

CONSTITUTION OF THE ANGLICAN CHURCH

IN AOTEAROA, NEW ZEALAND AND POLYNESIA

WHEREAS (1) the Church is the body of which Christ is the head and all baptised persons are members, believing that God is one and yet revealed as Father, Son and Holy Spirit - a Holy Trinity, and

- (a) lives to be the agent and sign of the Kingdom of God.
- (b) is called to offer worship and service to God in the power of the Holy Spirit and
- (c) as the community of faith, provides for all God's people, the turangawaewae, the common ground;

AND WHEREAS (2) the Church

- (a) is **ONE** because it is one body, under one head, Jesus Christ,
- (b) is **HOLY** because the Holy Spirit dwells in its members and guides it in mission,
- (c) is **CATHOLIC** because it seeks to proclaim the whole faith to all people to the end of time and
- (d) is **APOSTOLIC** because it presents the faith of the apostles and is sent to carry Christ's mission to all the world;

AND WHEREAS (3) the mission of the Church includes:

- (a) proclaiming the Gospel of Jesus Christ,
- (b) teaching, baptising and nurturing believers within eucharistic communities of faith,
- (c) responding to human needs by loving service and
- (d) seeking to transform unjust structures of society, caring for God's creation, and establishing the values of the Kingdom;

AND WHEREAS (4) the Church, in striving to express the perfect oneness prayed for by Christ, and affirming the transforming power of the Gospel,

- (a) advances its mission,
- (b) safeguards and develops its doctrine and
- (c) orders its affairs,

within the different cultures of the peoples it seeks to serve and bring into the fullness of Christ;

AND WHEREAS (5) this Church has developed in New Zealand from its beginnings when Ruatara introduced Samuel Marsden to his people at Oihi in the Bay of Islands in 1814, first in expanding missionary activity as Te Hāhi Mihinare in the medium of the Māori language and in the context of tikanga Māori, initially under the guidance of the Church Missionary Society, and secondly after

[Preambles]

the arrival of George Augustus Selwyn in 1842 as a Bishop of the United Church of England and Ireland spreading amongst the settlers in the medium of the English language and in the context of their heritage and customs and being known as the Church of England, so leading to a development along two pathways which found expression within tikanga Māori and tikanga Pakeha;

AND WHEREAS (6) by the Treaty of Waitangi, signed in 1840, the basis for future government and settlement of New Zealand was agreed, which Treaty implies partnership between Māori and settlers and bicultural development within one nation;

AND WHEREAS (7) in 1840 there was also recognised the freedom of the inhabitants of New Zealand to hold and practise their religious faith within the several branches of the Church then present, or according to their own customs;

AND WHEREAS (8) on the 13th day of June in the year of our Lord, 1857, at a General Conference held at Auckland, the Bishops and certain of the Clergy and Laity representing a numerous body of the members of the said United Church, and including Missionary clergy but without direct Māori participation or the inclusion of tikanga Māori, agreed to a Constitution for the purpose of associating together by voluntary compact as a branch of the said United Church for the ordering of the affairs, the management of the property, the promotion of the discipline of the members thereof and the inculcation and maintenance of sound Doctrine and true Religion to the Glory of Almighty God and the edification and increase of the Church of Christ;

AND WHEREAS (9) this Constitution declares the Doctrine and Sacraments which the Church holds and maintains, and provides for a Representative Governing Body within the heritage and custom of the participants in the 1857 General Conference for the management of the affairs of the said Branch of the Church, to be called the General Synod;

AND WHEREAS (10) Clause Three of the Constitution made provision for the said Branch to frame new and modify existing rules (not affecting doctrine) with a view to meeting the circumstances of the settlers and of the indigenous people of Aotearoa / New Zealand;

AND WHEREAS (11) after the continuing development of Te Hāhi Mihinare the first Bishop of Aotearoa was appointed in 1928, and a measure of autonomy as te Pihopatanga o Aotearoa was provided in 1978, and new forms of mission and ministry have emerged;

AND WHEREAS (12) the principles of partnership and bicultural development require the Church to:

- (a) organise its affairs within each of the tikanga (social organisations, language, laws, principles, and procedure) of each partner;
- (b) be diligent in prescribing and in keeping open all avenues leading to the common ground;
- (c) maintain the right of every person to choose any particular cultural expression of the faith;

AND WHEREAS (13) Te Runanga o Te Pihopatanga o Aotearoa and the General Synod, meeting together in a General Conference in November 1990, covenanted with each other and agreed to certain amendments and revisions of the Constitution to implement and entrench the principles of partnership between Māori and Pakeha and bicultural development and to incorporate and extend the principal provisions of the Church of England Empowering Act, 1928;

AND WHEREAS (14) before 1857, the Church had already established missions among the peoples of Melanesia and then provided in the Constitution to be associated with any missionary Dioceses which may be formed in the Pacific, this leading in 1975 to the formation of the Church of Melanesia;

[Preambles]

AND WHEREAS (15) in 1925 the Diocese of Polynesia became an Associated Missionary Diocese following the pioneering ministry of the Anglican Priest, William Floyd, begun in Fiji in 1870, and in 1990 became a full, equal and integral Diocese in the life of the Province, and at the General Synod following the General Conference in November of that year was acknowledged to be a partner in this Church;

AND WHEREAS (16) the said Church of England Empowering Act, 1928, of the New Zealand Parliament conferred certain powers in substitution for the powers purporting to be conferred by Clauses two, three and four of the Constitution;

AND WHEREAS (17) the Church entered into an Act of Commitment in 1967 with the Presbyterian Church of New Zealand, the Methodist Church of New Zealand, the Associated Churches of Christ and the Congregational Union in New Zealand; in 1986 accepted the principle of Unity by Stages; and, continues to pray and work for the unity which Christ wills;

AND WHEREAS (18) this Church is part of and belongs to the Anglican Communion, which is a fellowship of duly constituted Dioceses, Provinces or Regional Churches in communion with the See of Canterbury, sharing with one another their life and mission in the spirit of mutual responsibility and interdependence;

[Preambles]

NOW THEREFORE the Bishops Clergy and Laity in General Synod assembled **DO SOLEMNLY DECLARE AFFIRM** and establish as follows:

PART A

This Anglican Church in Aotearoa, New Zealand and Polynesia is made up of te Pihopatanga o Aotearoa, Dioceses in New Zealand, and the Diocese of Polynesia.

The Fundamental Provisions as set forth for this Church in the Constitution adopted by voluntary compact on the 13th day of June, 1857 at the General Conference held at Auckland, and as here set forth, have effect and are applicable to and within this Church.

Nothing expressed or implied in any other part of the Constitution shall detract from or diminish the full force and effect of the provisions of Clauses One, Five and Six of the Constitution (the powers conferred by the Church of England Empowering Act, 1928, being in substitution for the powers purporting to be conferred by Clauses Two, Three and Four of the Constitution) and the provisions of the said Act, and in the event of any conflict or doubt the provisions of the said Clauses One, Five and Six and the said Act shall prevail.

[Part A]

THE FUNDAMENTAL PROVISIONS

1. *This Branch of the United Church of England and Ireland in New Zealand doth hold and maintain the Doctrine and Sacraments of CHRIST as the LORD hath commanded in His Holy Word, and as the United Church of England and Ireland hath received and explained the same in the Book of Common Prayer, in the Form and Manner of Making, Ordaining, and Consecrating of Bishops, Priests, and Deacons, and in the Thirty-nine Articles of Religion. And the General Synod hereinafter constituted for the government of this Branch of the said Church shall also hold and maintain the said Doctrine and Sacraments of CHRIST, and shall have no power to make any alteration in the authorised version of the Holy Scriptures, or in the above-named Formularies of the Church: (1857)*
2. **PROVIDED THAT** *nothing herein contained shall prevent the General Synod from accepting any alteration of the above-named formularies and Version of the Bible as may from time to time be*

adopted by the United Church of England and Ireland, with the consent of the Crown and of Convocation. (1857)

3. **PROVIDED ALSO THAT** *in case a Licence be granted by the Crown to this Branch of the Church of England to frame new and modify existing rules (not affecting doctrine) with the view of meeting the peculiar circumstances of this Colony and native people, it shall be lawful for this Branch of the said Church to avail itself of that liberty. (1857)*
4. **AND WHEREAS** *opinions have been expressed by eminent legal authorities in England that the property of the Church in New Zealand might be placed in jeopardy, unless provision were made for the contingency of a separation of New Zealand from the Mother Country, and for that of an alteration in the existing relations between Church and State; it is hereby further declared that, in the event of a separation of the Colony of New Zealand from the Mother Country, or of a separation of the Church from the State in England and Ireland, the General Synod shall have full power to make such alterations in the Articles, Services, and Ceremonies of this Branch of the United Church of England and Ireland in New Zealand as its altered circumstances may require, or to make such alterations as it may think fit in the authorised version of the Bible. (1857)*

And the said **BISHOPS, CLERGY, and LAITY** do further declare and establish as follows:

5. *There shall be a Representative Governing Body for the management of the affairs of the Church to be called the General Synod of the Branch of the United Church of England and Ireland, in the Colony of New Zealand, which shall consist of three distinct Orders, viz.: the **BISHOPS**, the **CLERGY**, and the **LAITY**, the consent of all of which Orders shall be necessary to all acts binding upon the Synod, and upon all persons recognising its authority. (1857)*
6. *The above Provisions shall be deemed **FUNDAMENTAL**, and it shall not be within the power of the General Synod, or of any Diocesan Synod, to alter, revoke, add to, or diminish any of the same. (1857)*

[Fundamental Provisions]

And the said **BISHOPS, CLERGY, and LAITY** in General Synod assembled do further declare and establish as follows:

FURTHER PROVISIONS

PART B

Subject to the provisions of the Church of England Empowering Act, 1928 and to the Fundamental Provisions

1. This Church holds and maintains the Doctrine and Sacraments of Christ as the Lord has commanded in Holy Scripture and as explained in
The Book of Common Prayer 1662
Te Rawiri
The Form and Manner of Making, Ordaining, and Consecrating Bishops, Priests and Deacons
The Thirty Nine Articles of Religion
A New Zealand Prayer Book - He Karakia Mihinare o Aotearoa.
2. The General Synod (also known as te Hinota Whānui) shall also hold and maintain the said Doctrine and Sacraments of Christ.

[Part B]

3. The General Synod / te Hinota Whānui shall have no power to make any alteration to the Authorised Version of the Holy Scriptures, being the version of the Holy Bible first published in England in the Year of our Lord 1611, or to Ko Te Paipera Tapu, but may order or permit the use in public worship of other versions in the manner hereinafter mentioned.
4. The General Synod / te Hinota Whānui shall have no power to make any alteration to the Formularies being the Book of Common Prayer, the Ordinal and the Articles mentioned in the Fundamental Provisions of this Constitution as already duly altered, added to or diminished and any Formularies which have been duly framed or adopted except in the manner hereinafter mentioned.
5. It shall be lawful for the General Synod / te Hinota Whānui from time to time in such way and to such extent as may seem to it expedient, but subject to the provisions in this Constitution and in the said Act, to alter, add to, or diminish the Formularies, or any one or more of them, or any part or parts thereof, or to frame or adopt for use in the Church or in any part of it new Formularies in lieu thereof or as alternative thereto or of or to any part or parts thereof and to order or permit the use in public worship of a version or versions other than the Authorised Version of the Bible or of any part or parts thereof:

Provided that the provisions of this Clause shall not empower or be deemed to empower the General Synod / te Hinota Whānui to depart from the Doctrine and Sacraments of Christ as defined in the Fundamental Provisions of this Constitution.

6. Such alteration, addition, diminution, framing, adoption, ordering, or permitting shall be deemed to be duly and validly made and to be authorised by Clause 5 of Part B of this Constitution only if –
 - (a) The General Synod / te Hinota Whānui shall at any session have adopted a specific proposal for such alteration, addition, diminution, framing, adoption, ordering, or permitting with a view to making the same known to the several Diocesan Synods and to Te Runanga o Te Pihopatanga o Aotearoa; and thereafter
 - (b) Te Runanga o Te Pihopatanga o Aotearoa, the Diocese of Polynesia and a majority of the Diocesan Synods in New Zealand shall have assented to the proposal so made known to them; and thereafter
 - (c) The General Synod / te Hinota Whānui at a session after there shall have been a fresh General Election of its members subsequent to such proposal having been adopted, shall have confirmed the same by a majority of two-thirds of the members in each order.

Provided that not less than one year nor more than five years shall have elapsed between the first adoption of the proposal in the General Synod / te Hinota Whānui and its final confirmation therein; and
 - (d) Such of the provisions of Title C, Canon I, of the Canons of the General Synod now in force (or any provisions hereafter made by the General Synod / te Hinota Whānui in amendment thereof or in substitution therefor) as are applicable to the circumstances, mutatis mutandis, shall have been observed; and
 - (e) Either -
 - (i) A period of one year (from the day on which the General Synod / te Hinota Whānui shall under paragraph (c) of this section have confirmed the proposal shall have elapsed without an appeal from the said proposal having been made in accordance with section five of the said Act to the Tribunal referred to in that section upon the ground that the

proposal involves a departure from the Doctrine and Sacraments of Christ as defined in the Fundamental Provisions of this Constitution; or

[Part B]

- (ii) If such an appeal shall have been made within such period, the same shall have been dismissed.

PROVISIONS NOT FUNDAMENTAL

PART C

1. There shall be a meeting of the General Synod / te Hīnota Whānui in every alternate year, dating from the Year of our Lord 1990 at such time and place as shall from time to time be prescribed in that behalf by the General Synod / te Hīnota Whānui.
2. A fresh General Election shall take place before each biennial meeting of the General Synod / te Hīnota Whānui, in such manner as may be prescribed from time to time in that behalf by the General Synod / te Hīnota Whānui.
3. In accordance with Clause 5 of the Fundamental Provisions of this Constitution, each Diocese in New Zealand shall be entitled to be represented in the General Synod / te Hīnota Whānui in each of the Orders of Bishops, Clergy and Laity. The representatives of each Order shall be elected by their respective Orders in each Diocese in such manner as that Diocese may determine. Each Diocese shall be entitled to be represented by one or more bishops, two members of the Clergy and three members of the Laity¹. An additional number of representatives of one or more of the three Orders may be elected by some dioceses as may be determined by the General Synod / te Hīnota Whānui from time to time.
4. In accordance with Clause 5 of the Fundamental Provisions of this Constitution, Te Pihopātanga o Aotearoa shall be entitled to be represented in the General Synod / te Hīnota Whānui in each of the Orders of Bishops, Clergy and Laity. The representatives of each Order shall be elected by their respective Orders in Te Pihopātanga in such manner as Te Pihopātanga may determine.

Te Pihopa o Aotearoa shall in the calendar year preceding each ordinary session of the General Synod / te Hīnota Whānui advise the Primate / te Pihopa Mātāmua of the number of members of each Order who shall represent Te Pihopātanga o Aotearoa at the next ensuing session of the General Synod / te Hīnota Whānui.

5. In accordance with Clause 5 of the Fundamental Provisions of this Constitution, the Diocese of Polynesia shall be entitled to be represented in the General Synod / te Hīnota Whānui in each of the Orders of Bishops, Clergy and Laity. The representatives of each Order shall be elected by their respective Orders in the Diocese of Polynesia in such manner as that Diocese may determine.

The Bishop in Polynesia shall in the calendar year preceding each ordinary session of the General Synod / te Hīnota Whānui advise the Primate / te Pihopa Mātāmua of the number of members of each Order who shall represent that Diocese at the next ensuing session of the General Synod / te Hīnota Whānui.

[Part C]

6. Every act of the General Synod / te Hīnota Whānui shall be assented to by a majority of the members of each of the three orders; it having been previously assented to by a

¹ Statute 629, 2002

majority of the representatives of Te Pihopatanga o Aotearoa, by a majority of the representatives of the Diocese of Polynesia and by a majority of the representatives of the Dioceses in New Zealand who in each case were present in person and voting at a duly constituted meeting, if so requested by any member of the General Synod / te Hinota Whānui. If all the representatives of Te Pihopatanga o Aotearoa, or all the representatives of the Diocese of Polynesia, or all the representatives of the Dioceses in New Zealand shall abstain from voting the act in question shall be deemed to have been assented to by a majority of those representatives.

7. The General Synod / te Hinota Whānui shall determine the qualification and eligibility of all persons admissible to take part in its proceedings, and may determine the qualification and eligibility of all persons admissible to take part in the proceedings of any body recognising or under the authority of the General Synod / te Hinota Whānui in any manner whatsoever.

PROVIDED THAT every member of the General Synod / te Hinota Whānui shall have been baptised.

8. The General Synod / te Hinota Whānui may associate itself with any Dioceses which may be formed among the other islands of the Pacific Ocean upon such terms and conditions including representation on the General Synod / te Hinota Whānui as it may from time to time prescribe.
9. The General Synod / te Hinota Whānui shall have full power to make all such regulations, not inconsistent with this Constitution, as it shall consider necessary for the order, good government and efficiency of this Church, and it may frame such regulations, not inconsistent with this Constitution, as shall be found necessary from time to time for the management of property, for the government of people holding office or receiving emoluments, for the administration of trusts and such other purposes generally as may seem expedient.
10. The General Synod / te Hinota Whānui shall establish a Tribunal or Tribunals for the purpose of deciding all questions of Doctrine and Discipline and may establish a Court or Courts of Appeal from the decision of any such tribunal.
11. Any Regulation assented to by all the Diocesan Synods in New Zealand and in Polynesia and Te Runanga o Te Pihopatanga o Aotearoa with a view to its acquiring the force of a Regulation of General Synod / te Hinota Whānui shall be taken and deemed to be and shall have the force of a Regulation of General Synod / te Hinota Whānui.

PROVIDED always that no such Regulation may alter or repeal any provision of this Constitution.

12. One of the Bishops shall be appointed the Primate / te Pihopa Mātāmua by such procedure and with such authority as the General Synod / te Hinota Whānui shall by Canon prescribe.
13. If the office of Primate / te Pihopa Mātāmua be vacant, or if the holder of that office be absent from New Zealand or Polynesia or for any other cause be unable to act, then the duties of the Primate / te Pihopa Mātāmua under this Constitution shall be performed by the Acting Primate / te Pihopa Aporei, who shall be the bishop then in New Zealand or Polynesia and able and willing to act, who is the senior of the bishops in full-time active episcopal ministry, with seniority being determined by the date of episcopal ordination.

[Part C]

14. No doctrines which are repugnant to the Doctrines and Sacraments of Christ as held and maintained by this Church shall be advocated or inculcated by any person acknowledging the authority of General Synod / te Hinota Whānui or with the use of funds or property held under the authority of General Synod / te Hinota Whānui.

PROVIDED THAT joint or shared use of funds or property in common with other Christian Churches which use shall be approved by the Bishop and the Standing Committee of the Diocese concerned or by Te Pihopa o Aotearoa and Te Runanga Whaiti or by the Standing Committee of the General Synod / te Hinota Whānui shall not be a breach hereof.

15. No person shall hold any licence or permission under the authority of the General Synod / te Hinota Whānui or hold any office under that authority or be entitled to receive any income emolument or benefit from and out of any property held under that authority unless and until a declaration of adherence and submission to the authority of the General Synod / te Hinota Whānui shall have been signed by such person in the form set out at the end of this Clause or in words to the like effect. Office shall be interpreted to include membership of any synod, runanga, vestry, board, commission, council, or other similar body under the authority of the General Synod / te Hinota Whānui. Any such membership or office shall be vacated or licence or permission terminated upon the holder thereof declining or failing to sign such declaration when required to do so by any person or persons acting under the authority of the General Synod / te Hinota Whānui.

DECLARATION OF ADHERENCE AND SUBMISSION TO THE ANGLICAN CHURCH IN AOTEAROA, NEW ZEALAND AND POLYNESIA.

I, A.B. DO DECLARE my submission to the authority of the General Synod / te Hinota Whānui of this Church established by a Constitution agreed to on the 13th day of June 1857 and as subsequently revised and amended from time to time and to all the provisions of the Constitution from time to time in force to the extent that that authority and those provisions relate to the office of / membership of and to any other office or membership I may at any time hold.

AND I further consent to be bound by all the regulations which may from time to time be issued by the authority of the General Synod / te Hinota Whānui in relation to any such office or membership so long as I hold it;

AND I hereby undertake in consideration of my holding any such office or membership immediately to resign that office or membership together with all the rights and emoluments appertaining thereto whenever I shall be called upon so to do by the General Synod / te Hinota Whānui or by any person or persons lawfully acting under its authority in that behalf.

Given under my hand this day of in the presence of:

[Part C]

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| <u>PART D</u> | <u>PART E</u> | <u>PART F</u> |
| <u>Of Te Pihopatanga o Aotearoa</u> | <u>Of Dioceses in New Zealand</u> | <u>Of the Diocese of Polynesia</u> |
| 1. Within this Church Te Pihopatanga o Aotearoa has | 1. Within this Church the Dioceses in New Zealand have responsibility | 1. The Diocese of Polynesia is a full, equal and integral Diocese in |

responsibility for provision of ministry to those who wish to be ministered to within tikanga Māori, and for the promotion of mission within that Tikanga.

Te Pihopatanga has power to structure and organise itself in such manner as it shall from time to time determine.

2. Te Pihopatanga o Aotearoa as a whole and through its constituent parts shall function on the basis of the covenant expressed in this Constitution and in partnership with the Dioceses in New Zealand and the Diocese of Polynesia together and severally and their constituent parts.

3. Any person or persons or organised body in the Church may under arrangements agreed to by Te Pihopatanga o Aotearoa and any Diocese in New Zealand or the Diocese of Polynesia, be and act under the joint authority of both Te Pihopatanga and such Diocese.

4. In order to give effect to these provisions in Te Pihopatanga o Aotearoa there shall be a representative Governing Body or Te Runanga o Te Pihopatanga o Aotearoa, consisting of representatives of the three Orders within Te Pihopatanga o Aotearoa, and any decision of such representative Governing Body shall be assented to by a majority in each Order including Te Pihopa.

for provision of ministry to those who wish to be ministered to within tikanga Pakeha and for the promotion of mission within that Tikanga.

Each Diocese in New Zealand has power to structure and organise itself in such manner as that Diocese shall from time to time determine.

Within New Zealand, the General Synod / te Hīnota Whānui or any body authorised by it may from time to time but only with the consent of each Diocese affected, alter the boundaries of Dioceses and create new Dioceses and amalgamate Dioceses.

2. The Dioceses in New Zealand together and severally and through their constituent parts shall function on the basis of the covenant expressed in this Constitution and in partnership with Te Pihopatanga o Aotearoa and the Diocese of Polynesia together and severally and their constituent parts.

3. Any person or persons or organised body in the Church may under arrangements agreed to by any Diocese in New Zealand, with Te Pihopatanga or the Diocese of Polynesia, be and act under the joint authority of such Diocese and Te Pihopatanga or the Diocese of Polynesia.

4. A representative body of the several Dioceses within New Zealand may meet in Synodical Conference, which conference shall consist of three distinct orders viz. Bishops Clergy and Laity.

the life of this Church with responsibility for provision of ministry to those who wish to be ministered to within the tikanga of the Diocese of Polynesia, and for the promotion of mission within that Tikanga.

The Diocese of Polynesia has power to structure and organise itself in such manner as it shall from time to time determine.

The Diocese of Polynesia may with the concurrence of the General Synod / te Hīnota Whānui subdivide itself into several dioceses and thereafter with the like concurrence those several dioceses may alter their respective boundaries and further subdivide and amalgamate.

2. The Diocese of Polynesia as a whole and through its constituent parts shall function on the basis of the covenant expressed in this Constitution and in partnership with Te Pihopatanga and the Dioceses in New Zealand together and severally and their constituent parts.

3. Any person or persons or organised body in the Church may under arrangements agreed to by the Diocese of Polynesia with Te Pihopatanga or any Diocese in New Zealand, be and act under the joint authority of the Diocese of Polynesia and Te Pihopatanga or such Diocese in New Zealand.

4. [reserved]

PROVIDED THAT Te Runanga o Te Pihopatanga o Aotearoa may make provision that will enable such representative Governing Body to meet and conduct its business where the office of Te Pihopa o Aotearoa is vacant or Te Pihopa o Aotearoa is unable to be present or otherwise unable or unwilling to act.

PROVIDED FURTHER that Te Runanga o Te Pihopatanga o Aotearoa may make provision that will enable any ordained minister or lay member of any other Christian Church recognised by Resolution of General Synod / te Hīnota Whānui and duly appointed to serve in or represent a cooperating parish or cooperative venture to be admitted to and have a seat in the House of Clergy or House of Laity, as is appropriate, in Te Runanga o Te Pihopatanga o Aotearoa with the right to vote except when such Runanga shall be acting under the following provisions, namely:

(a) Part B Clause 6(b) hereof (alteration to Formularies)

(b) Part D Clauses 9 and 10 hereof (nominating a Bishop)

(c) Part G Clause 4 hereof (amending this Constitution)

(d) In respect of any proposal or matter pursuant to The Church of England Empowering Act, 1928.

5. In order to give effect to these provisions within Te Pihopatanga o Aotearoa, Te Pihopatanga may establish representative Governing Bodies or Hui Amorangi consisting of representatives of the three Orders and any decision of such Governing Body shall be assented to by a majority in each Order in that body.

PROVIDED THAT Te Runanga o Te Pihopatanga o Aotearoa may make provision that will enable such

5. In order to give effect to these provisions in each Diocese there shall be a representative Governing Body or Diocesan Synod, consisting of representatives of the three Orders within such Diocese, and any decision of any such representative Governing Body shall be assented to by a majority in each Order including the Diocesan Bishop.

PROVIDED THAT the General Synod / te Hīnota Whānui may by Canon make provision that will

6. In order to give effect to these provisions in the Diocese of Polynesia there shall be a representative Governing Body or Diocesan Synod, consisting of representatives of the three Orders within such Diocese, and any decision of any such representative Governing Body shall be assented to by a majority in each Order including the Diocesan Bishop.

PROVIDED THAT such Diocesan Synod may make provision that will enable such representative

representative Governing Body or Hui Amorangi to meet and conduct its business where the office of Pihopa is vacant or te Pihopa is unable to be present or otherwise unable or unwilling to act.

PROVIDED FURTHER that Te Runanga o Te Pihopatanga o Aotearoa may make provision that will enable any ordained minister or lay member of any other Christian Church recognised by Resolution of General Synod / te Hinota Whānui and duly appointed to serve in or represent a cooperating parish or cooperative venture to be admitted to and have a seat in the House of Clergy or House of Laity, as is appropriate, in such Hui Amorangi with the right to vote except when such Hui Amorangi shall be acting under the following provisions, namely:

(a) Part B Clause 6(b) hereof (alteration to Formularies)

(b) Part D Clauses 9 and 10 hereof (nominating a Bishop)

(c) Part G Clause 4 hereof (amending this Constitution)

(d) In respect of any proposal or matter pursuant to The Church of England Empowering Act, 1928.

6. The General Synod / te Hinota Whānui may delegate to Te Runanga o Te Pihopatanga o Aotearoa, or to any other appropriate body within Te Pihopatanga o Aotearoa either specifically or generally as the case may require or under such general regulations as shall from time to time be laid down, any of the powers conferred upon General Synod / te Hinota Whānui by this Constitution.

7. Te Runanga o Te Pihopatanga o Aotearoa may within the limits and scope of its responsibilities, exercise all such powers and make all such Regulations, not inconsistent with this Constitution or with any Canon or Regulation of the General Synod / te Hinota Whānui, as may be

enable a Diocesan Synod to meet and conduct its business in any case where the office of Diocesan Bishop is vacant or any Diocesan Bishop is unable to be present or otherwise unable or unwilling to act

PROVIDED FURTHER that the General Synod / te Hinota Whānui may by Canon make provision that will enable any ordained minister or lay member of any other Christian Church recognised by Resolution of General Synod / te Hinota Whānui and duly appointed to serve in or represent a cooperating parish or cooperative venture to be admitted to and have a seat in the House of Clergy or House of Laity, as is appropriate, in any Diocesan Synod with the right to vote except when any such Synod shall be acting under the following provisions, namely:

(a) Part B Clause 6(b) hereof (alteration to Formularies)

(b) Part E Clauses 10 and 11 hereof (nominating a Bishop)

(c) Part G Clause 4 hereof (amending this Constitution)

(d) In respect of any proposal or matter pursuant to The Church of England Empowering Act, 1928.

6. The General Synod / te Hinota Whānui may delegate to any Synodical Conference, Diocesan Synod or to any Board, commission or other body either specifically or generally as the case may require or under such general regulations as shall from time to time be laid down, any of the powers conferred upon General Synod / te Hinota Whānui by this Constitution.

7. Every Diocesan Synod may within the limits of such Diocese, exercise all such powers and make all such Regulations, not inconsistent with this Constitution or with any Canon or Regulation of the General Synod / te Hinota Whānui, as may be necessary for the order

Governing Body to meet and conduct its business where the office of Diocesan Bishop is vacant or the Diocesan Bishop is unable to be present or otherwise unable or unwilling to act.

PROVIDED FURTHER that the Diocesan Synod may by Canon make provision that will enable any ordained minister or lay member of any other Christian Church recognised by Resolution of General Synod / te Hinota Whānui and duly appointed to serve in or represent a cooperating parish or cooperative venture to be admitted to and have a seat in the House of Clergy or House of Laity, as is appropriate, in any such Diocesan Synod with the right to vote except when any such Synod shall be acting under the following provisions namely:

(a) Part B Clause 6(b) hereof (alteration to Formularies)

(b) Part F Clauses 10 and 11 hereof (nominating a Bishop)

(c) Part G Clause 4 hereof (amending this Constitution)

(d) In respect of any proposal or matter pursuant to The Church of England Empowering Act, 1928.

6. The General Synod / te Hinota Whānui may delegate to the Diocesan Synod of the Diocese of Polynesia, or to any Board, commission or other body either specifically or generally as the case may require or under such general regulations as shall from time to time be laid down, any of the powers conferred upon General Synod / te Hinota Whānui by this Constitution.

7. The Diocesan Synod of the Diocese of Polynesia may within the limits of such Diocese, exercise all such powers and make all such Regulations, not inconsistent with this Constitution or with any Canon or Regulation of the General Synod / te Hinota

necessary for the order and good government of the Church in te Pii hopatanga o Aotearoa.

PROVIDED always that any person or persons aggrieved by any act or decision of Te Runanga o Te Pii hopatanga o Aotearoa in any matter may appeal to the General Synod / te Hinota Whānui or to any Board or Court of Appeal established by the General Synod / te Hinota Whānui in that behalf and the General Synod / te Hinota Whānui or such Court of Appeal shall finally decide such appeals.

8. The General Synod / te Hinota Whānui shall have power to make any Regulation controlling altering repealing or superseding any Regulation which may have been made by Te Runanga o Te Pii hopatanga o Aotearoa or by any Hui Amorangi.

9. Whenever it is necessary to provide a person to be Te Piihopa o Aotearoa for Te Piihopatanga o Aotearoa the Primate / te Piihopa Mātāmua shall convene and preside over an Electoral College or shall appoint a commissary to do so.

Such Electoral College shall consist of those persons entitled to vote in Te Runanga o Te Piihopatanga o Aotearoa, which may determine its own process of consultation, procedure, decision-making and nomination.

Every nomination of a person to be a bishop shall be submitted for sanctioning as provided in this Constitution.

10. When it is necessary to provide a person to be a bishop with episcopal jurisdiction in relation to a Hui Amorangi, other than Te Piihopa o Aotearoa, Te Piihopa o Aotearoa shall convene and preside over an Electoral College or shall appoint a commissary to do so.

and good government of the Church in such Diocese.

PROVIDED always that any person or persons aggrieved by any act or decision of any Diocesan Synod in any matter may appeal to the General Synod / te Hinota Whānui or to any Board or Court of Appeal established by the General Synod / te Hinota Whānui in that behalf and the General Synod / te Hinota Whānui or such Court of Appeal shall finally decide such appeals.

8. The General Synod / te Hinota Whānui shall have power to make any Regulation controlling altering repealing or superseding any Regulation which may have been made by any Synodical Conference or Diocesan Synod.

9. [reserved]

10. When it is necessary to provide a person to be a Diocesan Bishop the Primate / te Piihopa Mātāmua shall convene and preside over an Electoral College or shall appoint a commissary to do so. An Electoral College shall consist of those persons entitled to Clerical votes and to Lay votes in the Synod of the Diocese concerned.

Whānui, as may be necessary for the order and good government of the Church in such Diocese.

PROVIDED always that any person or persons aggrieved by any act or decision of any such Diocesan Synod in any matter may appeal to the General Synod / te Hinota Whānui or to any Board or Court of Appeal established by the General Synod / te Hinota Whānui in that behalf and the General Synod / te Hinota Whānui or such Court of Appeal shall finally decide such appeals.

8. The General Synod / te Hinota Whānui shall have power to make any Regulation controlling altering repealing or superseding any Regulation which may have been made by the Synod of the Diocese of Polynesia.

9. [reserved]

10. When it is necessary to provide a person to be a Diocesan Bishop the Primate / te Piihopa Mātāmua shall convene and preside over an Electoral College or shall appoint a commissary to do so. An Electoral College shall consist of those persons entitled to Clerical votes and to Lay votes

in the Synod of the Diocese concerned.

Such Electoral College shall consist of those entitled to vote in the Hui Amorangi concerned and subject to anything that may be prescribed by Te Runanga o Te Pihopatanga o Aotearoa and by the General Synod / te Hīnota Whānui such Electoral College may determine its own process of consultation, procedure, decision-making and nomination save that this shall culminate in the Electoral College by a majority of Clerical votes and a majority of Lay votes either nominating a person to become the bishop or delegating its right of nomination to any person or persons.

Every nomination of a person to be a bishop shall be submitted for sanctioning as provided in this Constitution.

11. The procedure for nominating a person to become a bishop other than those specifically provided for, shall be prescribed by the General Synod / te Hīnota Whānui but shall include the same requirements of sanctioning and of assent and of adherence and submission and of acceptance as stated in Clause 12 hereof.

12. The Primate / te Pīhopa Mātāmua shall submit the nomination of any person to be a bishop to the General Synod / te Hīnota Whānui, if in session, or otherwise to every voting member of the General Synod / te Hīnota Whānui.

If the nomination is sanctioned by the General Synod / te Hīnota Whānui (if in session), or by the members of the General Synod / te Hīnota Whānui, when not in session in accordance with regulations made in that behalf, the Primate / te Pīhopa Mātāmua shall take the necessary steps for giving effect to the nomination once the nominee has declared in writing both assent to the Constitution and

Subject to anything which may be prescribed by the General Synod / te Hīnota Whānui, each Electoral College may determine its own process of consultation, procedure, decision-making and nomination save that this shall culminate in the Electoral College by a majority of Clerical votes and a majority of Lay votes either nominating a person to become the bishop or delegating its right of nomination to any person or persons.

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If the nomination is sanctioned by the General Synod / te Hīnota Whānui (if in session), or by the members of the General Synod / te Hīnota Whānui, when not in session in accordance with regulations made in that behalf, the Primate / te Pīhopa Mātāmua shall take the necessary steps for giving effect to the nomination once the nominee has declared in writing

adherence and submission to the authority of the General Synod / te Hīnota Whānui and has accepted the nomination.

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The General Synod / te Hīnota Whānui or any body authorised by it may make such regulations and authorise such procedures as are considered necessary for reaching and ascertaining the decision when the General Synod / te Hīnota Whānui is not in session.

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PART G

GENERAL

1. In this Constitution and in the Code of Canons if not inconsistent with the context thereof or by express words excluded all words and phrases referring to the diaconate, priesthood and episcopate, and in particular, but without limiting the generality hereof the words "Bishop", "Priest", "Deacon", "Curate", "Pastor", "Vicar" and "Minister", shall include both females and males. In the use of Formularies of the Church words denoting males may be replaced with words denoting females consistently with the above provisions and when the occasion and circumstances so require.
2. In this Constitution and in the Code of Canons if not inconsistent with the context thereof respectively and unless there are clear words to exclude or restrict such meaning the words and phrases following shall severally have the meanings hereinafter stated, namely,

Words importing the singular number include the plural number and words importing the plural number include the singular number.

Words denoting males or females include the other as the case may be.

"**Clergy**" includes all persons in Holy Orders who shall hold any spiritual charge or cure or a Bishop's licence or permission to officiate in this Church, but shall not include a Bishop.
3. Any doubt which shall arise in the interpretation of the Constitution for the time being of this Church shall be submitted for final decision to the General Synod / te Hīnota Whānui or to some Tribunal established by it in that behalf.
4. It shall be lawful for the General Synod / te Hīnota Whānui to alter amend or repeal all or any of the provisions hereof save and except those which have been hereinbefore declared to be **FUNDAMENTAL PROVISIONS**,

PROVIDED always that no such alteration shall be made until it shall have been first proposed in one General Synod / te Hīnota Whānui and been assented to by Te Runanga o Te Pīhopatanga o Aotearoa, the Synod of the Diocese of Polynesia and a majority of the several Diocesan Synods in New Zealand and finally agreed to in the meeting of the General Synod / te Hīnota Whānui next ensuing.
5. In applying this Constitution the Māori and English texts shall be considered together.