clergy and one fifth of the members of the House of Laity to deal with business set out in the request.
- 5.6 The Bishop may decide that a special meeting of the Synod is necessary and desirable to be convened. The business is to be set out in the summons to the special meeting.

#### **SECTION 6: SYNOD POWERS**

- 6.1 Subject to this Constitution, the Synod has plenary power to make canons and pass resolutions relating to the order and good government of the Church.
- 6.2 Notwithstanding Section 6.1, the Synod has no power to make any canon, or pass any resolution which in whole or in part contradicts or varies the Doctrinal Basis, or the effect of which is to diminish what the Doctrinal Basis states or implies.

- 6.3 Any five members of the Synod may, in writing, challenge any canon or resolution on the ground that it is inconsistent with the Doctrinal Basis.
- 6.4 Any challenge made under Section 6.3 will be decided by the Doctrine Tribunal constituted by canon. The decision of the Tribunal must be published to the Synod and is final.
- 6.5 The Synod may:
- 6.5.1 make statements about Christian faith and conduct;
  - 6.5.2 make representations to Parliament or a Select Committee of Parliament;
  - 6.5.3 publicly or otherwise express its view about any matter affecting Christians in Aotearoa/New Zealand, or any matter concerning those living in Aotearoa/New Zealand;
  - 6.5.4 receive reports about the mission and ministry of Parishes and Mission Units and the common life of the Diocese.
- 6.6 The Synod may by canon authorise the levying of parishes for contributions to cover the expenses of the Diocese including the stipend and emoluments of the Bishop.
- 6.7 The Standing Committee must present a report to the Synod on the financial affairs of the Diocese and the Treasurer must present a budget to the Synod for the next financial period, for adoption or amendment.

## **SECTION 7: SYNOD MEETINGS**

- 7.1 The summons of the Bishop convening a meeting of the Synod with an attached detailed Agenda paper must be sent to all Synod members not less than two months before the date of that meeting. In the case of a special meeting pursuant to sections 5.5 and 5.6 at least one month notice must be given.
- 7.2 The quorum at any meeting of the Synod is half the total number of members in each House who have been called to attend that meeting.
- 7.3 The Bishop is to preside at meetings of the Synod. Provision may be made by canon for the presidency if the Bishop is unavoidably absent.
- 7.4 The members of Synod are to vote collectively on all matters unless one member demands that a vote should be taken by Houses. In that case each House is to vote separately. The motion is passed if both Houses vote in favour of the motion.
- 7.5 Subject to Section 18.1, no canon will take effect unless the Bishop has given assent to it in writing within 10 days of the close of the Synod meeting which passed it. In the event that assent is not given the Bishop must publish, within the same period, his reasons for not doing so.
- 7.6 The Synod must by Standing Resolution, make rules, known as Standing Orders, for the conduct of Synod business.

## **SECTION 8: STANDING COMMITTEE**

- 8.1 There is to be a Standing Committee of the Synod to conduct the business of the Synod between its meetings. The Bishop, or the Bishop's nominee, in accordance with the Bishop Canon, must preside at all meetings.
- 8.2 The size, composition, powers and procedures, of the Standing Committee must be determined by canon.
- 8.3 The Standing Committee must give a full report of its activities to each ordinary Synod meeting.
- 8.4 The Standing Committee must not do anything which contradicts or diminishes any canon made by the Synod or is inconsistent with this Constitution.

## **SECTION 9: THE BISHOP**

- 9.1 The Bishop is, under God, the spiritual leader of a Diocese in this Church.
- 9.2 In addition to the responsibilities and duties of a Bishop set forth in the Ordinal, the Bishop must endeavour to lead the Diocese in fulfilling its purpose as stated in Section 3.
- 9.3 The Bishop may issue any licence, provided that clergy to be licensed have made the oath and declarations, and laity to be licensed have made the declarations, as prescribed by canon.
- 9.4 The Bishop may revoke any licence issued by him or his predecessors as regulated by canon.
- 9.5 The Synod must by canon make provision for the election of a Bishop.
- 9.6 The Synod may by canon provide for the appointment of one or more Assistant Bishops or a Vicar-General or both.
- 9.7 The Synod must provide by canon a process by which, in extraordinary circumstances and by Special Majority, the Bishop can be removed from office.

## **SECTION 10: OFFICERS**

- 10.1 The Officers of a diocese in this Church are the Chancellor, the Registrar, and the Treasurer.
- 10.2 The appointment, duties, term of office and any conditions in respect of the Officers of a Diocese must be regulated by canon.

## **SECTION 11: LITURGY**

- 11.1 The *Book of Common Prayer* and *Te Pukapuka o Ngā Inoi 1662 (Te Rāwiri)* are orders of service authorised for use.
- 11.2 Other Orders of Service may be authorised by canon.

- 11.3 Translations of services referred to in 11.1 and 11.2 may also be authorised by canon.

## **SECTION 12: DISCIPLINE**

- 12.1 The Church Tribunal is to hear and determine any charge or complaint regarding standards of conduct against any person holding the licence of the Bishop. The Synod by canon must provide for the appointment of Tribunal members, the nature of the charges or complaints which can be initiated in the Tribunal and specify what the Tribunal can recommend to the Bishop, if a charge or complaint is sustained. The Synod may by canon create a body to hear and determine appeals from the Church Tribunal.
- 12.2 The Church Tribunal is to hear and determine any charge or complaint regarding standards of conduct against the Bishop. The Synod by canon must provide for the appointment of Tribunal members, the nature of the charges or complaints which can be initiated in the Tribunal and specify what the Tribunal can recommend to the Standing Committee if a charge or complaint is sustained. The Synod may by canon create a body to hear and determine appeals from the Church Tribunal.
- 12.3 The Synod must by canon establish standards of conduct for the Bishop and those holding the Bishop's licence.

## **SECTION 13: PARISH ADMINISTRATION**

- 13.1 The fundamental unit of mission and ministry in the Church is the Parish.
- 13.2 The Synod must by canon define parish membership and require all Parishes to establish and maintain membership rolls, to hold meetings, and to elect parish councils, churchwardens and Synod representatives.
- 13.3 The Synod must by canon establish a process for the appointment of clergy to a Parish.

## **SECTION 14: OWNERSHIP OF PROPERTY**

- 14.1 All property, both real and personal, owned by or for each Parish or Mission Unit remains in the ownership of that Parish or Mission Unit.
- 14.2 The Synod, by canon, must regulate the procedure for the acquisition or disposal of property by Parishes, Mission Units or the Diocese.
- 14.3 Any real or personal property acquired or held for the purposes of the Diocese rather than a Parish or Mission Unit must be held on trust for the Diocese and managed by the Diocesan Trust Board created by canon.
- 14.4 Any real or personal property acquired by the Diocese in partnership with a Parish or Mission Unit must be held on trust for the Diocese and that Parish or Mission Unit and managed by the Diocesan Trust Board created by canon.

## **SECTION 15: AMENDING THE CONSTITUTION**

- 15.1 Sections 1, 2, 6.2, and 15.1 of this Constitution cannot be amended, other than to change the name of this Church.
- 15.2 Subject to Section 15.1, this Constitution may be amended by the Synod by canon, the text or substance of which has been notified to Synod members at least two months before the meeting at which the amendment is moved. The vote for any such amendment is taken by Houses and its passage requires a two-thirds majority of the members in each House who are summoned to the meeting.

## **SECTION 16: COMMENCEMENT**

- 16.1 This Constitution comes into force on the date specified by resolution of the Synod. The Synod may, however, decide that specified Sections will come into force on different dates.
- 16.2 Notwithstanding Section 7.5, at the first Synod of the Diocese, the Bishop's assent is not required for the Constitution to enter into force or for a canon to take effect.

## **SECTION 17: RELATIONSHIP WITH ACANZP**

- 17.1 This Church is not part of ACANZP, and none of its clergy, Parishes or Voting Members of a Parish are bound by canons, statutes or other resolutions of a diocesan synod or the General Synod / Te Hīnota Whānui of ACANZP.
- 17.2 For the avoidance of doubt the *Church of England Empowering Act 1928 (NZ)* and the *Anglican Church Trusts Act 1981 (NZ)* are not applicable to the Church of Confessing Anglicans Aotearoa New Zealand.
- 17.3 We remain open to the possibility of reconciliation with ACANZP should it return to orthodox belief and practice.

## **SECTION 18: WINDING UP**

- 18.1 The Synod by canon, may resolve to wind up the Church on a specified date, notice having been given to the Synod members at least two months before the meeting at which the canon is to be considered. The vote for any such canon is to be taken by Houses and its passage requires a two-thirds majority of the members in each House who are summoned to the meeting. Any such canon passed requires the assent of the Bishop at the time of the vote in order for the canon to be enacted.
- 18.2 The Synod may prescribe any matter which in its opinion is necessarily incidental to or consequential upon the winding up.
- 18.3 The Synod must, after authorising the discharge of any debts and providing for any liabilities, distribute assets of the Diocese among those Parishes and/or Mission Units or organisations which in the opinion of the Synod have purposes consistent with, or similar to, the purposes of the Church.

## **SECTION 19: INTERPRETATION**

19.1 Unless the context otherwise requires, words or phrases used in this Constitution have the following meanings:

**ACANZP** means The Anglican Church in Aotearoa, New Zealand and Polynesia.

**Adult** means any person of or over the age of 18 years.

**Articles of Religion** means the Articles "agreed upon by the Archbishops and Bishops and the whole clergy of both Provinces" at London in 1562, commonly referred to as the Thirty-Nine Articles.

**Bishop** means the Bishop of this Diocese, appointed under this Constitution, and does not include an assistant bishop or a retired bishop. Assistant bishops are members of the House of Clergy.

**Book of Common Prayer** means the Book of Common Prayer of the Church of England 1662.

**catholic** means "universal" or "world-wide". It is not to be confused with Roman Catholic.

**Church** means the Parishes and Mission Units united under this Constitution.

**Church Tribunal** is the Tribunal established by the Church Tribunal Canon 2019

**Clergy** means ordained clergy licensed by the Bishop.

**Extra-Provincial** means standing outside the Provinces of the Anglican Communion as recognised by the Anglican Consultative Council.

**Voting Member** means those on a membership roll maintained by a Parish as regulated by canon.

**Mission Unit** means any organisation or society affiliated to the Diocese other than a parish.

**Officers** means the Registrar (who among other things maintains a register of licences for the Bishop) the Chancellor (the legal counsel for the Diocese) and the Treasurer.

**Ordinal** means the orders of service for the "Form and Manner of Making Ordaining and Consecrating of Bishops Priests and Deacons".

**Parish** means a congregation or congregations meeting in a particular area administered by local agreement and affiliated with the Church.

**President** means the one who presides over the Synod as its Chairman, usually the Bishop.

**Special Majority** for the purposes of section 9.7 means a majority of 75 % of the members of the Synod. In the case of voting by Houses that majority needs to be obtained in each House.

**Synod** means the Synod constituted by this Constitution and includes the first Synod assembled on that basis during any part of its meeting which preceded its formal adoption of this Constitution.

**Vicar-General** means a member of the clergy appointed by the Bishop in writing to act in the place of the Bishop in the Bishop's absence.



- 19.2 This Constitution includes any schedule to it, and refers to the Constitution in its form as amended (if at all) from time to time, but does not include canons, rules or resolutions made or passed by the Synod.
- 19.3 This Constitution must be interpreted and applied as though it were an enactment to which the Interpretation Act 1999 applies.