Parish Relationships Amendment Ordinance 2011   *(not assented to)*

Explanatory Statement

Background

1.   The Parish Relationships Ordinance 2001 (the "Principal Ordinance") enables a regional council to direct a parish to participate in a licensing review if it considers that a serious breakdown may have occurred in the pastoral relationships between the minister and a substantial number of parishioners of a parish in its region. At present, a regional council may not direct a licensing review unless –

- the minister has served in the parish for at least 4 years from his institution, and
- it has received a certificate that a substantial number of parishioners are of the view that there is a serious breakdown of pastoral relationships between the minister and the parishioners (this occurs if at least 65% of parishioners vote for a motion to this effect at a general meeting of parishioners), and
- it is satisfied that, where appropriate, a preliminary dispute resolution process (such as that outlined in the Parish Disputes Ordinance 1999) has been undertaken.

2.   The purpose of the bill for the Parish Relationships Amendment Ordinance 2011 is to make amendments to the Principal Ordinance which are complementary to the grievance policy and procedure which was adopted by the Synod in 2010.

3.   This bill was promoted to the Synod in 2010 "by request of the Standing Committee" with a view to it being considered immediately following the adoption of the grievance policy and procedure. However by reason of time constraints, the Synod decided not to consider the bill at that time and the bill was therefore withdrawn.

Proposed amendments

4.   The bill provides for the Principal Ordinance to be amended in three main respects.

5.   Firstly, it reduces from 4 years to 2 years the period under clause 4(a) of the Principal Ordinance during which a regional council may not direct a licensing review for a parish with a newly appointed minister (clause 2(b)).

6.   Secondly, it gives Regional Bishops the ability to convene a general meeting of parishioners to consider a motion as to whether a breakdown of relationships exists between the minister and a substantial number of parishioners if the minister and wardens of the principal church of the parish fail to convene such a meeting after being requested to do so under clause 6 of the Principal Ordinance (clause 2(c)).

7.   Thirdly, the motion as to whether a breakdown of relationships exists between the minister and a substantial number of parishioners will be carried by a majority of the parishioners attending and voting at the meeting rather than at least 65% of such parishioners (clause 2(g)).

8.   The bill also –

(a)   provides that if there is no Regional Bishop for a region, the functions of the Regional Bishop under the Principal Ordinance may be exercised by the Regional Archdeacon (clause 2(a)), and

(b)   provides that the period referred to in clause 4(a) of the Principal Ordinance during which a regional council may not direct a licensing review commences upon the minister being licensed to the parish as the minister rather than from the institution of the minister (clause 2(b)),

(c)   in view of the proposed ability of Regional Bishops to convene a general meeting of parishioners, provides that the Chancellor rather than the area archdeacon is to appoint a person to chair the general meeting referred to in clause 6 of the Principal Ordinance at which parishioners are to consider whether there has been a serious breakdown of pastoral relationships and the general meeting referred to in clause 28 at which parishioners consider adopting the recommendations of the licensing review board (clause 2(e)), and

(d)   in accordance with the previously stated policy of the Synod, replaces the reference to "priest" in clause 15 of the Principal Ordinance with "presbyter" (clause 2(h)).

Recommendation

9.   The Standing Committee recommends that the Synod pass the bill as an ordinance.

For and on behalf of the Standing Committee

ROBERT WICKS
Diocesan Secretary

20 September 2011