



VICAR GENERAL AND ADMINISTRATOR STATUTE 2020

TABLE OF PROVISIONS

NAME.....	1
PART I – PRELIMINARY	1
PART II – GENERAL PROVISIONS.....	2
REGULATIONS	3
RESPONSIBILITIES	4
Review	4
Records management	4
CERTIFICATIONS AND ASSENT	4

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

NAME

1. This is the *Vicar General and Administrator Statute 2020*.

PART I – PRELIMINARY

Definitions and Interpretation

2. In this Statute, unless the context otherwise requires:

“Administrator” means the person authorised to carry out the functions of the Bishop pursuant to this Statute.

“Archdeacon” has the meaning given in the *Church Administration Statute 2020*

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

“Clergyman” has the meaning given in the *Church Administration Statute 2020*

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

“Diocesan Council” means the Diocesan Council constituted under the *Diocesan Council Statute 1961*.

“Commissary” means a person authorised by the Bishop to exercise powers or to perform duties of the Bishop pursuant to this Statute.

“Vicar General” means the office established by this Statute.

“Minister-in-Charge” has the meaning given in the *Church Administration Statute 2020*.

“Non-parochial ministry” means a minister serving in a role such as Prison or Hospital or Mission to Seafarers Chaplaincy.

“Priest” means a person ordained as priest or presbyter in the Anglican Church of Australia.

“See” means the office of Bishop of North West Australia.

PART II – GENERAL PROVISIONS

Office of Vicar General

3.
 - (1) There shall be a Vicar General.
 - (2) The Bishop shall appoint a Priest to be the Vicar General for such term as the Bishop determines.
 - (3) Such appointment must be made in writing under the Bishop's seal delivered to the appointee.

Powers of Vicar General

4. The Vicar General shall have the powers and duties given by this Statute and any other written law of the Diocese, whether given before or after the commencement of this Statute.

Termination of Appointment of Vicar General

5.
 - (1) The Bishop may terminate the appointment of a person holding the office of Vicar General.
 - (2) Such termination must be expressed in writing delivered to the holder of the office.
 - (3) The person holding the office of Vicar General may resign that office.
 - (4) Such resignation must be expressed in writing delivered to the Bishop at least one calendar month before it is effective.

Office of Administrator

6.
 - (1) Only when:
 - (a) the Bishop is out of Australia; or
 - (b) the Bishop is incapacitated; or
 - (c) the See is vacantthere shall be an Administrator who shall exercise the powers and perform the duties of the Bishop.
 - (2) Subject to subsection (3), the Vicar General shall be the Administrator.
 - (3) If the Vicar General is unable or unwilling to be the Administrator, or if there is a vacancy in the office of Vicar General, then the person to be the Administrator shall be determined in the following order of priority:
 - (a) the most senior Archdeacon of the Diocese, being the Archdeacon of the Diocese whose current period of service in that capacity is longer than the current period of service of any other currently serving Archdeacon of the Diocese, but if the most senior Archdeacon is unable or unwilling to act as Administrator, then the next most senior Archdeacon of the Diocese who is able and willing to act as Administrator, and so on until an Archdeacon of the Diocese willing and able to act as Administrator accepts that office;
 - (b) if no Archdeacon of the Diocese is able and willing to act as Administrator then the Minister-in-Charge who is a member of the Diocesan Council and who has been a member of the Diocesan Council for a period longer than any other Minister-in-Charge who is currently a member of the Diocesan Council (not including the Vicar General or Archdeacons) but, if that Minister-in-Charge is unable or unwilling to act as Administrator, then the next longest-serving Diocesan Council member who is a Minister-in-Charge and so on until a Minister-in-Charge who is a member of the Diocesan Council and is willing and able to act as Administrator accepts that office;
 - (c) if no Minister-in-Charge who is a member of the Diocesan Council is willing or able to act as Administrator, then the Minister-in-Charge (not including a Minister-in-Charge who is a member of the Diocesan Council) who has held a licence to act in that capacity for a period longer than any other Minister-in-Charge (not including a Minister-in-Charge who is a member of the Diocesan Council) but, if that Minister-in-Charge is unable or unwilling to act as Administrator

then the next longest-serving Minister-in-Charge, and so on until a Minister-in Charge who is willing and able to act as Administrator accepts that office.

- (d) if no Minister-in-Charge is willing or able to act as Administrator, then the most senior Priest serving in a non-parochial ministry who has held a licence to act in that capacity for a period longer than any other Priest currently serving in a non-parochial ministry but, if that Priest is unable or unwilling to act as Administrator then the next longest-serving Priest, and so on until a Priest who is willing and able to act as Administrator accepts that office.

Office of Bishop's Commissary

7.

- (1) The Bishop may from time to time appoint the Vicar General, or a Clergyman who is not the Vicar General, to be the Bishop's Commissary to exercise one or more specific powers or to perform one or more specific duties on behalf of the Bishop on a specific occasion or for a limited period in circumstances other than those set out in section 5.
- (2) The Bishop may terminate a Commissary's appointment at any time.
- (3) Appointments and terminations of Commissaries must be expressed in writing delivered to the holder of the office.
- (4) When acting pursuant to appointment as Commissary, a Commissary must add the words "acting as Bishop's Commissary" after their usual title on any documentation issued in their name.

Limitation of Powers

8. A person acting as Administrator or Bishop's Commissary cannot perform duties or exercise powers which only a person consecrated as a bishop can perform or exercise.

Registration

9.

- (1) The Bishop must:
 - (a) notify the Registrar in writing of:
 - i. each appointment to the office of Vicar General;
 - ii. the termination of an appointment to the office of Vicar General;
 - iii. each appointment to the role of Bishop's Commissary and the terms of such appointment; and
 - iv. the termination of an appointment of a person to act as Bishop's Commissary and
 - (b) deliver to the Registrar as soon as practicable but not more than seven days after making or terminating an appointment a copy of the relevant notice of appointment or termination.
- (2) The Registrar must:
 - (a) establish and maintain a register of appointments and terminations to both the office of Vicar General and the role of Commissary.
 - (b) within seven days of receiving notice from the Bishop, according to section 9 (1), convey their substance to members of Diocesan Council.

Repeal

10. The Diocesan Administration Statute 1961 is repealed.

REGULATIONS

The Synod or Council of the Diocese 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.

RESPONSIBILITIES

Review

The Synod or Council of the Diocese will review the operation of this Statute 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 Synod of the Diocese of North West Australia on 04/10/2020.

K HARRIS
Registrar

I Assent to this Statute.

G NELSON
Bishop