

DIOCESE OF WAIKATO AND TARANAKI

STATUTE NO. 13

THE FACULTIES STATUTE 2014

The Synod of the Diocese of Waikato and Taranaki enacts as follows —

1 **TITLE**

This Statute is the Faculties Statute 2014

2 **PURPOSE**

The purpose of this Statute is to reform and clarify the statutory provisions relating to faculties.

3 **COMMENCEMENT**

This Statute comes into force at the close of the Synod at which it is enacted.

4 **INTERPRETATION**

In this Statute, unless the context requires otherwise —

Bishop: means the bishop with responsibility for episcopal care and oversight in the Bishopric and can also mean the bishops acting jointly.

Church: includes any building or part of a building used or intended to be used regularly for public worship.

Ornaments: includes articles of embellishment and articles used in the performance of the authorised services and rites of the Church but does not include the vestments or ornaments of the Minister thereof.

Vestry: includes the vestry or parish council of a Parish or Mission District.

5 **NEED FOR FACULTY**

(1) A Parish must obtain a faculty

- (a) before it sells, purchases, erects, alters, adds to, removes or demolishes either wholly or in part or reduces or enlarges in size any church, parish hall, vicarage or other building;
- (b) before it alters, adds to, removes or demolishes either wholly or in part any building, monument or other installation other than tombstones in any churchyard;
- (c) before it adds to or reduces or otherwise alters the fabric, furniture, monuments, lighting, installations, ornaments or vessels in any church;
- (d) before it erects or places in any church or churchyard any article which is required to be or ought to be dedicated or consecrated.

(2) No faculty is required

- (a) if the Bishop waives the provisions of any part of this clause in respect of any matter which the Bishop considers of minor importance, or
- (b) for necessary repairs and maintenance.

- (3) Any doubt or question about the classification of any work as necessary repairs and maintenance shall be determined by the Bishop, whose decision shall be final.

6 ISSUE OF FACULTY

The Bishop may issue a faculty in the form in the First Schedule hereto or to the like effect and upon such terms and conditions as the Bishop thinks fit.

7 CONSENTS

- (1) A faculty may not be issued for the sale, purchase, erection, demolition, removal, alteration of or addition to any building without the prior consent of Standing Committee and where relevant of the Waikato Diocesan Trust Board or the Taranaki Anglican Trust Board, as the case may require, as registered proprietor of the land
- (2) Such consent is not required
- (a) in the case of alterations or additions which in the opinion of the Bishop are of minor importance, or
 - (b) for necessary repairs and maintenance.

8 PROCESS FOR OBTAINING A FACULTY

The process for obtaining a faculty is set out in the Fourth Schedule hereto.

9 REQUIREMENTS FOR APPLICATION

Every application for a faculty shall be accompanied by full particulars of the proposal including plans and specifications of any building work, or a description of the item for which the faculty is required including, where possible, a photograph or drawing of the item or the proposal and evidence that the proposal has the consent of the Archdeacon for the Archdeaconry in which such parish is located.

10 FACULTIES ADVISORY GROUPS

From time to time each Bishop shall appoint an advisory group for his or her Bishopric to advise, where necessary, on the granting of faculties. The members of those groups shall hold office at the pleasure of the Bishop who appoints them.

11 ARCHITECTURAL PLANS REQUIRED

Except with the written consent of the Bishop of the appropriate Bishopric all final plans and specifications for all churches, buildings or other structures to be erected in a parish shall be prepared by an architect registered under the Registered Architects Act 2005 or any enactment in substitution therefor..

12 REPEAL

The Faculties Statute 1972 is repealed.

THE FIRST SCHEDULE
DIOCESE OF WAIKATO AND TARANAKI
FACULTY

WHEREAS a Petition has been received from the Vicar and Churchwardens of the Parish/Mission District

of requesting a
Faculty for

AND WHEREAS we are satisfied that all the requirements of the Faculties Statute 2014 have been duly complied with:

THE FACULTY requested is hereby granted.

GIVEN under our hand and seal this day of in the year of our Lord two thousand and and of our consecrations the and years.

THE SECOND SCHEDULE
DIOCESE OF WAIKATO AND TARANAKI

PETITION FOR A FACULTY

TO: The Bishops of Waikato and Taranaki

WE, the Vicar and Churchwardens of the Parish
of.....

hereby apply for a Faculty for

Attached hereto are

(1) a copy of the resolution of the Vestry of the said Parish approving the subject matter of this Petition;

(2) (in the case of the sale or purchase of land and the erection, demolition, removal or alteration of or addition to buildings) confirmation from the relevant trustees that the proposal is not contrary to any trust imposed on the land [see Clause 14(1) The Declaration of Trust Boards' Powers Statute 1994]

(3) final plans and specifications;

(4) statement of how the cost will be met.

We certify that the provisions of the Faculties Statute 2014 have been duly and regularly complied with.

DATED at.....this day of 20

..... Vicar

.....Churchwarden

..... .. Churchwarden

NOTE

This Faculty application is required to be referred to the Archdeacon for comment.

Archdeacon's comments:

Signed:

Archdeacon of

THE THIRD SCHEDULE

DIOCESE OF WAIKATO AND TARANAKI

APPLICATION FOR PERMISSION OF STANDING COMMITTEE TO ERECT OR ALTER A BUILDING

To the Standing Committee of the Diocese of Waikato and Taranaki: WE, the undersigned, Vicar and Churchwardens of the Parish of

..... hereby apply for the Permission of Standing Committee for

DATED at this day of..... 20.....

.....

Vicar

.....

Churchwarden

THE FOURTH SCHEDULE

STEPS TO BE TAKEN FOR THE GRANTING OF A FACULTY CHECK LIST

- 1) The Vestry must resolve to undertake the work or to install any ornament or other item. A certified copy of the resolution must be attached to the petition, noting that where any project involves the unbudgeted expenditure of more than \$10,000, the approval of a Special General Meeting of the Parish shall be required.
- 2) The application together with any explanatory documentation is then forwarded to the Registrar-Manager who will refer the matter to the appropriate Archdeacon, and to the Standing Committee in the case of a new building.
- 3) The Registrar-Manager will then forward the applications to the Faculties Advisory Group or directly to the Bishop.
- 4) In the case of the sale of a building or other real property the Registrar-Manager will obtain the consent of the appropriate Trust Board.
- 5) Where the faculty is for removal of any article from a Church or other property, a description of the article to be removed and the manner of its disposal is required.