

DIOCESE OF WAIKATO AND TARANAKI
SECOND SESSION OF THE THIRTY-NINTH SYNOD

**ALL SAINTS' CHAPEL,
WAIKATO DIOCESAN SCHOOL FOR GIRLS,
HAMILTON.**

**MINUTES OF THE FIRST DAY
Friday 28th September, 2018**

- 6.30pm **Synod Eucharist**
President's Welcome
To Synod Members and all present
President's charge was part of the Synod Eucharist.
- 8.05pm **SYNOD CLOSURE**

DIOCESE OF WAIKATO AND TARANAKI
SECOND SESSION OF THE THIRTY-NINTH SYNOD

**ALL SAINTS' CHAPEL,
WAIKATO DIOCESAN SCHOOL FOR GIRLS,
HAMILTON.**

MINUTES OF THE SECOND DAY

SATURDAY 29 SEPTEMBER 2018

8.30am **President's Welcome**
8.34am **Morning Prayer**

8.39am **CONSTITUTION OF SYNOD**
Synod 2018 was constituted by the Synod Secretary.

The Synod Secretary reported there were **50** apologies and that the Bishop, **69** Clergy and **87** Lay members were present. This was a quorum under Statute No. 2, Clause 15.

8.40am **Motion No. 1** **Procedural Motion**

Mover: **The Venerable Trevor Harrison**

Seconder: **Mrs Cheryl Anderson**

a) That the Officers, Sessional Committees and Hours of Synod be as follows;

OFFICERS & SESSIONAL COMMITTEES OF SYNOD 2018

SECRETARIES:

Clerical Secretary

The Reverend Dr Tim Frank

Lay Secretary

Mrs Adele Grigsby

CHAIRPERSONS OF COMMITTEE:

The Reverend Joel Rowse

Mrs Cheryl Anderson

TIME KEEPER:

The Reverend Paul Bowers-Mason The Rev'd Norris Hall

Mr Ross Haybittle

ORDER PAPER COMMITTEE as required:

The Most Reverend P Richardson
The Chancellor, Mr J Johnson
Canon Dr Bryan Bang

The Venerable Trevor Harrison
Mrs Philippa Harrison

MINUTES COMMITTEE:

Canon Dr Bryan Bang

The Venerable Trevor Harrison

SYNOD PHOTOGRAPHERS:

The Reverend Peter Sampson
The Reverend Julian Perkins

b) Hours of Synod

Friday, 28 September 2018

6.30pm - Eucharist, the Bishop's Charge and the Constitution of Synod at the All Saints' Chapel, Waikato Diocesan School for Girls, 660 River Road, Hamilton

Saturday 29 September 2018

8.30am - Opening Prayer and Synod in Session until conclusion of business and no later than 5.00pm

Sunday 30 September 2018

8.30am – Eucharist and Synod in Session until conclusion of business and no later than 3pm.

c) Leave of Absence & Apologies

That Leave of Absence is granted to those who have made submission in writing; and in addition those recorded daily (during Synod) on the attendance list.

d) Right to Speak

That those listed have the right to Speak, but not to Vote:

Mr Jeremy Johnson, Chancellor for this Synod
Ms Anne Edwards – Trust Management Ltd
Ms Grace Sun – Trust Management Ltd
Reverend Robert Kereopa – Anglican Missions Board

Anybody else with leave of the Chair

8.43am GREETINGS

Greetings were received from:

The Right Reverend Ross Bay, Bishop of Auckland
The Right Reverend Steven Benford, Bishop of Dunedin
The Right Reverend Richard Ellena, Bishop of Nelson
The Right Reverend Andrew Hedge, Bishop of Waiapu

The Right Reverend Jim White, Assistant Bishop of Auckland

CARRIED

8.45am MINUTES OF THE FIRST SESSION OF THE THIRTY-NINTH SYNOD

The minutes of the First Session of the Thirty-Ninth Synod were tabled.

8.48am SYNOD QUESTIONS

The Reverend Ian Handley asked:

Question One:

When does the Bishop expect the Diocese to appoint a Bishop of Waikato?

Given financial constraints in the Diocese but projected funds from St. John's Trust Board as mentioned in his charge, that the Commissioners and Ancillary members appointed by him be asked to consider such an appointment be for a Bishop of Waikato/Dean at St. Peter's Cathedral.

Given the names he has in mind for the Commission that they be given a mandate to report to him as soon as possible so that an Electoral Synod can be held early in 2019.

This question is not only posed out of aroha for him and his family, but also for the well being of the Diocese of Waikato and Taranaki.

Question Two:

It is clear that people from Auckland and the rural districts are moving (mainly south) to Te Kauwhata, Huntly and Ngaruawahia and these may be the Parishes with the potential for real growth.

What research if any, has been done by the Diocese in to the projected population growth in these Parishes and the state of their Parish Church plant, with a view to providing ministry and income streams that will in time grow the Diocese in these critical growth areas?

What is the time line for this to happen, beyond necessary clergy and Parish reviews?

What funding is available for such project reviews? If not, what is being done to help those parishes in what may be the twilight of their time, given their financial situation, urgent maintenance needs or seismic review in some cases and their challenge in meeting clergy stipends and allowances?

It does seem we have the plant in key locations and Diocesan opportunity for investment in potential growth. Unless this review is carried out urgently in terms of options for ministry and development in Waikato North, it is likely the Diocese will be confined to ministry in Raglan and Hamilton southwards.

Does the Bishop wish to refer these questions to the Waikato Archdeacons, Leadership Team, Standing Committee and the Trust Board for a detailed strategy with recommendations to him for action in the north of the Diocese?

- 8.51am** **Presentation** **Update of the Road Map**
The Most Reverend Philip Richardson
- 9.35am** **Presentation** **Commentary on the Diocesan Financials**
Ms Anne Edwards & Ms Grace Sun
Trust Management Ltd
- 10.10am** **Morning Tea**
- 10.48am** **Welcome** extended to the Revd. & Mrs Ngira Simmonds, Manawa
o te Wheke
- 10.58am** **Motion No. 4: Adoption of Waikato Diocesan Trust Board General**
Purpose Financial Statements for 2017.
- Mover: Mrs Elizabeth Bang
Seconder: Mr Alan Tanner
- “That this Synod approves the audited General Purpose Financial
Statements of the Waikato Diocesan Trust Board, for the year ended
31 December 2017.”
- CARRIED**
- 10.59am** **Motion No. 5: Adoption of Taranaki Anglican Trust Board**
General Purpose Financial Statements for 2017.
- Mover: Canon Robin Brockie
Seconder: Mr Ross Smith
- “That this Synod approves the audited General Purpose Financial
Statements of the Taranaki Anglican Trust Board for the year ended
31 December 2017.”
- CARRIED**
- 11.00am** **Motion No. 6: Adoption of the Diocese of Waikato and Taranaki**
General Purpose Financial Statements for 2017.
- Mover: Canon Robin Brockie
Seconder: The Ven. Trevor Harrison
- “That this Synod approves the audited General Purpose Statements of
the Diocese of Waikato and Taranaki, for the year ended 31 December
2017.”
- CARRIED**

11.03am Motion No. 7: Funding Standing Committee Operations – Approval of 2019 Budget.

Mover: The Most Reverend Philip Richardson

“That for the year 2019 this Synod agrees to a Diocesan Budget for Standing Committee operations of \$748,000.00 allocated in accordance with details contained in the budget, with \$664,000.00 of this sum to be provided by assessments.”

Amendment: “That the CPI increase be applied for Tertiary Chaplains.”

Mover: The Reverend Andrew McKean

Secunder: The Reverend Canon Pat Scaife

CARRIED

Motion as amended was CARRIED

11.06am Motion No. 8: Assessments 2019 – Approval of Schedule

Mover: Canon Robin Brockie

Secunder: Mrs Sue MacLean

“That Parish Diocesan Assessments for the year 2019 be set according to the schedule of percentages for 2018, as detailed in the Synod papers.”

CARRIED

11.13am Motion No. 9: Funding the 2019 Ministry Support Fund

Mover: Canon Robin Brockie

Secunder: The Ven. Malcolm French

“That this Synod requests Standing Committee to fund the Ministry Support Fund, to be calculated at the equivalent of the basic Vicar’s stipend and contributed to by all parishes, Parish Districts and Mission Districts per annum using the same formula as used for Assessments.”

CARRIED

11.17am Motion No. 10: Mission Target 2019

Mover: Canon Robin Brockie

Secunder: The Rev’d Carol Hancock

“That for the year 2019, the target for Overseas Missions remains at \$210,000.00.”

CARRIED

11.21am Archbishop Philip acknowledged the Reverend Jason Grainger who was present for his last Synod in the Diocese before moving to be Vicar of Papakura in the Diocese of Auckland. The Archbishop thanked Jason for his contributions to the life of this Diocese.

11.23am First Reading of Bills

Bill No. 1 The Trusts in Parishes Bill 2018

Moved: Canon Gerald Bailey
Seconded: Mr A Tanner

“That the principles of the Bill be approved and that the Bill be referred to Synod in Committee for consideration in detail for later in the day.” **CARRIED**

11.30am Bill No. 2 The Use of Capital Bill 2018

Moved: Canon Dr. Bryan Bang
Seconded: Mrs J Honeyfield

“That the principles of the Bill be approved and that the Bill be referred to Synod in Committee for consideration in detail for later in the day.” **CARRIED**

11.32am Bill No. 3 The General Synod Representation Bill 2018

Moved: Canon Gerald Bailey
Seconded: The Most Reverend Philip Richardson

“That the principles of the Bill be approved and that the Bill be referred to Synod in Committee for consideration in detail for later in the day.” **LOST**

11.51am PRESENTATION Youth Work
The Reverend Mele Prescott

12.27am Bill No. 4 The Cathedrals Amendment Bill 2018

Bill No. 5 The Clergy Housing Amendment Bill 2018

Bill No. 6 The Archdeaconries Amendment Bill 2018

Bill No. 7 The Bishopric Trusts Amendment Bill 2018

Moved: The President

“That the principles of the Bills 4,5 6 and 7 be approved and that the Bills be referred to Synod in Committee for consideration in detail for later in the day.” **CARRIED**

12.28pm Midday Prayer

12.32pm Synod adjourned for Lunch

1.30pm Synod reconvened

1.33pm Motion No. 11 Reports to Synod

Mover: The President of Synod

That this Synod receives the following reports:

Anglican Action Mission Trust
Bishop’s Action Foundation
InterChurch Council for Hospital Chaplaincy
Parish Renewal Report
Seismic Report
Standing Committee
Terrier Report
Taranaki Anglican Trust Board
Taranaki Tertiary Chaplaincy Trust Board
Taranaki Tertiary Chaplain
University of Waikato Chaplaincy Committee
University of Waikato Chaplain
Waikato Cathedral Chapter
Waikato Diocesan Trust Board
WINTEC Ecumenical Chaplain
WINTEC Ecumenical Chaplaincy Provider Trust Board
WINTEC Ecumenical Chaplain’s Support Person

CARRIED

1.38pm Motion No. 2: Proceeds from the Sale of Te Rau Aroha Camp

Mover: **The Venerable Trevor Harrison**

Seconder: **Mr Simon Caley, Diocesan Manager**

“That the proceeds from the sale of Te Rau Aroha Camp be discussed at this Synod and that, based on the principles articulated in the Te Rau Aroha Camp Sale Proceeds discussion paper, Synod considers approving the following recommendations:

1. On the basis of the principles set out above, ***it is recommended*** that the sale proceeds (less what is required to cover sale process costs and repay outstanding debts) be invested under the custodianship of the WDTB with the aim of generating income that will enable the Diocese to respond to future

mission priorities.

2. ***It is therefore recommended*** that Synod establishes a Synodical Commission to explore potential mission aligned priorities for the use of the income generated from the invested sale proceeds and requests that the Commission reports back to Diocesan Synod in 2019.
3. ***It is further recommended*** that Synod delegates responsibility for forming the Commission to Standing Committee and asks that the Commission includes a mix of elected and appointed members that ensures both appropriate representation and relevant skills and experience.
4. ***It is further recommended*** that beyond the 2019 Synod decision it is recommended that Standing Committee, working alongside the trustees of the WDTB, provides a report each year to Diocesan Synod about how income derived from the invested camp proceeds has been used and making recommendations for future priorities. This will ensure that over time the ongoing use of income generated from the capital investment is applied to future focused mission outcomes.”

CARRIED

1.45pm **Second Reading of Bill No. 7**

THE BISHOPRIC TRUSTS AMALGAMATION BILL 2018

Mover: **Canon Gerald Bailey**

Seconder: **Chancellor J Johnson**

DIOCESE OF WAIKATO AND TARANAKI

BILL NO. 7

THE BISHOPRIC TRUSTS AMALGAMATION BILL 2018

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

1. TITLE

This Statute is the Bishopric Trusts Amalgamation Statute 2018.

2. PURPOSE

The purpose of this Statute is to confirm the approval by the Diocesan Synod of a scheme for the amalgamation of various trusts currently providing for the sustentation of the Bishop or Bishops of the Diocese and to clarify provisions relating to recourse to the capital of those trusts.

3. COMMENCEMENT

This Statute shall come into force immediately at the close of the Synod at which it is enacted.

4. COMPLIANCE WITH ANGLICAN CHURCH TRUSTS ACT 1981 (“THE ACT”)

(1) A scheme for the amalgamation of the trusts listed in Schedule One of this Statute was prepared by the Diocesan solicitors on behalf of the Waikato Diocesan Trust Board and the Taranaki Anglican Trust Board because it was proving impracticable and inexpedient to continue to administer the many different trusts.

- (2) The scheme was submitted to the Diocesan Chancellor pursuant to Part III of the Act together with the Declaration of Trust contained in Schedule Two of this Statute.
- (3) After some amendments were made, the Chancellor sent to the Attorney-General, through the Solicitor-General, written notice of the proposed scheme, together with a copy of the proposed Declaration of Trust.
- (4) The Attorney-General requested a modification to the Declaration of Trust, which has been duly made, and agreed to by the Chancellor and the two Trust Boards, and the Attorney-General has confirmed that he has no objection to the scheme.
- (5) The Chancellor, having considered the scheme and the Declaration of Trust, has furnished a report thereon which is contained in Schedule Three of this Statute.

5. APPROVAL OF SYNOD

This Synod hereby gives its approval to the scheme.

6. REPLACEMENT OF TRUSTS

From this time onwards, the trusts set out in Schedule One of this Statute are ended and replaced by the trust set out in Schedule Two.

SCHEDULE ONE

Trusts administered by the Waikato Diocesan Trust Board	
<p>Waikato Diocesan No. 2 Trust Epsom Properties Fund (known as The Diocesan Trust)</p>	<ul style="list-style-type: none"> • Comprising funds received by the WDTB from the sale of properties at Epsom, Auckland being land transferred to the Diocese and administered by the WDTB upon the creation of the Diocese in 1926. • Use of funds in this trust were clarified by section 6 of the Diocese of Waikato Statute No. 31 known as the Taranaki Trusts Statute 1997, to be held for the benefit of the Diocese of Waikato. • Value of funds invested as at 31 December 2017: \$2,886,468.02.
<p>See Trust (originally named Cathedral No. 5 Trust)</p>	<ul style="list-style-type: none"> • Trust funds originated from the sale of properties in Hamilton East received by the Diocese at the direction of the General Synod from the constitution of the Diocese in 1926.

	<ul style="list-style-type: none"> • Also including funds from the sale of properties in Central Hamilton (Dyer Street and Teddy Street properties). • Value of funds invested as at 31 December 2017: \$686,638.74.
Bishopric Endowment Trust	<ul style="list-style-type: none"> • Established by a Diocesan Synod resolution in 1997. • Comprising funds raised within the Diocese to assist in the establishment and maintenance of the Bishopric of Taranaki.
Diocesan Bishopric (Taranaki) Endowment Fund	<ul style="list-style-type: none"> • Established by a Diocesan Synod resolution in 1997 to be a capital endowment fund for the sustentation of the then Assistant Bishop of Waikato in Taranaki and provision of a house for that Bishop. • Affirmed in the Taranaki Trusts Statute 1997 that the fund is to be used for the housing of the Bishop in Taranaki.
	<ul style="list-style-type: none"> • Established by the Taranaki Trusts Statute 1997, clause 5.1. The income from this fund to supplement the endowment for the sustentation of the then Assistant Bishop of Waikato in Taranaki. • Value of funds invested of the Bishopric Endowment Trust, Diocesan Bishopric (Taranaki Endowment Fund) and Taranaki Bishopric Endowment Fund No. 4 as at 31 December 2017: \$998,892.90.

Trusts administered by the Taranaki Anglican Trust Board	
Taranaki Bishopric Trust No. 1 (also known as 'Taranaki	

<p>Bishopric Endowment Fund' and 'Cole Fund')</p>	<ul style="list-style-type: none"> • Established by Declaration of Trust dated 6 May 1913 and varied by the Taranaki Trusts Statute 1997, clause 3. • Income from the trust to be paid to the Diocese of Waikato for the sustentation of the Assistant Bishop of Waikato in Taranaki.
<p>Taranaki Bishopric Endowment Funds No. 2, 3 & 4</p>	<ul style="list-style-type: none"> • Fund No. 2 was established by a resolution dated 13 November 1917. • Fund No. 3 was established at a General Meeting held on 29 November 1920. • Funds No. 2 and No. 3 were varied pursuant to the Scheme dated 28 May 1926. • Fund No. 4 was established by a resolution passed on 1 June 1926. • Declaration of Trust dated 21 December 1926 provided that the three funds were to be administered as one trust fund. • The three funds were varied by the Taranaki Trusts Statute 1997, clause 4.2 to provide that the funds be used by the Diocese for the sustentation of the Assistant Bishop of Waikato in Taranaki. • Value of funds invested of the Taranaki Bishopric Trust No. 1 and the Bishopric Endowment Funds No. 2 & 3 as at 31 December 2017: \$102,442.02 • No separate records are available in respect of the Bishopric Endowment Fund No. 4. It is assumed for the purposes of this Application that over time this fund has been amalgamated by the Taranaki Anglican Trust Board within the Taranaki Bishopric Trust No. 1 and the Bishopric Endowment Funds No. 2 & 3.

<p>Taranaki Parochial Sustentation Fund</p>	<ul style="list-style-type: none"> • Established by Deed of Trust dated 6 May 1913. • Affirmed in the Taranaki Trusts Statute 1997, clause 8.1, that the funds continue to be held for the benefit of the Archdeaconry of Taranaki in whatever Diocese that Archdeaconry may form a part. • Value of funds invested as at 31 December 2017: \$142,449.43
<p>Govett-Brown Memorial Fund</p>	<ul style="list-style-type: none"> • Established by Deed of Trust dated 26 April 1907. • Varied by Taranaki Trusts Statute 1997, clause 7.1.2.1, that the funds continue to be held for the benefit of the Archdeaconry of Taranaki in whatever Diocese that Archdeaconry may form a part. • Value of funds invested as at 31 December 2017: \$35,400.46
<p>The Taranaki Anglican Trust Board General Trust</p>	<ul style="list-style-type: none"> • Established by Bishop Selwyn by a Declaration of Trust in Conveyance dated 26 June 1862, varied by the 1925 Commission Report to General Synod. • Affirmed in the Taranaki Trusts statute 1997 that the funds continue to be used for the benefit of the Archdeaconry of Taranaki in whatever Diocese that Archdeaconry may form a part. • Value of funds invested as at 31 December 2017: \$474,091.20

General Synod means the General Synod of the Church, being the chief legislative and governing body of the Church with representatives from each Diocese voting in 'Houses' of Bishops, Clergy and Laity to enact its business.

Standing Committee means the administrative body of the Diocese with delegated authority from the Diocesan Synod and/or General Synod, which is responsible for the orderly management and administration of the affairs of the Diocese.

1.2 **References:** In this Declaration of Trust reference to:

- (a) Any statutory provision will include any statutory provision which amends, or replaces it, and any subordinate legislation made under it; and
- (b) Any canon or statute of the Church or statute of the Diocese will include any canon or statute which amends, or replaces it, and any subordinate documents made under it.

2. TRUSTEE

2.1 The Waikato Diocesan Trust Board shall be the trustee of the Bishopric Trust.

2.2 In the event the Waikato Diocesan Trust Board ceases to exist or is otherwise unable to continue to perform its duties as trustee, the Appointing Body may in its sole discretion replace or appoint additional trustees in accordance with the statutes of the Diocese.

2.3 Notwithstanding anything else in this Declaration of Trust, the Bishop of Waikato and the Bishop of Taranaki may not be trustees of the Trust.

3. PURPOSES

3.1 The Waikato Diocesan Trust Board shall, as trustee of the Bishopric Trust, hold and apply the trust funds for the following charitable purposes:

- 3.1.1 To provide for the sustentation of the Bishops of the Diocese of Waikato and Taranaki;
- 3.1.2 To provide financial assistance and support to the Bishoprics in the Diocese;
- 3.1.3 To undertake such other activities and provide such other assistance whether by way of financial assistance, support, or otherwise, of a charitable nature and generally do all such acts, matters or things which are incidental or conducive to achieving all or any of the Bishopric Trust's charitable purposes or which the Waikato Diocesan Trust Board may consider necessary or expedient to facilitate the achievement of the purposes set out above.

4. INCOME, BENEFIT OR ADVANTAGE TO BE APPLIED TO CHARITABLE PURPOSES

4.1 The Waikato Diocesan Trust Board agrees and acknowledges that any income, benefit or advantage earned or otherwise received by the Bishopric Trust will be applied towards the furtherance of the charitable purposes of the Bishopric Trust. No individual may derive any private pecuniary profit or any income, benefit or advantage from the Bishopric Trust where they can materially influence the payment of the income, benefit or advantage.

5. POWERS

5.1 In addition to the powers implied by the general law of New Zealand, or contained in the Anglican Church Trusts Act 1981, the Trustee Act 1956 and any successor legislation, the powers which the Waikato Diocesan Trust Board may exercise in order to carry out the Bishopric Trust's charitable purposes, (but subject at all times to the Anglican Church Trusts Act 1981, the statutes of the Diocese, and canons and statutes of the Church), include:

- (a) To do all things as may from time to time be necessary or desirable to enable the Waikato Diocesan Trust Board to give effect to and to attain or endeavour to achieve the charitable purposes of the Bishopric Trust and which the Bishopric Trust could do if it was a natural person; and
- (b) To use or apply any capital of the Bishopric Trust fund for all or any of the purposes of the Bishopric Trust without first using or applying the whole or any portion of the income of the trust fund for that year, including the power to use or apply any capital of the trust fund in the event the income from the trust fund is insufficient to provide for any or all of the charitable purposes set out in clause 3.

6. VARIATION

6.1 The Waikato Diocesan Trust Board may by majority vote, make alterations or additions to the terms and provisions of this Declaration of Trust provided that:

- (a) Prior written approval of such alterations or additions shall be obtained from the Standing Committee of the Diocese; and
- (b) No such alteration or addition will detract from the exclusively charitable nature of the Bishopric Trust, provide for the private profit of any of the individual trustees of the Waikato Diocesan Trust Board or result in the distribution of its assets on winding up for any purpose that is not charitable.

6.2 Any alterations and additions to the terms and provisions of this Declaration of Trust must be consistent with the purposes set out in clause 3.1 of this Declaration of Trust.

7. WINDING UP AND DISPOSITION OF SURPLUS ASSETS

7.1 The Bishopric Trust may be wound up by unanimous resolution of the Waikato Diocesan Trust Board subject to the prior written approval of the Standing Committee of the Diocese. On the winding up of the Bishopric Trust:

- 7.1.1 Surplus assets of the trust fund (if any) will be applied to a charitable purpose or purposes within the Diocese as determined by the Waikato Diocesan Trust Board and subject to the prior written approval of the Standing Committee of the Diocese;
- 7.1.2 In the event that the Diocese ceases to exist, then the surplus assets will be applied for the benefit of the Church in accordance with the directions of the General Synod;

7.1.3 Where the surplus assets cannot be distributed in accordance with clauses 7.1.1 or 7.1.2, such surplus assets will be disposed of in accordance with the directions of the High Court.

EXECUTED AS A DEED

Signed by Waikato Diocesan Trust Board by affixing its common seal in the presence of:

Trustee's signature

Trustee's full name

Trustee's signature

Trustee's full name

55G-680944-16-449-1.jc

SCHEDULE THREE

Report of the Chancellor

**REPORT OF
THE CHANCELLOR
IN RELATION TO THE VARIATION OF THE BISHOPRIC TRUSTS
3 August 2018**

1. For many years there have been concerns about the unnecessary number of trusts that require to be maintained in support of the Bishopric, and from time to time doubts as to whether the various existing trusts permit, in particular circumstances, access to the capital of those trusts.

2. On 11 October 2009 the Diocesan Synod resolved to proceed pursuant to the Anglican Church Trusts Act 1981 ("the Act") to endeavour to amalgamate the various trusts and to ensure that the provisions relating to access to capital were clarified.
3. Over a number of years work was done with a view to progressing the proposal to the extent that in January 2018 the Diocesan solicitors presented to me as Chancellor a formal application seeking to vary and amalgamate the trusts, together with a proposed new deed of trust, and documentation endeavouring to justify the process under the provisions of the Act.
4. The Act provides an alternative process to an application to the High Court, if it is desired to change the terms of trusts for an Authorised Trust Board. Both the Waikato Diocesan Trust Board and the Taranaki Anglican Trust Board are authorised Trust Boards, and therefore able to use the process in the Act.
5. The legal test to be applied, is that which would ordinarily be applied by the High Court to a variation in connection with a Charitable Trust which is not an authorised Trust Board within the Anglican Church system.
6. After consideration and further discussion through the Diocesan solicitors, resulting in amendments to the form of trust and material provided, I was satisfied that the proposal should be forwarded to the Attorney-General for consideration as to his approval or not. In practice that involves referring the matter to the Solicitor-General within the Crown Law Office which attends to these matters on behalf of the Attorney.
7. The Solicitor-General's office had a number of queries, and further information was provided together with a slight amendment to the form of trust so as to assuage any potential concerns.

8. The amended form of trust, as set out in Schedule 2 of this Statute, is that which has been approved.
9. In this, my report to the Synod, I have explained in brief terms the process which has been followed.
10. I give my approval to the variation of trust as is required by section 14 of the Act.
11. I advise that the proposed deed of trust has been approved by the Attorney-General, and I invite Synod to pass the Statute so as to both accept my report, and to record the terms of the new trust to apply from this point onwards.



C J Harding
Chancellor
Diocese of Waikato and Taranaki
3 August 2018

1.50pm SYNOD IN COMMITTEE

“That Synod move into Committee to consider Bill No. 7”.

CARRIED

1.51pm SYNOD OUT OF COMMITTEE

The Chairperson of Synod in Committee reported to the President that Synod in Committee had considered Bill No. 7 and had passed the same without amendment.

Moved: “That the decision of Synod in Committee be the decision of the whole Synod.”

Mover: The President

CARRIED

Moved: That the Third Reading of the Bill be an order of the day for
11am tomorrow.

Mover: The President

CARRIED

1.55pm Second Reading of Bill No. 1

Bill No.1 THE TRUSTS IN PARISHES BILL 2018

Moved: **Canon Gerald Bailey**

Seconded: **Mr Alan Tanner**

DIOCESE OF WAIKATO AND TARANAKI
BILL NO. 1
THE TRUSTS IN PARISHES BILL 2018

(Explanatory Note: This Bill is intended to make clear that gifts or donations of moneys or property given to a Trust are subject to assessment unless there is a specified purpose for that gift or bequest.)

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

1. TITLE

This Statute is the Trusts in Parishes Statute 2018.

2. PURPOSE

In accordance with Canon III Title F of the Provincial Canons, the purpose of this Statute is to provide guidelines for the establishment of Trusts in parishes.

3. COMMENCEMENT

This Statute shall come into force immediately at the close of the Synod at which it is enacted.

4. INTERPRETATION

In this Statute, unless the context requires otherwise, the following interpretations shall apply –

Parish:

(a) Means an administrative territory under the jurisdiction of the Diocesan Bishop in whose bishopric the parish is located.

(b) Includes parishes and mission districts the territories of which are defined in The Boundaries of the Local Ministry and Mission Units in the Diocese of Waikato Statute 1996.

(c) Is an administrative entity for the purposes of the collection of statistics, the fixing of assessments, and other Diocesan administrative matters.

Parish trust means any trust whether established or proposed to be established under which a parish or parishes may benefit directly or indirectly.

5. TRUSTS AND ASSESSMENTS

All income paid to or received by a parish trust is subject to assessment in accordance with the provisions of the Finance Statute 1991 and no trust may be established for general parish ministry and mission work or to assist with the payment of general operating expenses of the parish.

6. DONATIONS AND GIFTS

A donation (whether by bequest or gift and whether of money or other property) may be made with the intention of its being used for certain purposes or in a certain manner. Where this the case, the money or property will then be subject to a trust (whether express or implied) and must be used only for those purposes or in that manner.

7. PROPERTY ACQUISITIONS TO BE RECORDED

Where property, whether real or personal, is acquired subject to a trust, a record must be kept of the details of such trust in the Diocesan Terrier. It is the duty of the Churchwardens of a parish, either themselves or by delegation to others, to forward to the Diocesan Registrar Manager in each and every year, schedules of all trusts of which the parish is a beneficiary.

8. WHERE RECORDS DO NOT EXIST

Where records relating to the acquisition of property do not exist. It shall be the duty of the parish to carry out research to establish the existence of any express or implied trust, and to advise the Diocesan office accordingly. When property is sold, records relating to the acquisition of the property will determine whether the proceeds of sale can be used for general purposes or whether they are affected by the existence of a trust, express or implied.

1.55pm SYNOD IN COMMITTEE

“That Synod move into Committee to consider Bill No. 1”.

CARRIED

1.56pm SYNOD OUT OF COMMITTEE

The Chairperson of Synod in Committee reported to the President that Synod in Committee had considered Bill No. 1 and had passed the same without amendment.

Moved: “That the decision of Synod in Committee be the decision of the whole Synod.”

Mover: The President

CARRIED

Moved: “That the Third Reading of the Bill be an order of the day for 11am tomorrow.”

Mover: The President

CARRIED

1.57pm Second Reading of Bill No. 6

Bill No. 6 THE ARCHDEACONRIES STATUTE 2018

Mover: **Canon Dr Bryan Bang**

Seconder: **The Venerable Trevor Harrison**

DIOCESE OF WAIKATO AND TARANAKI
BILL NO. 6
THE ARCHDEACONRY AMENDMENT BILL 2018

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

1. TITLE

This Statute is The Archdeaconry Amendment Statute 2018.

2. PURPOSE

The purpose of this Statute is to recognise the division of the former Taranaki Archdeaconry into two separate Archdeaconries.

3. COMMENCEMENT

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

4. ARCHDEACONRIES

The last paragraph of clause 5 of Statute No.10 is hereby deleted and replaced by the following two paragraphs:

Parininihi, which includes the parishes of Bell Block-Lepperton, Brooklands, the Cathedral, Fitzroy, Inglewood, Okato, Waitara and West New Plymouth.

Waitotara, which includes the parishes of Eltham-Kaponga, Hawera, Manaia, Opunake, Patea, Stratford and Waverley-Waitotara.

1.57pm SYNOD IN COMMITTEE

“That Synod move into Committee to consider Bill No. 6”.

CARRIED

1.58pm SYNOD OUT OF COMMITTEE

The Chairperson of Synod in Committee reported to the President that Synod in Committee had considered Bill No. 6 and had passed the same without amendment.

Moved: “That the decision of Synod in Committee be the decision of the whole Synod.”

Mover: The President

CARRIED

Moved: “That the Third Reading of the Bill be an order of the day for 11am tomorrow.”

Mover: The President

CARRIED

**1.59pm PRESENTATION Motion 7 Working Group Report Back
Archdeacon Stephen Black**

3.12pm Synod adjourned for afternoon tea

3.49pm **Synod reconvened**
Second Reading of Bill No. 5

Bill No. 5 THE CLERGY HOUSING AMENDMENT BILL 2018

Mover: **Canon Gerald Bailey**

Seconder: **The Venerable Stephen Black**

DIOCESE OF WAIKATO AND TARANAKI
BILL NO. 5
THE CLERGY HOUSING AMENDMENT BILL 2018

(Explanatory Note: In an increasing number of parishes, rising house prices have made the provision of Clergy Housing more difficult. It has become obvious that the Clergy Housing Statute and the Regulations made under it need reviewing. While Clause 5 (4) of the Statute clearly states that regulations made under it provide guidelines rather than rules, this is apparently not the way in which it has been interpreted and the provisions of the Regulations are seen as inflexible requirements. This was not intended but in view of that interpretation, it would appear that a less prescriptive Statute is required).

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

1. TITLE

This Statute is The Clergy Housing Amendment Statute 2018.

2. PURPOSE

The purpose of this Statute is to amend provisions relating to housing for clergy.

3. COMMENCEMENT

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

4. HOUSING OF VICARS

The last paragraph of clause 4 of Statute No.41 is hereby deleted.

5. ERECTION OR PURCHASE OF VICARAGES

(1) Clause 5 (1) of the Statute is amended by inserting, before the word “master” the word “registered”.

(2) Clause 5 (2) of the Statute is hereby deleted and replaced with the words: “If a new vicarage is to be erected, the plans and specifications must be approved by the Faculties Advisory Group”.

6. REPEAL OF REGULATIONS

The Clergy Housing Regulations 2014 are hereby repealed.

3.50pm SYNOD IN COMMITTEE

“That Synod move into Committee to consider Bill No. 5”.

CARRIED

3.51pm SYNOD OUT OF COMMITTEE

The Chairperson of Synod in Committee reported to the President that Synod in Committee had considered Bill No. 5 and had passed the same without amendment.

Moved: “That the decision of Synod in Committee be the decision of the whole Synod.”

Mover: The President

CARRIED

Moved: “That the Third Reading of the Bill be an order of the day for 11am tomorrow.”

Mover: The President

CARRIED

3.52pm The Second Reading of Bill No. 2

Bill No. 2

THE USE OF CAPITAL BILL 2018

Moved: **Canon Dr Bryan Bang**

Seconded: **Mrs J Honeyfield**

DIOCESE OF WAIKATO AND TARANAKI

BILL NO. 2

THE USE OF CAPITAL BILL 2018

(Explanatory Note: This bill sets out the procedure to be followed when a parish is holding a capital sum derived from the sale or destruction of a building and is not seeking to replace the building. It also deals with the situation where a parish ceases to exist.)

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

1. TITLE

This Statute is The Use of Capital Statute 2018.

2. PURPOSE

The purpose of this Statute is to make provision for the appropriate use of the proceeds of the sale or loss of real property.

3. COMMENCEMENT

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

4. INVESTMENT OF CAPITAL

- (1) Where a parish has sold land or a building for which it has no further purpose or where a building has been destroyed and insurance has been claimed for the loss, the capital accruing from the sale or insurance claim shall in the first instance be invested with the appropriate Trust Board and the interest on the amount invested shall be added to the capital invested.
- (2) Notwithstanding the foregoing the Standing Committee may authorise the use of the interest arising from the investment of such capital for a purpose or purposes other than capital purposes on the application of the parish concerned provided that the parish has satisfied the Standing Committee that there is a pressing need for the interest to be so used rather than be added to the capital.
- (3) Notwithstanding the authorisation given by the Standing Committee pursuant to the provisions of this clause, the parish shall retain from the interest an amount equivalent to the annual rate of inflation as determined by the Consumer Price Index for the preceding year, plus a further 1% per annum and this sum shall be added to the capital.

5. STANDING COMMITTEE'S POWERS

If a parish should cease to exist, while capital from the sale of land or buildings and/or the proceeds of an insurance claim is invested on behalf of that parish, the Standing Committee shall determine the future use of such capital which use shall be restricted to advancing the mission of the Church in the Archdeaconry in which the parish is located.

6. REFERENCE TO THE FACULTIES STATUTE 2014

This Statute is in addition to the provisions of the Faculties Statute 2014 and not in substitution for it, and every parish to which this Statute applies shall also comply with the Faculties Statute, its appendices and schedules and apply them as appropriate.

3.51pm SYNOD IN COMMITTEE

“That Synod move into Committee to consider Bill No. 2”.

CARRIED

AMENDMENT BY ADDITION: NEW CLAUSE 4(2)

Where a Parish wishes to complete a capital project in keeping with the mission of the Church in its community it may, with the permission of Standing Committee, withdraw capital for that purpose.

NEW CLAUSE 4:

4. INVESTMENT OF CAPITAL

- (1) Where a parish has sold land or a building for which it has no further purpose or where a building has been destroyed and insurance has been claimed for the loss, the capital accruing from the sale or insurance claim shall in the first instance be invested with the appropriate Trust Board and the interest on the amount invested shall be added to the capital invested.

- (2) Where a Parish wishes to complete a capital project in keeping with the mission of the Church in its community it may, with the permission of Standing Committee, withdraw capital for that purpose.
- (3) Notwithstanding the foregoing the Standing Committee may authorise the use of the interest arising from the investment of such capital for a purpose or purposes other than capital purposes on the application of the parish concerned provided that the parish has satisfied the Standing Committee that there is a pressing need for the interest to be so used rather than be added to the capital.
- (4) Notwithstanding the authorisation given by the Standing Committee pursuant to the provisions of this clause, the parish shall retain from the interest an amount equivalent to the annual rate of inflation as determined by the Consumer Price Index for the preceding year, plus a further 1% per annum and this sum shall be added to the capital.

4.07pm SYNOD OUT OF COMMITTEE

The Chairperson of Synod in Committee reported to the President that Synod in Committee had considered Bill No. 2 and had passed the same with amendment.

Moved: "That the decision of Synod in Committee be the decision of the whole Synod."

Mover: The President

CARRIED

Moved: "That the Third Reading of the Bill be an order of the day for 11am tomorrow."

Mover: The President

CARRIED

The Second Reading of Bill No. 4

**Bill No. 4 THE WAIKATO DIOCESAN CATHEDRALS
AMENDMENT BILL 2018**

Mover: **Canon Dr Bryan Bang**

Seconder: **The Very Reverend P Wilson**

DIOCESE OF WAIKATO AND TARANAKI

BILL NO. 4

THE WAIKATO DIOCESAN CATHEDRALS AMENDMENT BILL 2018

(Explanatory Note: This Amendment is intended to clarify and extend the role of the Cathedral Chapters. It makes it clear that the Chapter and the Cathedral Vestry are different bodies with different functions. The amendment also requires regular meetings of the Chapters to be held.)

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

1. TITLE

This Statute is the Waikato Diocesan Cathedrals Amendment Statute 2018

2. PURPOSE

The purpose of this Statute is to amend the principal Statute, by clarifying and amending provisions relating to the Waikato Cathedral Chapter

3. COMMENCEMENT

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

4. REPEAL

The whole of clause 9 of the principal Statute is repealed and replaced with the following –

- (1) There will be a Chapter for the Cathedral.
- (2) The members of the Chapter will be the Diocesan Bishops, any Assistant Bishop in the Diocese, the Dean of the Waikato Cathedral, the Chancellor of the Diocese, the clerical and lay Canons of the Cathedral, any Canon Theologian of the Diocese, and such other person or persons appointed by the Chapter for a specified term for his her or their specific skills.
- (3) The role of the Chapter is to–
 - (i) Foster and monitor the relationships between the Cathedral, the parishes and the Diocese and the role of the Cathedral in the Bishopric.
 - (ii) Provide advice to the Bishop and the Dean of the Cathedral and to the Cathedral Vestry.
 - (iii) Support and further the ministry of the Cathedral.
 - (iv) Support the Cathedral in its work in the Bishopric and where appropriate act collegially with its counterpart in the other Bishopric.
 - (v) Support the Bishop and the Dean in their work in the wider community.
 - (vi) Take responsibility for the fabric of the Cathedral including the strengthening of the building, its extension or refurbishment, in conjunction with the Cathedral Vestry.
 - (vii) Take responsibility for the rebuilding of the organ and its enlargement or enhancement in conjunction with the Cathedral Vestry.
- (4) The Bishop, or in the absence of the Bishop, the Dean, shall chair meetings of the Chapter.
- (5) The Chapter shall fix its own meeting procedure and its quorum.
- (6) The Chapter shall meet not less than four times in each calendar year.
- (7) The Chapter will report to the Synod in writing each year.
- (8) The Diocesan Registrar Manager or his or her appointee shall be the secretary of the Chapter.

4.08pm SYNOD IN COMMITTEE

“That Synod move into Committee to consider Bill No. 4”.

CARRIED

4.15pm SYNOD OUT OF COMMITTEE

The Chairperson of Synod in Committee reported to the President that Synod in Committee had considered Bill No. 4 and had passed the same without amendment.

Moved: “That the decision of Synod in Committee be the decision of the whole Synod.”

Mover: The President

CARRIED

Moved: “That the Third Reading of the Bill be an order of the day for 11am tomorrow.”

Mover: The President

CARRIED

**4.18pm PRESENTATION The Reverend Robert Kereopa
Anglican Missions Board**

4.49pm Evening Worship

4.56pm Announcements

5.00pm Synod adjourns until 8.30am Sunday morning

DIOCESE OF WAIKATO AND TARANAKI

SECOND SESSION OF THE THIRTY-NINTH SYNOD

ALL SAINTS' CHAPEL,
WAIKATO DIOCESAN SCHOOL FOR GIRLS,
HAMILTON.

MINUTES OF THE THIRD DAY

SUNDAY 30 SEPTEMBER 2018

8.30am Morning Prayer
8.46am Announcements

The Diocesan Manager after making announcements requested that leave of Synod be given in order to re-order the Order Paper for the day. **APPROVED**

The President sought leave of Synod to move the Third Reading of the Bills that was set for 11.00am to 9.00am. **APPROVED**

8.53am Response to Questions to Synod by the President

QUESTION ONE:

As outlined in the Charge a Commission is to be set-up to investigate the possible models of episcopacy and diocesan leadership going forward. The next Standing Committee meeting will sign-off the terms of reference and the membership for the Commission.

QUESTION TWO:

Most of our rural parishes are facing major demographic change. Research about the changing demographic patterns in the North Waikato has been done based on local council and iwi boundaries. A research project into the state of church plant has been done by a University of Auckland PhD student.

The Bishop's Staff is looking at strategies for the ongoing provision of ministry in rural areas. A definite timeline cannot be given at this point in time.

Only small funds are available for this research and review work. The Bishop's Staff has been looking into this matter and will continue to do so going forward.

9.10am Third Reading of Bills

That Bills Number 1,2,4,5,6 and 7 be read a third time.

Mover: **The President**

CARRIED

9.11am Motion No.3 The Banning of Gay Conversion Therapy

Mover: **The Venerable Malcolm French**

Seconder: **The Venerable Val Riches**

“That noting the desire in the recommendations accompanying Motion 30 to General Synod Te Hinota Whanui in 2014 “...to make further response pastorally and prayerfully to LGBT people in [their] faith communities”

And noting that in July 2017 The Church of England passed a motion condemning the harmful practice of gay conversion therapy,

And noting that in July 2018 the British government began moving towards a ban on gay conversion therapy in Great Britain,

We move that this Synod call on the New Zealand parliament to pass legislation banning the harmful practice of gay conversion therapy.”

CARRIED

9.45am Morning Tea

10.17am Synod Resumes

The Chancellor introduced a discussion process to consider the alternative election processes for the electing of our representatives to General Synod. A straw poll was held and the preferred option was to have multiple ballots, but where the least polling candidate at each ballot was then dropped off future ballots.

It was agreed also that a process was needed that called for a balance of candidates from across the Diocese and sexes, and that the list of candidates needed to be placed on the Synod website and noticeboards, with their CVs, as nominations were received.

10.30am PRESENTATION AFFORDABLE HOUSING
Mr Simon Cayley, CEO, Bishop’s Action Foundation

11.14am PRESENTATION CHILDREN, YOUTH AND FAMILY
MINISTRIES
Archdeacon Stephen Black
The Reverend Mele Prescott

Synod members around their tables were invited to discuss the following questions:

- 1) What does church mean for millennials?
- 2) What was your most significant learning?
- 3) What will you do?

Some group responses were shared in feedback.

11.56 am Notices

11.58 am Motion: No. 12 Vote of Thanks

Mover: **The Venerable Malcolm French**

Secunder: **The Reverend John Carter**

CARRIED BY APPLAUSE

12.02 pm Closing Prayer The President and the Revd. Christine Hunn

12.16 pm Synod Closure