

BILL NO 6**Explanatory Memorandum**

In 1972 a comprehensive revision and amendment of the Statutes of General Synod relating to the Cathedral Church of St Patrick Armagh resulted in the enactment of Chapter XI of 1972. Apart from a single-purpose Statute of 1993 (Chapter III of 1993), to make provision for the appointment by the Archbishop of Armagh of Lay Canons, there has been no further revision of the relevant legislation. This Bill seeks to amend and consolidate the provisions of the earlier legislation. While many of the provisions of the Statute of 1972 remain virtually unchanged, others have been substantially amended and the Bill includes several entirely new provisions.

Clause 1 follows the format of the Statute of 1972 in providing for the repeal of the earlier legislation and the substitution of the provisions contained in Schedule I for those of the Statutes so repealed.

Clause 2 seeks to amend the First Schedule to Chapter VII of the Constitution by substituting a summary of the provisions of this Bill for the summary of the 1972 and 1993 Statutes which this Bill seeks to repeal.

As with the 1972 legislation, the detailed provisions relating to the regulation and management of the Cathedral are set out in paragraphs in a Schedule to the Bill, in this instance, Schedule I.

Paragraphs 1 and 2 are exactly the same as before except that the term of any such appointment is no longer limited to 10 years but will be for such term of years as the Archbishop shall determine. Paragraph 3 is similar to the earlier provision but no longer includes provision for the appointment by the Dean of a sub-Dean.

The provisions of paragraph 4 are similar to the corresponding provisions of the earlier legislation but the four Prebendaries are no longer in order of precedence. The paragraph also makes new provision for each Dignitary and Prebendary to undertake, by arrangement with the Dean, two Sundays in-residence each year in the Cathedral.

In paragraph 5, provision is made for the conduct of meetings of the Chapter and paragraph 6 (i) permits the appointment by the Dean, with the approval of the Archbishop, of a Dean's Vicar; similarly paragraph 6 (ii), which is entirely new, enables the appointment by the Precentor, with the approval of the Dean and of the Archbishop, of a Succentor. Not more than six Clerical Vicars Choral may, with the approval of the Archbishop, be appointed by the Dean and Chapter.

The provisions of paragraph 7, which are entirely new for Armagh Cathedral, enable the Archbishop of Armagh to appoint two Ecumenical Canons to the Chapter. Apart from the appointment being made by the Archbishop of Armagh rather than by the Dean and Chapter the provisions of this paragraph are to all intents and purposes identical to those of Sections 24A of Chapter VII of the Constitution, which relate to the appointment of ecumenical canons to St Patrick's Cathedral Dublin, and those of the legislation governing the appointment of ecumenical canons to the Chapter of St Anne's Cathedral Belfast. Schedule II to this Bill contains the Declaration for Subscription required under paragraph 7 (iii).

Paragraph 8 which replaces and restates the provision of Chapter III of 1993 concerning the appointment of Lay Canons expands the provisions of the 1993 Statute to enable two Lay Canons to attend Chapter meetings as non-voting members.

Paragraph 9, which makes provision for the register of vestrypersons for the Cathedral, is very similar to the existing provision of the earlier legislation as is paragraph 10, except that the period of time within

which the meeting to elect members of the Cathedral Board has been altered to bring it into line with the time-frame for parochial general vestry meetings to elect Select Vestries.

Paragraph 11 contains provisions relating to the membership of the Cathedral Board which are very similar to those of existing legislation but one provision is new. Under paragraph 11 the Dean, with the agreement of the Board, may appoint a Dean's Cathedral Warden for one year and the Board may then appoint a People's Cathedral Warden. Such Wardens, whose appointment would be renewable, would become ex-officio members of the Board for the term of their appointment.

With one exception, namely sub-paragraph (e), the provisions of paragraph 12 are very similar to those of the Statute of 1972. Paragraph 12 (e) provides that the Board shall have the control, charge and management of all contributions from the Cathedral payable to the Diocese of Armagh towards Diocesan Assessments.

Paragraphs 13 and 14 are identical to those of the existing legislation.

Schedule II contains the Declaration for Subscription required under the provisions of paragraph 7 (iii) of Schedule I to this Bill.

VERY REV PW ROOKE
CANON LADY SHEIL

BILL

**To amend the provisions relating to the regulation and management of
the Cathedral Church of St Patrick, Armagh**

WHEREAS it is expedient to amend the provisions relating to the regulation and management of the Cathedral Church of Saint Patrick, Armagh;

AND WHEREAS it is desirable to make consequential amendment of the First Schedule to Chapter VII of the Constitution of the Church of Ireland;

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 2011 and by the authority of the same as follows:-

1. The Statutes of the General Synod, Chapter XI of 1972 and Chapter III of 1993 are hereby repealed and the provisions contained in Schedule I hereto annexed substituted therefor.
2. For paragraph (1) of the First Schedule to Chapter VII of the Constitution of the Church of Ireland there shall be substituted:-

(1) Armagh Cathedral

2011, cap. []

Under this Statute the Archbishop of Armagh is the Ordinary and has the right of appointment to the Deanery, Dignities and Prebends; appointments (other than to the Deanery) shall be for such term of years as the Archbishop shall decide; and are not confined to clergy of the diocese. The Statute also provides for the regulation of the Cathedral affairs; the appointment of a Dean's Vicar, Succentor, not more than six Clerical Vicars Choral, two Ecumenical Canons and not more than six Lay Canons; the registration of vestrypersons; and the election of ten lay members of the Cathedral Board and its constitution.

SCHEDULE I

1. The existing Dean, Dignitaries and Prebendaries of the Cathedral of Saint Patrick, Armagh, 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.
2. The Archbishop of Armagh shall be the Ordinary of the said Cathedral, and shall have the right of appointment to each and every of the Deanery, Dignities, and Prebends thereof and in exercising such right of appointment shall choose one who is a Bishop or a Priest, having due regard to the abilities and qualifications required for the proper performance of the duties of each office. Each such appointment, save that to the Deanery, shall be for such term of years as the Archbishop shall determine.
3. The Dean, who shall be resident, 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.
4. The officers who shall continue to constitute the Cathedral Body shall be the Dignitaries; namely, the Dean, Precentor, Chancellor, Treasurer and Archdeacon, in that order, and the Prebendaries; namely, the Prebendary of Mullabrack, Prebendary of Ballymore, Prebendary of Loughgall and Prebendary of Tynan, in no particular order. The Dignitaries shall undertake the customary duties pertaining to their office. Each Dignitary and Prebendary shall undertake, by arrangement with the Dean, two Sundays in-residence each year in the Cathedral. The Dignitaries and Prebendaries shall also undertake any other duties as decided from time to time by the Dean and Chapter.
5. 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.
6. (i) There may be one Dean's Vicar, appointed by the Dean, subject to the approval and confirmation of the Ordinary. The Dean's Vicar shall be licensed by the Archbishop of Armagh for specific duties in the Cathedral.

(ii) There may be one Succentor, appointed by the Precentor, subject to the approval and confirmation of the Ordinary and the Dean. The Succentor shall be licensed by the Archbishop of Armagh for specific duties in the Cathedral.

(iii) The Dean and Chapter, subject to the approval and confirmation of the Ordinary, may appoint not more than six Clerical Vicars Choral from among the clergy resident within the Diocese who shall discharge such duties in the Cathedral as may from time to time be prescribed by the Ordinary and the Dean and Chapter. Clerical Vicars Choral will relinquish their posts upon retirement or on moving from the Diocese. Each Clerical Vicar Choral so appointed shall normally hold office for a term of five years from the date of appointment. Any such appointment may be renewed.
7. (i) The Archbishop of Armagh may appoint two Ecumenical Canons to the Chapter. An Ecumenical Canon shall mean a minister or accredited preacher of one or other of such Christian denominations not in full communion with the Church as may from time to time be specified by the House of Bishops. The Ecumenical Canons shall each have a designated stall in the Cathedral and shall be non-voting members of the Chapter.

(ii) Such Ecumenical Canons may be removed by the Archbishop of Armagh for cause shown. Each Ecumenical Canon, if not so removed, shall hold office for a term of five years from the date of appointment or until such Ecumenical Canon shall resign from such office. An Ecumenical Canon who has served five years may be reappointed.

(iii) The appointment of an Ecumenical Canon shall not be effective unless and until that person shall make and subscribe before the Archbishop of Armagh the declaration contained in Schedule II hereto annexed.

(iv) An Ecumenical Canon may be invited by the Dean 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;
- (c) To deliver an address;
- (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.

(v) The Court of the General Synod shall have authority to determine all questions and disputes that may arise respecting the appointment or removal of an Ecumenical Canon.

8. The Archbishop of Armagh in his capacity as Primate of All Ireland and Ordinary of the Cathedral, shall have the right to appoint, at his sole discretion, not more than six Lay Canons to the Cathedral, such appointments to be in recognition of particular and distinguished service to the Church of Ireland.

A Lay Canon shall be entitled to a designated seat in the Cathedral during his or her lifetime. Two of the Lay Canons shall be entitled to attend Chapter Meetings but will be non-voting members. The six Lay Canons shall choose two of their number to represent them on the Chapter for a three year term, which shall be renewable.

9. (i) There shall be a register of vestrypersons for the Cathedral, and every member of the Church of Ireland of the age of 18 years and over, who shall have been for one year immediately prior to registration an accustomed member of the congregation and a contributor towards the funds of the Cathedral, shall be entitled to register.
- (ii) The Register shall be revised annually during Lent by the Dean and the Lay Treasurer of the Cathedral Board in the manner set forth in sections 5, 6 and 7 of Chapter III of the Constitution of the Church of Ireland: provided however that the Dean or the Lay Treasurer may, for the purpose of this section, appoint a deputy.
10. Those registered shall meet triennially, not earlier than twenty days before and not later than twenty days after Easter Day, to elect out of their own number:-
- (i) Six Lay members of the Cathedral Board as hereinafter constituted of which there must be at least two male and two female.
 - (ii) Synodspersons to sit as members of the Armagh Diocesan Synod who shall possess the same rights and privileges as the synodspersons elected by parishes. The number of such

synodspersons shall be in proportion to the number of clergy of the said Cathedral who are not otherwise qualified to sit as members of the Armagh Diocesan Synod.

The registered vestrypersons shall also meet at such other times as the Dean may decide.

11. The Dean, Dignitaries and Prebendaries shall be *ex-officio* members of the Cathedral Board. The Dean's Vicar shall also be an *ex-officio* member of the Board, provided that, when there is no Dean's Vicar or the Dean's Vicar is a member of the Chapter, the Succentor shall be a member of the Board, which Board shall at the same time be completed by the addition of:-
- (i) Six lay persons elected as herein provided and
 - (ii) Four lay persons elected by the lay members of the Armagh Diocesan Council whose qualification for election shall be the same as that for the General Synod.

Vacancies in the places of the elected members occurring in the interval between triennial elections shall be filled as to (i) above, by the lay members of the Board by co-option of the persons qualified for election as in the section provided; and as to (ii) above, by the lay members of the Diocesan Council, and any persons chosen to fill such vacancies shall hold office until the next triennial election. The elected members of the Cathedral Board shall retire from office every third year, but if still qualified shall severally be eligible for re-election.

The Dean may appoint from the list of registered vestrypersons a Dean's Cathedral Warden to act for one year. The Board may then appoint from the list of registered vestrypersons a People's Cathedral Warden to act for one year. The Cathedral Wardens so appointed become *ex-officio* members of the Board for the term of their appointment. Such appointments shall be renewable.

The Board shall triennially elect a Secretary, who shall record the proceedings of the meetings of the Board, and a lay Treasurer who shall submit annually to the Board for its approval an audited financial statement of all funds under the control or management of the Board. If either is not already a member of the Board they may be co-opted.

At least five members, excluding any co-opted members, must be present to form a quorum.

12. 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. It 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, such President having both an ordinary and a casting vote, except that in the case of co-option to fill a vacancy, such President shall have a casting vote only. A special meeting of the said Board shall be summoned by the Dean or, in the absence of the Dean, by the Precentor, or at any time on the written requisition of five members of the Board. The Board shall have the control, charge and management of the following:-
- (a) The preservation, restoration and repair of the fabric of the Cathedral and of all permanent structures therein.
 - (b) The lighting, heating and cleaning of the Cathedral.
 - (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 and Chapter and of the Ordinary.

- (d) All Cathedral property and funds not excluded from the operation of this paragraph by the Trusts upon which they are held, and in particular the regulation of all salaries and pensions payable by the Board: provided that the selection of the objects of the collections shall be at the discretion of the Dean.
 - (e) All contributions from the Cathedral payable to the Diocese of Armagh towards Diocesan Assessment.
 - (f) The appointment and dismissal of lay officials of the Cathedral, with the exception of the Organist and Master of the Choristers, hereinafter referred to as the Director of Music, who shall be appointed and may be dismissed by the Archbishop of Armagh, and the Dean's Verger who shall be appointed and may be dismissed by the Dean. The appointment of members of the choir shall be made by the Dean after consultation with the Director of Music.
13. The Dean shall act on behalf of the Board in directing the officers appointed by the Board in the discharge of their duties.
14. Matters relating to the Cathedral not herein otherwise provided for and not heretofore subject to the rights of the Dean and Chapter shall be determined by the Board.

SCHEDULE II

DECLARATION FOR SUBSCRIPTION

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 A.B. do declare that I will perform Canonical obedience to the Ordinary of the Cathedral Church of Saint Patrick, Armagh and *his* successors, Archbishops of Armagh. 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 Patrick, Armagh.

This day of 20 .