

BILL NO. 5

Explanatory Memorandum

Background

The Parochial Select Vestry of the Cathedral parish of St Fin Barre, Cork drew up a three-year Strategic Plan in 2015 which included a proposal to assess the governance structures of St Fin Barre's Cathedral (the Cathedral). The result of discussions arising from the Strategic Plan concluded that a parochial structure centred on a Select Vestry is no longer sufficient to govern an institution of the magnitude of the Cathedral. Whilst the Vestry is well equipped to deal with routine maintenance and operational matters, much of the administration and larger project management and planning is too dependent on the Dean, a small number of voluntary officers and one part-time administrator.

A sub-committee of the Select Vestry and of Chapter members worked on proposals for governance reform over a seven month period in 2016 and conducted extensive research as to what models are in operation in other cathedrals in Ireland and abroad. This is the first such exercise to take place in Cork since 1972.

Process

A new model of governance based on the 'representative model' similar to school boards of management was presented to two consecutive meetings of the Cathedral Select Vestry (The Parochial Select Vestry and Chapter meeting together under Chapter VII of the Constitution) in January 2017 and unanimous agreement was reached on the sub-committee's proposals. The intention is to retain the Parochial Select Vestry which remains the most effective way to manage the day-to-day running of the Cathedral and to put in place a Cathedral Board alongside it to manage the broader range of management issues such as conservation and restoration of the Cathedral, employment and policy matters, legal issues and regulatory compliance, large-scale fundraising, and long term strategic planning for the Cathedral's mission and ministry.

The Chapter also received recommendations from the sub-committee in January 2017 and, following consultation with the Bishop of Cork, Cloyne and Ross in March 2017, agreed with the proposal that in future there could be up to three additional Canons appointed to the Chapter at any given time: one Ecumenical Canon and two Honorary Canons appointed with due regard to the needs of the Diocese and the Cathedral.

A summary of the proposals was presented to the Diocesan Council of Cork, Cloyne and Ross in April 2017 and the full proposal was passed by the Diocesan Synod of the United Dioceses of Cork, Cloyne and Ross in June 2017. The Diocesan Synod further delegated responsibility to the Bishop and the Diocesan Council to finalise the necessary legislation for consideration by the General Synod in 2018 and the text of this Bill was agreed by both in February 2018.

Key Principles

The new structures proposed in this Bill are designed to strengthen the Cathedral's governance in ways that continue to involve not only members of the Cathedral parish and the Chapter but also people with particular skills in the wider Diocese and local community.

The expansion of the Chapter is also designed to engage with ecumenical contacts alongside lay or ordained people with particular interest in and skills to offer to the Diocese and/or the Cathedral.

A comprehensive set of bye-laws to ensure the smooth operation of the proposed structures has been drafted and will be put in place with the approval of the Diocesan Council. These will ensure effective communication and good working relationships between the Parochial Select Vestry, the Chapter and the Cathedral Board.

VERY REVD NIGEL DUNNE
MR. KEITH ROBERTS

BILL

To amend Chapter VII of the Constitution and the Statute Chapter X of 1972 and to make future provision for the regulation and management of the Cathedral Church of St Fin Barre, Cork.

WHEREAS it is desirable to amend the provisions relating to the regulation and management of the Cathedral Church of St Fin Barre, Cork;

AND WHEREAS it is necessary therefore to amend Chapter VII of the Constitution;

AND WHEREAS it is also necessary therefore to amend the Statute, Chapter X of 1972;

AND WHEREAS the Synod of the United Diocese of Cork, Cloyne and Ross at its meeting held on 10th June 2017 approved of the provisions hereinafter set forth;

BE IT ENACTED by the Archbishops and Bishops and the clergy and laity of the Church of Ireland in General Synod assembled in Armagh in the year 2018 and by the authority of the same as follows:

Definitions

1. In this Statute –

- a. “the Bishop” means the Bishop of Cork, Cloyne and Ross;
- b. “the Cathedral” means the Cathedral Church of St Fin Barre, Cork;
- c. “the Cathedral Board” means the board of the Cathedral as provided for in section 36 hereof;
- d. “Chapter III” means Chapter III of the Constitution of the Church of Ireland;
- e. “Chapter VII” means Chapter VII of the Constitution of the Church of Ireland;
- f. “the Dean” means the Dean of Cork;
- g. “the Dean of Cloyne” means the Dean of the Cathedral Church of St Colman, Cloyne;
- h. “the Dean of Ross” means the Dean of the Cathedral Church of St Fachtna, Rosscarbery;
- i. “Ecumenical Canon” means a minister or accredited preacher of one or other of such Christian denominations not in full communion with the Church of Ireland as may from time to time be specified by the House of Bishops;
- j. “Honorary Canon” means a person (lay or ordained) who has proven expertise in a particular area, determined by the Bishop, in consultation with the Dean, to be of interest or of current importance to the diocese and/or the Cathedral, including but not limited to the areas of social justice, mission, outreach, theological research and education. An Honorary Canon may be a member of the Church of Ireland, or of a Church that is in communion therewith, or of such Christian denomination not in full communion with the Church of Ireland as may from time to time be specified by the House of Bishops.

Amendments and Repeals

2. For Section 18 of Chapter VII there shall be substituted:

“18. None of the foregoing provisions in this Chapter contained shall apply to or affect the Cathedral Church of St Patrick, Armagh; the Cathedral of the Holy Trinity (commonly called Christ Church), Dublin; the Collegiate and Cathedral Church of St Patrick, Dublin; the Cathedral of the Holy Trinity, Down or the Cathedral Church of St Fin Barre Cork; or the prerogatives, rights, privileges, or constitution of any of them; or the Cathedral Church of St Anne, Belfast, so far as any of the said provisions are inconsistent with the Statute Chapter V of 1944 as amended.”

3. Section 1 and Section 4 of the Statute, Chapter X of 1972 are hereby repealed.

Regulation of the Cathedral

4. The Cathedral shall be regulated by the provisions of this Statute.

Saving of Existing Appointments

5. The existing Dean, Dignitaries, Prebendaries and Chapter Clerk of the Cathedral shall (subject to the provisions of the Irish Church Act 1869) continue to hold their respective offices therein, and shall retain the same rights, powers and privileges as they have heretofore enjoyed, and shall be liable to the discharge of all duties to which they have hitherto been subject, except so far as the same may be extended or modified by the provisions of this Act.

The Chapter

6. The Chapter of the Cathedral shall consist of the Dean, Precentor, Chancellor, Treasurer, Archdeacon of Cork, Cloyne and Ross and four Canons occupying the Prebendal Stalls of Dromdaleague and Kilnaglory, St Michael's and Inniskenny, Kilbriain and Holy Trinity and Desertserges and Killanully, the Ecumenical Canon (if any) and the Honorary Canons (if any).
7. The Bishop shall be the Ordinary of the Cathedral and shall have the right of appointing the Dean and, except as may otherwise be provided herein, shall have the right of appointing each and every of the dignitaries, prebendaries and canonries of the Cathedral and shall make choice in respect of such dignitaries, prebendaries and canons from amongst the beneficed or licensed clergy of the diocese. In making such appointments the Bishop shall have due regard to the abilities and qualifications required for the proper performance of the duties of each such office.
8. The Dean of Cloyne shall also hold the Precentor's Stall in the Cathedral.
9. The Dean of Ross shall also hold the Chancellor's Stall in the Cathedral.
10. The Prebendary of Tymothan in the National Cathedral of St. Patrick, Dublin shall also hold the Treasurer's Stall in the Cathedral and shall hold such Stall notwithstanding the fact that he or she may also be the Dean of one of the cathedrals in, or the Archdeacon of, the United Diocese of Cork, Cloyne and Ross.
11. In respect of any appointments made after the coming into force of this Statute, the Bishop shall determine the period of time for which each of the Prebendaries of Dromdaleague and Kilnaglory, St. Michael's and Inniskenny, Kilbriain and Holy Trinity and Desertserges and Killanully shall be appointed.

12. The Dean and Chapter shall have power to make rules and regulations for the times and conduct of meetings of the Chapter and the discharge of its responsibilities. Meetings of the Chapter shall be presided over by the Dean or, in the absence of the Dean, by the member of the Chapter next in order of precedence who is present.

The Functions of the Dean and the Prebendaries

13. The Dean shall be subject to the authority and control of the Ordinary. The Dean shall order the services of the Cathedral and, in matters pertaining thereto, shall direct the clergy and officials. Unless hindered by reasonable cause, the Dean shall attend and assist in the services of the Cathedral on Sundays and week-days.
14. The Dignitaries shall undertake the customary duties pertaining to their office. Each Dignitary, the Archdeacon of Cork, Cloyne and Ross, and each Prebendary shall undertake, by arrangement with the Dean, not less than one Sunday in-residence each year in the Cathedral. The Dignitaries, the Archdeacon and the Prebendaries shall also undertake any other duties as decided from time to time by the Dean and Chapter.

The Ecumenical Canon and the Honorary Canons

15. Having consulted with the Dean in order to identify the mind of the Chapter and the needs of the Cathedral, the Bishop may appoint an Ecumenical Canon and not more than two Honorary Canons.
16. Neither the Ecumenical Canon nor an Honorary Canon shall be entitled to a salary.
17. The appointment of an Ecumenical Canon or an Honorary Canon shall not be effective unless and until that person shall make and subscribe before the Bishop the relevant declaration contained in the Schedules I and II hereto annexed.
18. The Ecumenical Canon and the Honorary Canons may be removed by the Bishop for cause shown. The Ecumenical Canon or an Honorary Canon, if not so removed, shall hold office for a term of five years from the date of appointment or until such Canon shall resign from such office. An Ecumenical Canon or Honorary Canon who has served five years may be reappointed.
19. The Ecumenical Canon and the Honorary Canons shall each have a designated stall in the Cathedral while holding such office.
20. The Ecumenical Canon and the Honorary Canons shall be non-voting members of the Chapter and shall not be eligible for election to the Cathedral Board nor may they chair meetings of the Chapter.
21. The Ecumenical Canon may be invited by the Dean or the Bishop to perform all or any of the following duties insofar as the same are consonant with the provisions of Canon 10 –
 - a. To say or sing Morning or Evening Prayer or the Litany;
 - b. To read the Holy Scriptures at any service;
 - c. To deliver an address at any service;
 - d. To assist at a Baptism, Marriage or Funeral Service or at the Celebration of the Holy Communion; if the Ecumenical Canon is authorised to perform a similar duty in his or her own Church.
22. An Honorary Canon may be invited by the Dean or the Bishop to perform all or any of the following duties insofar as the same are consonant with the provisions of Canon 10:

- a. To say or sing Morning or Evening Prayer or the Litany;
 - b. To read the Holy Scriptures at any service;
 - c. To deliver an address at any service;
 - d. To organise lectures, study groups, or educational activities on behalf of the diocese;
 - e. To engage in research on behalf of the diocese;
 - f. To assist the diocese to engage with social justice issues;
 - g. To support or develop mission and outreach programmes in the diocese;
 - h. To engage in with such other matters in the Cathedral or the diocese as may be specified by the Dean; provided that such activities are approved by the Bishop, in consultation with the Dean and provided that same are consonant with the doctrines of the Church of Ireland.
23. The Court of the General Synod shall have authority to determine all questions and disputes that may arise respecting the appointment or removal of the Ecumenical Canon or the Honorary Canons.

The Chapter Clerk

24. The Chapter may appoint a Chapter Clerk, who shall be a member of the Church of Ireland and shall be a licensed priest or deacon, or registered vestryperson, in the United Dioceses of Cork, Cloyne and Ross.
25. From the next vacancy in the position, the Chapter Clerk shall be appointed by the Chapter and shall initially hold office for three years. The Chapter Clerk may be appointed for further three year periods as determined by the Chapter. The Chapter Clerk shall not be a member of the Chapter.
26. The Chapter Clerk shall, in consultation with the Dean, notify Chapter members of the date, time and venue of Chapter meetings, record minutes of all Chapter meetings, and circulate agendas, minutes and any other documentation as requested by the Dean and Chapter from time to time.

The Dean's Vicar

27. There may be one Dean's Vicar, appointed by the Dean, subject to the approval of the Bishop.
28. The Dean's Vicar shall be in priest's orders and shall be paid a stipend.
29. The Dean's Vicar shall perform such functions in the Cathedral and its parish as may from time to time be determined by the Dean in consultation with the Bishop.
30. The Dean's Vicar shall hold office for a term of five years, but shall be eligible for re-appointment and may be removed by the Dean for cause shown with the approval of the Bishop.

Minor Canons

31. There may be up to four Minor Canons, with or without salaries, appointed by the Dean and Chapter. The Minor Canons shall be clergy licensed or beneficed in the Diocese of Cork, Cloyne and Ross. Appointments of Minor Canons shall be notified to the Bishop. Minor Canons may from time to time be removed by the Dean and Chapter for cause shown, with the approval of the Bishop.

Vestry Members

32. There shall be vestry members for the Cathedral, and in this regard the provisions of Chapter III shall apply save and insofar as the same are inconsistent with the provisions of this Statute.
33. The general vestry shall consist of (i) all the clergy of the Church of Ireland having stalls in the Cathedral and (ii) all those entitled to be registered vestry members of the Cathedral parish.
34. The Registered Vestry Members shall annually, at the Easter General Vestry, elect twelve Select Vestry Members, and triennially four Parochial Nominators and four Supplemental Parochial Nominators, and they shall also elect triennially Synod Members and Supplemental Synod Members to sit as members of the Diocesan Synod of Cork, Cloyne and Ross; and the said Nominators and Synod Members shall be elected in the same manner and have same privileges as Nominators and Synod Members elected for parishes. The number of Synod Members shall be such as determined by the Diocesan Synod of Cork, Cloyne and Ross.
35. The Dean (or the Incumbent of St Fin Barre's Union of Parishes, if the said incumbency is not held by the Dean) shall annually, at the Easter General Vestry, appoint one Cathedral Warden and one Glebewarden and the Registered Vestry Members shall annually appoint one Cathedral Warden and one Glebewarden, and those Wardens shall have the same powers, rights and privileges as Churchwardens and Glebewardens elected by parishes unless otherwise ordered by the Cathedral Board.

Cathedral Board

36. From the date of the Easter General Vestry in 2019, there shall be a Cathedral Board comprised as follows:
 - a. The Dean (ex officio);
 - b. The Honorary Treasurer of the Select Vestry;
 - c. Two Representatives of the Select Vestry elected annually at the meeting of the Select Vestry immediately following the Easter General Vestry.
 - d. Four Chapter Canons, nominated triennially by the Chapter.
 - e. Two Representatives from the Diocese of Cork, Cloyne and Ross, nominated triennially by the Bishop, and approved by the Diocesan Council. Before nominating the two said representatives, the Bishop shall have consulted with the Dean, who shall in turn have consulted with the Chapter and Vestry Representatives.
 - f. Two Lay Community Representatives, co-opted annually by the other members of the Cathedral Board.
37. Members of the Cathedral Board shall be eligible for re-election or re-nomination, as the case may be.
38. Casual vacancies shall be filled in the same manner as the original appointment which has given rise to the vacancy.
39. The Cathedral Board shall have power to co-opt additional non-voting consultant members for the duration of special projects as required. A consultant member may only attend such portions of meetings of the Cathedral Board as relate to any project with which that consultant member is involved.
40. The Cathedral Board shall be chaired by the Dean or, in the absence of the Dean, by the member of the Chapter next in order of precedence who is present, such chair having both an ordinary and a casting vote.

41. The Cathedral Board shall have power to make rules and regulations for the times and conduct of its meetings and the discharge of its responsibilities.
42. A special meeting of the Cathedral Board may be summoned by the Dean or, in the absence of the Dean, by the most senior Chapter Representative, or at any time on the written requisition of five members of the Cathedral Board.
43. The Cathedral Board shall have the control, charge and management of the following:
 - a. All financial, legal and insurance matters pertaining to the Cathedral; provided that the Cathedral Board may delegate such financial matters to the Select Vestry as it may from time to time determine.
 - b. The preservation, restoration, repair and conservation management of the fabric of the Cathedral and all permanent structures therein and of all other properties in the Cathedral parish; provided that the Cathedral Board may delegate such functions in relation to the preservation and repair to the Select Vestry as it may from time to time determine.
 - c. The ornaments of the Cathedral, the monuments, tablets, windows and brasses to be placed in the Cathedral; provided that none shall be erected or placed in the Cathedral, or removed therefrom, without the consent or approval of the Dean, the Chapter, the Select Vestry and of the Bishop.
 - d. The appointment, management and removal of staff and lay officials of the Cathedral.
 - e. Formulation, review and implementation of Cathedral policies and procedures.
 - f. Strategic planning, marketing and promotion programmes for the Cathedral.
 - g. Oversight of the Cathedral's archives, including their conservation and location.
44. The Select Vestry, the Cathedral Board and the Chapter shall together, and by a two-thirds majority of each, agree and enact bye-laws to regulate the working relationships between each such body and to facilitate efficient and regular communication between each such body. The said bye-laws shall not come into effect unless and until approved by the Diocesan Council.

Miscellaneous

45. Matters relating to the Cathedral not provided for herein or by the law of the Church of Ireland, shall be determined by the Board.
46. It shall be lawful for the Diocesan Council of the Diocese of Cork, Cloyne and Ross to make regulations for carrying this Statute into effect.
47. Nothing contained in this Statute shall affect the provisions of Statute, Chapter I of 1890 or Statute, Chapter I of 1892.

Citation

48. This Statute may be referred to as the Cork Cathedral Act 2018.

SCHEDULE I

**DECLARATION FOR SUBSCRIPTION
(ECUMENICAL CANON)**

I, A.B., do hereby solemnly declare that:

1. I am a minister or accredited preacher of Church.
2. I agree to be bound by the provisions of Part II of Chapter VII of the Constitution of the Church of Ireland and, to that extent only, I submit myself to the authority of the Church of Ireland, and to the laws and tribunals thereof.
3. I do declare that I will perform Canonical obedience to the Ordinary of the Cathedral Church of St Fin Barre, Cork and his successors, Bishops of Cork. I will observe the statutes and ancient customs of the Cathedral Church, so far as they are not repugnant to the laws of the Church of Ireland, and will keep private and undisclosed the secrets of the Chapter.

I subscribe the above declaration to be appointed to the office of Ecumenical Canon of the Cathedral Church of St Fin Barre, Cork.

This day of 20.....

SCHEDULE II

**DECLARATION FOR SUBSCRIPTION
(HONORARY CANON)**

I, *A.B.*, do hereby solemnly declare that:

1. I am a member of Church.
2. I agree to be bound by the provisions of Part II of Chapter VII of the Constitution of the Church of Ireland and, to that extent only (unless already otherwise so bound), I submit myself to the authority of the Church of Ireland, and to the laws and tribunals thereof.
3. I do declare that I will perform Canonical obedience to the Ordinary of the Cathedral Church of St Fin Barre, Cork and his successors, Bishops of Cork. I will observe the statutes and ancient customs of the Cathedral Church, so far as they are not repugnant to the laws of the Church of Ireland, and will keep private and undisclosed the secrets of the Chapter.

I subscribe the above declaration to be appointed to the office of Honorary Canon of the Cathedral Church of St Fin Barre, Cork.

This day of 20