



MISSIONS TO SEAFARERS STATUTE 2019

The Missions to Seafarers Statute 2019, as amended by the Missions to Seafarers Statute Amendment Statute 2020.

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LONG TITLE

A statute for the governance of the Missions to Seafarers operating in the Anglican Diocese of North West Australia.

PREAMBLE

The Mission to Seafarers ministry is an important and strategic mission within the Anglican Diocese of North West Australia in that:

1. Mission to Seafarers ministry is an Anglican mission. It functions within a diocese as determined by that diocese and its statutes.
2. The statute aims to align the Mission to Seafarers ministry with the ministry and mission of the Diocese.
3. It provides a structure for the future, reinforcing the Mission to Seafarers focus within the diocesan mission.

The Council of the Diocese of North West Australia resolves as follows.

Chapter 1 – Preliminary

NAME

This is the *Mission to Seafarers Statute 2019*.

PURPOSE

The overriding purposes of this Statute is to regulate the Mission to Seafarers in a manner consistent with the mission of the Anglican Diocese of North West Australia.

DEFINITIONS AND INTERPRETATION

In this Statute –

“Australian Council” means the Australian Council for the Mission to Seafarers.

“Bishop” means the Bishop of the Anglican Diocese of North West Australia, or the Vicar General acting in accordance with the *Diocese Administration Statute 1961-1982*.

“Centre” means the Mission to Seafarers operating in a particular port within the Diocese.

“Chaplain” means the executive officer (EO) and Head of Mission of the Centre.

“Board” means the governance group appointed according to this statute to oversee the Centres.

“Diocese” means the Anglican Diocese of North West Australia.

“Diocesan Council” means the Diocesan Council of the Diocese.

“Diocesan Registry” means the Office of the Registrar of the Diocese.

“Member” means a person who subscribes to the Objectives and Constitution of the Missions to Seafarers - North West Australia and is recognised as a Member by the Committee.

“Parish” means the Anglican ecclesiastical district within which the Centre is located.

“Synod” means the Synod of the Diocese.

“Trustees” means the Trustees of the Diocese.

“Seafarers Welfare Fund” means a benevolent fund established by a Centre to provide benefits to seafarers and their families; often set up as a deductible gift recipient (DGR) so that it can receive tax deductible gifts.

“Worker” means a volunteer, employee or office holder within the Centre.

Chapter 2 – Scope of the Statute

PART 1 – RELATIONSHIP OF THE DIOCESE AND MISSIONS TO SEAFARERS

1. The Diocesan Council shall oversee the governance and operation of each Centre.
2. The management and day-to-day operations shall be implemented by the Executive Officer of each Centre in accordance with this Statute.
3. A new Centre may only be established by resolution of the governing group of the local Parish and the Diocesan Council.
4. The Australian Council shall be notified and consulted before the establishment of a new Centre.

PART 2 – GOVERNANCE OF EACH CENTRE

5. Each Centre shall operate in a manner consistent with the ministry and mission of the Diocese.
6. Each centre shall be governed by a constitution consistent with the provisions of this Statute.
7. Such constitution and any amendments to it must be approved by Diocesan Council.
8. The objects of each Centre are:
 - (a) To meet practical and spiritual needs of seafarers and their families visiting the port;
 - (b) To assist any seafarer who is in need or distress as far as it is practicable;
 - (c) To maintain and operate a Seafarers' Welfare Fund where appropriate;
 - (d) As part of a worldwide mission, to maintain links with the Australian Council and The Mission to Seafarers International central office in London;
 - (e) Where possible to provide a place of safety and recreation for visiting seafarers;
 - (f) To promote the work of The Mission to Seafarers within the parishes of the Diocese and other Christian denominations and to seek support for this work; and
 - (g) To furnish reports required by this Statute, and by the central office in London.
9. Each Centre shall have a Board which shall oversee its operations in accordance with this Statute.
10. The Board shall consist of the following persons:
 - (a) The Bishop or his nominee shall be President.
 - (b) Eight Members who have signed the Declaration in the Schedule and who are elected at the Annual General Meeting and who are cleared for appointment according to Diocesan safe ministry protocols.
 - (c) A Chairman, Secretary and Treasurer who shall be appointed by the Board.
11. A person ceases to be a member of the Board if that person:
 - (a) Dies;
 - (b) Resigns in writing to the Bishop;
 - (c) Is removed by a resolution of the Board; or
 - (d) Is removed by the Synod or the Diocesan Council.
12. Should the Board be unable to function for any reason, as determined by Diocesan Council at its absolute discretion, the Synod shall administer the Centre, through the Diocesan Registry and the local Parish as directed by Diocesan Council.
13. Any dissolution of a Centre must be in accordance with its constitution.
14. The Board shall have the following powers and duties:
 - (a) To make Rules for the operation of the Missions to Seafarers.
 - (b) To appoint an Independent Auditor to audit the financial records of the Company each year.
 - (c) To present to Diocesan Council a report of its activities and duly audited statements of its financial accounts within three months of the close of every calendar year. These documents should be tabled at Synod and the Senior Chaplain shall be entitled to speak to these reports.
 - (d) To meet as least four times in each calendar year, primarily for the purpose of receiving a report from the Senior Chaplain & CEO including a financial report.
 - (e) To conduct an Annual General Meeting at which the members of the Board under clause 10 above are appointed; and the Auditor under clause 14 (b) above.
 - (f) To fill Board vacancies between Annual General Meetings in accordance with clause 10 above.

- (g) To ensure that at any meeting, two-thirds of members of the Board shall form a quorum; and a record of its proceedings shall be kept.
- (h) To be responsible for the financial management of the missions; including maintaining accurate financial records.
- (i) To ensure that any real property acquired by the Board is vested in the Trustees and is held in trust on terms consistent with related legislation for the benefit of the Centres.
- (j) To ensure that the fabric and maintenance of any building or item equipment is maintained.
- (k) To be responsible for the health and safety of all Centre users (including workers) during the time that they are accessing the services of the Centres (or when people are at work).
- (l) To ensure that all Centre workers undertake their duties in accordance with Faithfulness in Service: a national code for personal behaviour.
- (m) To ensure that any conflicts are resolved in a reasonable and expedient manner.

15. Centre workers and their working conditions shall be determined as follows:

- (a) The Senior Chaplain shall be a Clerk in Holy Orders, appointed by the Bishop in consultation with the Board and hold the Bishop's licence.
- (b) Port Chaplains, who may be clergy or lay people, are appointed by the Bishop in consultation with the Senior Chaplain.
- (c) The stipends for the above positions are to be consistent with the Diocesan schedule.
- (d) The Senior Chaplain shall appoint all other workers and determine the working conditions in accordance with relevant laws.
- (e) Each member of staff must have a written role description that is endorsed by the Senior Chaplain.

Chapter 3 – Regulations & Related Legislation

REGULATIONS

Regulation making power

The Diocesan Council may from time to time make, amend or repeal regulations (e.g. policies and procedures) not inconsistent with the provisions of this Statute providing for records arising out of or incidental to the operation of this Statute and for all or any of the purposes, whether general or to meet particular cases, which may be convenient for the administration of this Statute or which may be necessary or expedient to carry out the overriding purposes of this Statute.

RELATED LEGISLATION AND DOCUMENTS

Including but not limited to:

Maritime Labour Convention 2006

International Convention for the Safety of Life at Sea (SOLAS), 1974

Maritime Transport and Offshore Facilities Security Act 2003

Seafarers Rehabilitation and Compensation Act 1992 (Cwth)

Australian Charities and Not-for-profits Commission Act 2012 (Cwth)

Corporations Act 2001 (Cwth)

Associations Incorporation Act 2015 (WA)

Associations Incorporation Regulations 2016

Extra Parochial Statute 1961

Professional Standards Statute 2016

Safe Ministry Policy

Chapter 4 – General

RESPONSIBILITIES

Review

The Diocesan Council will review the operation of this Statute, in consultation with the Board of the Missions to Seafarers - North West Australia, on or before six years after its commencement.

Records management

The Registry maintains all records relevant to administering this Statute using its recordkeeping system.

CERTIFICATIONS AND ASSENT

I Certify that the Statute as printed is in accordance with the Statute as reported.

P GRICE
Chair of Committees

I Certify that this Statute was passed by the Council of the Diocese of North West Australia on 21/08/2019.

K HARRIS
Registrar

I Assent to this Statute.

G NELSON
Bishop
21/08/2019

THE SCHEDULE

FORM OF DECLARATION

"I [first and second name] declare that:

- (a) I am a baptised person over the age of 18 years who regularly attends public worship at
..... [name of church] and this is my primary place of worship;
- (b) I acknowledge that Jesus is the Son of God and no-one comes to the Father except through Him;
- (c) I submit to the Bible as the authoritative Word of God and as the sole authority in matters of faith and conduct;
- (d) *'I believe in God, the Father Almighty, maker of heaven and earth; and in Jesus Christ, his only Son our Lord, who was conceived by the Holy Spirit, born of the virgin Mary, suffered under Pontius Pilate, was crucified, dead, and buried. He descended into hell. The third day he rose again from the dead. He ascended into heaven and is seated at the right hand of God the Father almighty; from there he shall come to judge the living and the dead. I believe in the Holy Spirit; the holy catholic church; the communion of saints; the forgiveness of sins; the resurrection of the body, and the life everlasting.'* (Apostle's Creed)
- (e) I support the commitment by the Mission to Seafarers to maintain and uphold the Christian faith in teaching and practice.
- (f) I shall endeavour to fulfil my duties as a Mission to Seafarers Board member in accordance with its Christian ethos and its constituting Statute.
- (g) I agree that my continuance as a Mission to Seafarers Board member is dependent on my continuing agreement with this statement and I undertake to resign if this ceases to be the case."