

## CONSTITUTION AND STATUTES FOR SOUTHWARK CATHEDRAL

### **THE CATHEDRAL AND COLLEGIATE CHURCH OF SAINT SAVIOUR AND SAINT MARY OVERIE, SOUTHWARK**

#### **PREAMBLE**

The Church of Saint Saviour, Southwark, originally the Collegiate Church of the Priory of Saint Mary Overie, thereafter served as the church of a parish established, by a Statute of Henry VIII in the year 1541, out of two previously existing parishes. The property of the Wardens of those two parishes was vested in a body of six Wardens, who were to be elected by the parishioners of the new parish.

The rectory, church, burying-ground and certain other property in the parish were granted by James I in 1611 to certain persons, and by those persons conveyed in 1614 to a body of Trustees on trust for the employment of two preaching Chaplains and other purposes. The Saint Saviour's Southwark, Chaplaincy Act 1868, reduced the number of these Chaplains to one, who was required to maintain a curate.

The Saint Saviour's, Southwark (Church Rate Abolition) Act 1883, vested the right of perpetual presentation to the office of Chaplain in the Bishop of the diocese in which the parish church was or might be situated and enacted that the holder of the said office should be styled Rector. It confirmed the Wardens in the capacity as a body corporate and in their rights, but regulated the method of electing the Wardens, including the Warden of the Great Account, and made provision for the election of a further Warden, to be called the Rector's Warden, and his inclusion in the body corporate. It added the Rector to the then existing Trustees, and made new provisions for election of the elected Trustees; and it vested in the Trustees (commonly called "the Rectory Trustees"), in addition to the property of which at that time they stood possessed, the sum of seven thousand pounds paid by the Bishop of Rochester for the right of presentation to the office of Chaplain (thenceforward styled Rector) and certain other property detailed in the First Schedule to the Act; but it provided that, with one exception, the income derived from these sources and from any other property which from time to time might be vested in the said Trustees should be paid over to the Wardens and by them expended upon the stipends of the Rector, the Schoolmaster and the Usher of the Grammar School of Saint Saviour in Southwark, and towards defraying the expenses of the repair and maintenance of the Church and other expenses in connection therewith as the Wardens should think proper.

These arrangements were, in part, materially changed by the Borough of Southwark (St Saviour) Scheme 1901, made in pursuance of the London Government Act, 1899. This Scheme provided (inter alia) for two Churchwardens, one of whom was to be the Rector's Warden, to whom was transferred any power, duty, property or liability of the Court of Wardens connected with the affairs of the Church; and it made the Rectory Trustees not merely trustees but also the administrators (but subject to the conditions contained in the Act of 1883 in respect of the objects to which it was applicable) of the income of the property vested in them. In other respects the rights of the Court of Wardens were fully maintained. The election of five members of the Court of Wardens (other than the Rector's Warden) was thenceforward to be entrusted to the Council of the Metropolitan Borough of Southwark, and that of the Rectory Trustees to the inhabitants of the ecclesiastical district for the time being attached to the Church of Saint Saviour.

Meanwhile changes had taken place within the Church itself. In 1896 the Vestry resolved that the Lady Chapel sufficiently provided for the needs of the parish and approved a proposal to apply for a faculty for fitting up that Chapel as a parish church and to use the remainder of the Church as a collegiate church, subject to the Warden of the Great Account and the Rector's Warden being members of the Chapter. In pursuance of this

resolution, the Bishop of Rochester, in 1897, entered into an agreement under seal with the Rector whereby the Lady Chapel was thenceforth to be deemed the parish church and the Rector renounced all his rights to the use of the remainder of the Church, save in respect of solemnisations of baptism and marriage, the receipt of fees therefor, the joint use of the vestry and the bells, and access to the Parish Church. In the same year a faculty was given for effecting the necessary alterations, and the Bishop promulgated Statutes for the Collegiate Church. The Saint Thomas Southwark and Saint Saviour Southwark Act 1898, which united the two parishes, designates the Church of Saint Saviour as a Collegiate Church.

The bishopric of Southwark was founded by an Order in Council made on the 20th day of March, 1905, in pursuance of the Bishops of Southwark and Birmingham Act 1904, the Second Schedule to which declared the Church of Saint Saviour, Southwark, to be the Cathedral Church of the diocese of Southwark.

By an Order in Council made on the 29th day of April, 1915, the benefices of Saint Saviour and of Saint Peter, in Southwark, were united.

In 1922 the Bishop of Southwark promulgated new Statutes in amendment of those in 1897. These bodies of Statutes, though not binding in law, were generally followed. In accordance with these Statutes, the Bishop was Dean and a Bishop Suffragan Sub-Dean, and the number of Canons was limited to six, with Dignities (apart from that of Sub-Dean) of Precentor, Chancellor and Missioner. The Chapter was constituted so as to include the Dean, the Sub-Dean, the Canons, the Warden of the Great Account, the Rector's Warden, the Treasurer and the Assistant Treasurer. While the clerical members of this Chapter controlled all matters relating to the ministering of the Word and Sacraments and the conduct of Divine Worship, the Chapter as a whole had, among other powers, that of appointing, dismissing, and regulating the duties of, all persons (save the Canons and others appointed by the Bishop) employed in the Cathedral Church and of fixing and altering their remuneration.

A new Constitution and Statutes were framed by the Cathedral Commissioners for England appointed under the Cathedrals Measure 1931 to bring the governance of the Cathedral Church into accord with the Cathedral Measures 1931 and 1934. This Constitution and Statutes were set out in the First Schedule to the Southwark Cathedral Measure 1937.

The further Constitution and Statutes were framed by the Cathedrals Commission appointed under section 1 of the Cathedrals Measure 1963 in substitution for the aforementioned Constitution and Statutes, bringing the governance of the Cathedral Church into accord with the provisions of the said Measure of 1963. The whole of the Cathedral Church was both the Cathedral Church of the Diocese of Southwark and the Parish Church of Saint Saviour, Southwark.

At the request of the Deans and Provosts of English Cathedrals, the Archbishops of Canterbury and York invited a commission chaired by Lady Howe of Aberavon to examine all aspects of cathedral management, administration and life, and to make recommendations for the future governance of cathedrals. This Commission published its report, "Heritage and Renewal" in 1994. The report's recommendations were widely welcomed and resulted in General Synod and Parliament initiating a Measure for their general implementation.

A Transitional Council was established at every cathedral to draw up a new Constitution and Statutes in accordance with the Cathedrals Measure 1999. These became effective on Easter Day 2000 (the feast day of St. George and the anniversary of the birth and death of William Shakespeare) when the Transitional Council ceased to exist.

In 2008, at a joint meeting of the Chapter and the Cathedral Council, revisions to the Constitution and Statutes were discussed. Amendments concerning the membership of the Cathedral Council and Finance Committee were proposed along with the formation of a Nominations Committee and changes to the Order of Precedence. These amendments were formally approved by the Cathedral Council at their meeting in April 2009 following the period of statutory public consultation. The Constitution and Statutes were revised accordingly.

A further review was undertaken in 2012 /13. A number of changes were approved by the Cathedral Council at their meeting in 2013 following the requisite consultation. These included new provisions for the appointment of Ecumenical Canons, alterations to reflect the introduction of the Ecclesiastical Offices (Terms of Service) Measure 2009 and Common Tenure, the redesignation of the Administrator as the Comptroller, the designation of the Succentor as a Minor Canon, the designation of Cathedral Chaplains as Honorary Minor Canons, together with various consequential and other amendments.

The revised Constitution and Statutes now follow.

## CONSTITUTION OF THE CATHEDRAL, AND COLLEGIATE CHURCH OF ST SAVIOUR AND ST MARY OVERIE, SOUTHWARK

Every person or body having functions under the Constitution or Statutes shall, in exercising those functions, have due regard to the fact that the Cathedral is the seat of the Bishop and a centre of worship and mission.

(I) DEFINITIONS

(1) In the Constitution and in the Statutes:

“**actual communicant**” means a person who has received Communion according to the use of the Church of England or of a Church in communion with the Church of England at least three times within the preceding twelve months;

“**Comptroller**” means the office holder specified in Section XIII (I) of the Constitution;

“**Canon**” includes a Lay Canon and a non-residentiary or Honorary Canon but not a Minor Canon or an Ecumenical Canon;

“**Cathedral Church**” means the Cathedral and Collegiate Church of Saint Saviour and Saint Mary Overie, Southwark (Southwark Cathedral);

“**Cathedral duties**” means duties, whether in the Cathedral or in the Diocese which should, in the opinion of the Chapter after consultation with the Bishop, be discharged in or from the Cathedral;

“**Diocese**” means Diocese of Southwark and “**diocesan**” shall be construed accordingly;

“**The Measure**” means the Cathedrals Measure 1999;

“**The Parish**” means the ecclesiastical parish of St Saviour and St Mary Overie, Southwark, and “Parish Church” and “parochial” shall be construed accordingly;

“**See**” means the See of Southwark;

“**Rector**” means the Rector and Incumbent of the Parish of St Saviour and St Mary Overie, Southwark;

Words importing the masculine shall include the feminine.

(2) A reference in the Constitution and Statutes to the holder of any office, title or preferment shall be to the holder for the time being of such office, title or preferment in the Cathedral Church or, as the case requires, in the Diocese.

(II) THE CORPORATION

- (1) The members for the time being of the Council, the Chapter and the College of Canons of Southwark Cathedral shall be a body corporate with perpetual succession and a common seal (to be known as the common seal of the Cathedral).

(III) THE VISITOR

- (1) The Bishop shall be Visitor of the Cathedral Church and shall have all the powers that belong as of right to the office of Visitor.

(IV) THE DEAN

- (1) The Rector of the Parish shall, by virtue of that office, be Dean.
- (2) The Dean holds office in accordance with the provisions of the Ecclesiastical Offices (Terms of Service) Measure 2009 and any regulations made under Section 2 of that Measure.
- (3) The Dean shall vacate office automatically and without the execution of any instrument of resignation in accordance with the Ecclesiastical Offices (Age Limit) Measure 1975.

(V) THE RESIDENTIARY CANONS

- (1) The number of Residentiary Canons shall not exceed five at any one time.
- (2) The Residentiary Canons, being persons having the qualifications prescribed by law, shall be appointed by the Bishop after consultation with the Chapter.
- (3) The holders of at least two Residentiary Canonries shall, subject to the provisions of section 8 of the Measure, be engaged exclusively on cathedral duties.
- (4) The Residentiary Canons hold office in accordance with the Ecclesiastical Offices (Terms of Service) Measure 2009 and any regulations made under Section 2 of that Measure.
- (5) A Residentiary Canonry shall be vacated automatically and without the execution of any instrument of resignation in accordance with the Ecclesiastical Offices (Age Limit) Measure 1975.
- (6) Subject to paragraphs (4) and (5) above, if a Residentiary Canon was at the date of appointment the holder of a diocesan office, or was appointed to a diocesan office at the same time as appointment to a Residentiary Canonry and that appointment was made on the understanding that the Canonry was held only so long as the diocesan office was held,

on ceasing to hold such office, the Residentiary Canon shall vacate office as a Residentiary Canon unless the Bishop after consultation with the Chapter otherwise determines.

- (7) The Bishop may for financial or other reasons (but only with the consent of the Chapter) suspend and refrain from filling a Residentiary Canonry which has fallen vacant, and may with the like consent revive and appoint to such Residentiary Canonry.
- (8) Nothing in this section shall affect the tenure of office of Canons appointed before this Constitution came into force.

#### (VI) THE HONORARY CANONS

- (1) Subject to the following provisions of this section there shall be not more than thirty-six Honorary Canons who shall be appointed by the Bishop after consultation with the Chapter from among persons in Holy Orders who are beneficed or licensed in the Diocese.
- (2) Honorary Canons shall, in partnership with the Chapter, seek to contribute to the corporate life of the Cathedral and to promote its mission and service in the Diocese.
- (3) Any Suffragan Bishop, Area Bishop or Archdeacon, not being a Residentiary Canon, shall be a supernumerary Honorary Canon and shall have a seat in the chancel of the Cathedral.
- (4) An Honorary Canonry shall be vacated automatically and without execution of any instrument of resignation upon the holder's ceasing to be beneficed or licensed in the Diocese unless the Bishop, in consultation with the Chapter otherwise determines, provided that Honorary Canons holding office on the coming into operation of this Constitution shall continue to hold office until they cease either to reside in or hold some office or perform some function in connection with the Diocese.

#### (VII) LAY CANONS

- (1) Subject to the following provisions of this section there shall be not more than twelve Lay Canons who shall be appointed by the Bishop after consultation with the Chapter from among lay persons who have given distinguished service to the Diocese or the Cathedral and who are actual communicants.
- (2) A Lay Canon shall, in partnership with the Chapter, seek to contribute to the corporate life of the Cathedral and to promote its mission and service in the Diocese.
- (3) Subject to paragraph (4) below, a Lay Canon shall hold office for an initial period of five years but shall be eligible for re-appointment for further such periods.
- (4) The Bishop shall have power, after consultation with the Chapter, to determine that a lay person shall hold one of the Lay Canonries referred to in paragraph (1) above during the

time that such person holds an office or title within the Diocese, but the Lay Canonry shall be vacated when such office or title is relinquished.

- (5) Lay Canons shall be designated in the following way: “[John Smith] (Lay Canon)” or “[Mary Jones] (Lay Canon)” and, for the avoidance of confusion with ordained Canons, the word “Canon” shall not precede a Lay Canon’s name.

#### (VIIA) THE ECUMENICAL CANONS

- (1) Subject to the following provisions of this section there shall be not more than six Ecumenical Canons who shall be appointed by the Bishop after consultation with the Chapter.
- (2) Any person appointed as an Ecumenical Canon shall be a minister or lay person of good standing in a Church or denomination in communion with the Church of England or in a Church or denomination designated pursuant to the Church of England (Ecumenical Relations) Measure 1988 as being one to which that Measure applies which shall for this purpose include such persons within the Communion of Porvoo Churches.
- (3) For the avoidance of doubt an Ecumenical Canon shall not be a member of the College of Canons.
- (4) Any lay person appointed as an Ecumenical Canon shall be an actual communicant member of the Church or denomination to which that person belongs or shall otherwise be an active participant in worship appropriate to that Church or denomination.
- (5) Any person appointed as an Ecumenical Canon shall be resident or have his or her place of work (whether paid or unpaid) within the Diocese or shall be actively engaged in the life and work of his or her Church or denomination in an ecclesiastical institution in another country with which the Cathedral has or intends to have a close relationship.
- (6) An Ecumenical Canonry shall be vacated automatically and without execution of any instrument of resignation upon the holder ceasing to reside or have a place of work within the Diocese or upon the holder ceasing to carry out the function in any foreign ecclesiastical institution to which the appointment as an Ecumenical Canon relates.
- (7) Notwithstanding the provisions of Statute 2(4) an Ecumenical Canon may (if so invited by the Dean) preach or minister in the Cathedral.

(VIII) THE COUNCIL

- (1) There shall be a Council consisting of:
  - (a) a chairman appointed in accordance with paragraph (2) below;
  - (b) the Dean;
  - (c) three other members of the Chapter chosen by the Chapter, at least one of whom must be a lay person and one a Clerk in Holy Orders;
  - (d) two members of the College of Canons appointed as prescribed in Section (XII)(3)(c) by the College of Canons;
  - (e) three lay persons not being members of the Chapter representing the interests of the Cathedral Community and comprising two persons elected by the Annual Parochial Church Meeting and one person elected by the employees of the Cathedral at a meeting held not later than one month after the Annual Parochial Church Meeting; and
  - (f) nine other persons, comprising:
    - (i) one Clerk in Holy Orders not being a member of the Chapter appointed by the Bishop's Council and Standing Committee of the Diocesan Synod;
    - (ii) one lay person not being a member of the Chapter appointed by the Bishop's Council and Standing Committee of the Diocesan Synod;
    - (iii) six persons not being members of the Chapter appointed by the Bishop after consultation with the Chapter and having experience and expertise in architectural and conservation matters, finance, education, ecumenism or current or recent service in national, London or local forums of the state or of the Church by law established, or any other experience and expertise considered beneficial to the Cathedral's work and mission;
    - (iv) the Comptroller by virtue of that appointment.
- (2) The chairperson shall be a lay person, not being a member of Chapter, appointed by the Bishop, who shall, before making the appointment, afford the Chapter an opportunity to express views both in general as to the appointment and as to any specific person proposed by the Bishop for appointment, and who shall in deciding whom to appoint have regard to those views.
- (3) The chairman and other members of the Council (other than the Dean and the Comptroller) shall hold office for a term of four years but shall be eligible for further terms of office.
- (4) The Bishop has the right to be present and to speak but not to vote at any meeting of the Council.
- (5) The Council shall meet on at least three occasions in each calendar year, one of those meetings being a joint meeting with the Chapter.
- (6) It shall be the duty of the Council to further and support the work of the Cathedral, spiritual, pastoral, evangelistic, social and ecumenical, reviewing and advising upon the



direction and oversight of that work by the Chapter and, in particular, without prejudice to any of the foregoing, to:

- (a) consider proposals submitted by the Chapter in connection with the general direction and mission of the Cathedral and provide advice on them to the Chapter;
- (b) receive and consider the annual budget of the Cathedral;
- (c) receive and consider the annual report and audited accounts; and
- (d) consider proposals submitted by the Chapter in connection with the Constitution and Statutes of the Cathedral with a view to their revision under Part II of the Measure.

(7) The Council may:

- (a) request reports from the Chapter on any matter concerning the Cathedral;
- (b) discuss and declare its opinion on any such matter; and
- (c) draw any matter to the attention of the Visitor or the Church Commissioners.

## (IX) THE CHAPTER

(1) There shall be a Chapter which shall, subject to the provisions of section 4 of the Measure, consist of:

- (a) the Dean, who shall chair the Chapter and shall have a second or casting vote; and shall be a member of every committee of the Chapter;
- (b) all the Residentiary Canons;
- (c) two persons (not more than one of whom may be a Clerk in Holy Orders) appointed by the Bishop after consultation with the Chapter having particular expertise which will enrich the Chapter's deliberations and knowledge;
- (d) two persons elected from among those who are or have been churchwardens of the parish by persons whose names are on the church electoral roll of the parish at the Annual Parochial Church Meeting;
- (e) two other persons elected from the church electoral roll of the parish by persons whose names are on the church electoral roll of the parish at the Annual Parochial Church Meeting; and
- (f) the Comptroller by virtue of that appointment.

Provided that all lay members in categories (c), (d) and (e) must be actual communicants and shall be resident in the Diocese or have their names on the church electoral roll of a parish in the Diocese and that the members in categories (c), (d) and (e) shall hold office for three years but shall be eligible for further terms of office.

(2) It shall be the duty of the Chapter to direct and oversee the administration of the affairs of the Cathedral, including in particular, without prejudice to the generality of the foregoing, to:

- (a) order the worship and promote the mission of the Cathedral;
- (b) formulate, after consultation with the Bishop, proposals in connection with the general direction and mission of the cathedral and submit them to the Council for its advice;

- (c) manage all property vested in the Cathedral and the income accruing from it and, in particular, ensure that necessary repairs and maintenance in respect of the Cathedral and its contents and other buildings and monuments are carried out;
  - (d) by way of election appoint three of its members to serve on the Cathedral Council;
  - (e) prepare an annual budget for the Cathedral and submit it to the Council;
  - (f) prepare in accordance with section 27 of the Measure an annual report and audited accounts, and submit them to the Council and the College of Canons;
  - (g) submit to the Council such other reports as may be requested by the Council on any matter concerning the Cathedral;
  - (h) keep under review the Constitution and Statutes of the Cathedral and submit any proposals for their revision to the Council; and
  - (i) hold the common seal of the Cathedral and affix it when required.
- (3) The Chapter shall meet on at least seven occasions in each calendar year.
- (4) The Chapter shall have power, subject to the provisions of the Measure and of the Care of Cathedrals Measure 1990, to acquire and dispose of property on behalf of the body corporate of the Cathedral established by this Constitution.
- (5) The Chapter shall exercise the functions previously exercisable in relation to the Parish by the Parochial Church Council and transferred to the administrative body of the Cathedral under section 12(1) of the Cathedrals Measure 1963.

(X) THE FINANCE COMMITTEE OF THE CHAPTER

- (1) There shall be a Finance Committee of the Chapter with the function of advising the Chapter in connection with its responsibilities in the field of financial and investment management (including financial and investment management of the property belonging to the Cathedral).
- (2) The Committee shall consist of:
- (a) the Dean;
  - (b) the Comptroller;
- and the following appointed by the Chapter for their expertise and experience in the field of financial and investment management:
- (c) two other members of the Chapter (not more than one of whom may be a Residentiary Canon); and
  - (d) not more than six other persons.
- The members in categories (c) and (d) above shall hold office for a term of three years but shall be eligible for membership for further terms of office.
- (3) The Committee shall elect a chairman from among its members annually. The Comptroller shall not be eligible for election.

(XI) OTHER COMMITTEES

The Chapter may establish such other committees as it may determine, and may delegate functions, powers and duties to any such committee. If the Chapter so determines, persons who are not members of the Chapter may be members of a committee.

(XII) THE COLLEGE OF CANONS

- (1) There shall be a College of Canons consisting of -
- (a) The Dean, who shall chair meetings;
  - (b) the Suffragan Bishops of Woolwich, Kingston-upon-Thames and Croydon;
  - (c) every full-time stipendiary assistant bishop of the Diocese;
  - (d) every Canon; and
  - (e) every Archdeacon.
- (2) In the event of a vacancy in the See, the College of Canons shall be summoned by the Dean to meet and on receiving from Her Majesty a licence under the Great Seal with a letter missive as provided by the Appointment of Bishops Act 1533 shall proceed to the election of a Bishop in the manner laid down by that Act.
- (3) The College of Canons shall meet at least once a year and shall:
- (a) receive and consider the annual report and audited accounts of the Cathedral;
  - (b) discuss such matters concerning the Cathedral as may be raised by any of its members; and
  - (c) by way of election appoint two of its members to serve on the Cathedral Council.

(XIII) THE COMPTROLLER AND OTHER OFFICERS

- (1) There shall be an administrator of the Cathedral to be known as the Comptroller, who shall be appointed by the Chapter on such terms in respect of tenure, remuneration and duties as the Chapter may determine.
- (2) There shall be a Surveyor of the Fabric of the Cathedral, who shall be a person registered under the Architects Act 1997 or any Act amending or extending the same, and shall be appointed by the Chapter (after consultation with the Cathedrals Fabric Commission for England) on such terms in respect of tenure, remuneration and duties as the Chapter may determine.
- (3) There shall be an Auditor, who shall be a person who may under section 43 of the Charities Act 1993 audit the accounts of a charity, and shall be appointed by the Chapter on such terms in respect of tenure and remuneration as the Chapter may determine, and who shall audit the accounts of the Cathedral in accordance with section 27 of the Measure.

- (4) There shall be a Director of Music who shall be the Organist and shall supervise the music in the Cathedral and shall be appointed by the Chapter on such terms in respect of tenure, remuneration and duties as the Chapter may determine.
- (5) There shall be a Chapter Clerk, who shall be a Solicitor of the Supreme Court or a Barrister-at-Law, who shall be legal adviser to the Cathedral and shall be appointed by the Chapter on such terms in respect of tenure, remuneration and duties as the Chapter may determine.

(XIV) PROVISIONS APPLICABLE TO THE CONSTITUTION AND THE STATUTES

- (1) No repeal or amendment of, nor any additions to, the Constitution or the Statutes shall be made except in accordance with the provisions of the Measure.
- (2) Nothing in the Constitution or Statutes shall affect any right of patronage or other right or interest of Her Majesty.

## THE STATUTES

### I THE BISHOP

- (1) The Bishop shall have the principal seat and dignity in the Cathedral.
- (2) After consultation with the Chapter, the Bishop may officiate in the Cathedral and use it in his work of teaching and mission, for ordinations and synods and for other diocesan occasions and purposes.
- (3) The Bishop shall have the right:
  - (a) to celebrate the Holy Communion in the Cathedral Church on Christmas Day and Easter Day and on the day appointed for the Corporate Communion of those ministering and serving in the Cathedral Church; and
  - (b) to preach at or to appoint the preacher at one of the Services in the Cathedral Church on Christmas Day and Easter Day and to preach at or appoint the preacher at Ordination Services.
- (4) The Bishop may at any time seek the advice of the Chapter on any matter.
- (5) The Bishop shall as Visitor hear and determine any question as to the construction of the Constitution and Statutes.
- (6) It shall be the duty of any person or body on whom functions are conferred by the Constitution and Statutes to act in accordance with any determination and any direction by the Bishop under this Statute.
- (7) The Bishop may hold a visitation of the Cathedral when the Bishop considers it desirable or necessary to do so or when requested by the Council or the Chapter.
- (8) In the course of a visitation, the Bishop may give such directions to the Chapter, to the holder of any office in the Cathedral or to any person employed by the Cathedral as will, in the opinion of the Bishop, better serve the due observance of the Constitution and Statutes.
- (9) If a dispute arises between any persons holding office in the Cathedral Church and all internal procedures have been exhausted, the dispute, with the agreement of all parties, may be referred to the Visitor who either personally or by a Commissary shall hear the parties and shall communicate in writing to them and to the Chapter, if not a party, decisions which shall be final and shall be binding upon the parties.
- (10) The Bishop may at any time propose for consideration by the Council amendments to the Constitution and Statutes.

## 2 THE DEAN

- (1) The Dean shall be the principal dignitary of the Cathedral, next after the Bishop.
- (2) The Dean shall be installed according to the customs of the Cathedral and shall publicly at the service of installation make such declarations and take such oaths as may be prescribed by law.
- (3) It shall be the duty of the Dean as chairman of the Chapter to govern and direct on its behalf the life and work of the Cathedral: in particular, to:
  - (a) ensure that Divine Service is duly performed in the Cathedral;
  - (b) ensure that the Constitution and Statutes are faithfully observed;
  - (c) maintain good order and proper reverence in the Cathedral,
  - (d) secure the pastoral care of all members of the Cathedral community, and
  - (e) take all decisions necessary to deal with any emergency affecting the Cathedral, pending consideration of the matter by the Chapter.
- (4) No person other than a Clerk in Holy Orders of the Church of England or of a Church in communion therewith, shall, except with the consent of the Dean, be allowed to preach in the Cathedral Church.
- (5) If the office of Dean is vacant, or the Bishop considers that the Dean is unable to discharge any or all of his functions by reason of illness or absence or any other cause, the Bishop shall, after consultation with the Chapter, appoint a Residentiary Canon to carry out such functions as the Dean is unable to discharge during the period in question; and references in the Constitution and Statutes to the Dean shall be construed accordingly.
- (6) If any question arises whether an appointment under paragraph (5) above is justified, that question shall be determined by the archbishop of the province.

## 3 THE RESIDENTIARY CANONS

- (1) Subject to the rights exercisable by any other person in accordance with the Constitution and the Statutes, each of the Residentiary Canons shall have the obligation to preach and to celebrate the Holy Communion.
- (2) The Residentiary Canons shall undertake such duties in the Cathedral as the Chapter shall determine after consultation with them. They shall endeavour to strengthen the whole corporate life, worship and work of the Cathedral and to promote the role and effectiveness of the Cathedral in the Diocese.
- (3) The Bishop after consultation with the Chapter shall allocate the Cathedral titles of Precentor, Chancellor, Treasurer, Missioner and Pastor between the Residentiary Canons so that a Residentiary Canon may hold one or more titles or no title. Other titles may be determined by the Chapter from time to time.

- (4) A Sub-Dean who shall be a Residentiary Canon shall be appointed by the Bishop after consultation with the Chapter. The Sub-Dean shall during the absence of the Dean, subject to the rights and powers of the Canon in Residence, exercise and perform the rights and duties assigned in the Constitution and Statutes to the Dean in the Cathedral Church without prejudice to the rights and duties of the Bishop as described in Section 2(5) above, and of the Chapter in relation to the chairing of Chapter meetings as described in Section 7(3) below. The Sub-Dean shall have precedence before the other Residentiary Canons.
- (5) The Precentor shall, either in person or through the Succentor, and subject to the general control of the Dean, have responsibility for the music performed in the Cathedral Church in consultation with the Director of Music.

#### 4 THE HONORARY CANONS

- (1) Honorary Canons shall attend such Diocesan Services as the Bishop may require them to attend, unless prevented by sickness or other unavoidable cause.
- (2) Subject to the rights exercisable by any other person in accordance with the Constitution and the Statutes, each Honorary Canon shall be invited by the Chapter to celebrate the Holy Communion in the Cathedral annually on such day as shall be agreed with the Dean on or before the installation of that Honorary Canon.

#### 5 DEAN AND CANON EMERITUS TITLES

- (1) The Bishop may confer upon a Dean, a Residentiary Canon, an Honorary Canon or a Lay Canon who vacates their office the title, as the case may be, of Dean Emeritus or Canon Emeritus or Lay Canon Emeritus. A person who on the coming into effect of this Constitution held the title of Provost Emeritus shall continue to hold that title. A title conferred under this provision shall confer no vested interest and, in particular, the holder shall not by virtue of that title be a member of the College of Canons.

#### 6 THE COUNCIL

- (1) Meetings of the Council shall be called by the chairman, in accordance with a resolution of the Council, on the chairman's own motion, or on the written requisition of at least seven lay members of the Council.
- (2) The quorum for the transaction of business at a meeting of the Council shall be ten members.
- (3) The Council shall elect one of its members to preside over it on occasions when the chairman is unable to be present.

## 7 THE CHAPTER

- (1) Meetings of the Chapter shall be called: by the Dean, in accordance with a resolution of the Chapter, on the Dean's own motion; or on the written requisition of at least five members of the Chapter.
- (2) The quorum for the transaction of business at a meeting of the Chapter shall be seven of its members.
- (3) In the absence of the Dean or of any person appointed to exercise the functions of the Dean under Section 2(5) of the Statutes, the Chapter shall elect one of its members to preside over it, but such person shall not have a second or casting vote.
- (4) The following steps shall not be taken without the consent of the Dean:
  - (a) any alteration of the ordering of services in the Cathedral;
  - (b) the settlement of the Cathedral's budget;
  - (c) the implementation of any decision taken by the Chapter in the Dean's absence:Provided that, in the case of a decision taken by the Chapter as to any matter other than one mentioned in paragraph (a) or (b) above, the Dean's consent shall be deemed to have been given for the purposes of paragraph (c) above after the expiry of one month following the date on which the decision was taken unless, within that period, the Dean requests the Chapter to reconsider the decision at the next meeting of the Chapter, in which case the matter shall be decided by a majority vote of those present and voting at that meeting, the Dean having a second or casting vote.

## 8 THE COLLEGE OF CANONS

- (1) At the request of the Bishop, the College shall give advice to the Bishop on any matter affecting the Cathedral Church or the Diocese.
- (2) Members of the College of Canons are expected to attend the Corporate Communion under the direction of the Bishop.
- (3)
  - (a) Meetings of the College shall be called by the Dean, in accordance with the Constitution, on the Dean's own motion, or on the written requisition of at least fourteen members of the College.
  - (b) The quorum for the transaction of business at a meeting of the College shall be twenty-six members
  - (c) Decisions shall be made by a majority of those present and voting.
  - (d) In the event of an equality of votes the Dean shall have a second or casting vote.
  - (e) In the absence of the Dean, the Sub-Dean or, failing the Sub-Dean, the next senior Residentiary Canon available (determined by length of tenure of stall) shall preside over the College of Canons, but shall not have a second or casting vote.



## 9 VACANCIES IN MEMBERSHIP

- (1) No proceedings of the Council, the Chapter or the College of Canons shall be invalidated by any vacancy in the membership or by any defect in the qualification or election of any member.

## 10 CATHEDRAL CHAPLAINS

- (1) There shall be one or more Cathedral Chaplains appointed to assist in the ministry and mission of the Cathedral. The appointments shall be made by the Chapter after consultation with the Bishop for a period of five years renewable for further periods of five years. Cathedral Chaplains who are Clerks in Holy Orders shall hold on appointment the Bishop's Licence or Permission to Officiate. Cathedral Chaplains shall be designated as Honorary Minor Canons.
- (2) The remuneration to be paid to each Cathedral Chaplain shall be determined by the Chapter.
- (3) Each Cathedral Chaplain shall make a promise to observe the customs and ordinances of the Cathedral.

## 11 THE SUCCENTOR

- (1) A Succentor may be appointed by the Chapter on such terms in respect of tenure, remuneration and duties as the Chapter may determine, and shall be designated as a Minor Canon.
- (2). It shall be the duty of the Succentor, in the absence of the Precentor or if the Precentor so directs:
  - (a) to be responsible in co-operation with the Director of Music for the pastoral care of the members of the choir; and
  - (b) to arrange for the performance of the music for the Services in the Cathedral Church.
- (3) When acting for the Precentor, the Succentor shall have all the powers of the Precentor. The Succentor shall have precedence over the Cathedral Chaplains.

## 12 THE DIRECTOR OF MUSIC AND OTHER MUSICIANS

- (1) Subject to the general control of the Dean, the Director of Music shall perform such duties as the Precentor may determine.
- (2) (a) There shall be as many Assistant Organists, Lay Clerks, Chanters and Choristers as the Chapter may determine.

- (b) The Assistant Organists shall be appointed by the Chapter on such terms in respect of tenure, remuneration and duties as the Chapter may determine.
  - (c) Lay Clerks, Chanters and Choristers shall be appointed by the Chapter on the nomination of the Precentor and the Director of Music upon such terms in respect of tenure, remuneration and duties as the Chapter may determine.
- (3) The Director of Music, Assistant Organists, Lay Clerks, Chanters and Choristers shall, upon appointment, be admitted to their offices by the Dean.

### 13 THE VERGERS

- (1) The Chapter may appoint a Head Verger and as many Assistant Vergers as may from time to time seem necessary on such terms and conditions as may be determined by the Chapter. The Vergers shall be concerned to uphold the dignity of worship in the Cathedral, to care for its security and to welcome all who enter it.

### 14 CHURCHWARDENS

- (1) There shall be two Churchwardens of the parish elected in accordance with the provisions of the general law relating to the appointment of churchwardens.
- (2) The Churchwardens shall be admitted to office by the Bishop or a person appointed by the Bishop (who may be the Dean).
- (3) The Churchwardens shall perform such duties as are required by law or agreed with the Chapter.
- (4) The Chapter may make provision for the appointment of not more than two Deputy Wardens. Any Deputy Warden or Deputy Wardens shall be appointed in the same way as the Churchwardens (but shall not legally be Churchwardens under the general law) and both Churchwardens and Deputy Wardens shall be designated as Cathedral Wardens.

### 15 THE CORPORATE COMMUNION

- (1) There shall in every year be a Corporate Celebration of the Holy Communion upon the Feast of the Visitation of Saint Mary the Blessed Virgin, unless the Bishop after consultation with the Chapter appoint otherwise. The Bishop, or, being absent, the Dean, or, being absent, the senior available Suffragan Bishop shall be the Celebrant. All members of the Chapter, College of Canons and the Council, and all ministers, officers and servants of the Cathedral Church shall attend the said Celebration unless prevented by sickness or other sufficient reason.

## 16 CATHEDRAL GUILDS

- (1) The Chapter shall establish such guilds as it may determine, and may delegate functions, powers and duties to any such guild.
- (2) The Dean or someone appointed by the Dean as representative shall be a member of each guild. The membership of each guild shall be approved by the Chapter. The chairman of each guild shall be appointed by the Chapter after consultation with the members of the guild.
- (3) The Guild of Stewards (sidesmen as in Canon E2) shall be responsible to the Churchwardens and members shall be appointed at the Annual Parochial Church Meeting.

## 17 ANNUAL MEETINGS

- (1) There shall be an annual meeting of parishioners for the purpose of electing Churchwardens.
- (2) There shall be an annual meeting of members of the church Electoral Roll of the parish (the Annual Parochial Church Meeting) for the purpose of receiving the customary reports, electing members of the Council and Chapter, appointing sidesmen and performing any other business as the Chapter shall determine.

## 18 BYE-LAWS

- (1) The Chapter may, subject to the Constitution and Statutes, make bye-laws regulating any matter within their jurisdiction as defined by the Constitution and Statutes, not being inconsistent therewith.

## 19 PATRONAGE

- (1) Subject to the Patronage (Benefices) Measure 1986, any presentations or nominations to benefices in the patronage of the Cathedral shall be exercised by the Chapter.

## 20 DIOCESAN SERVICES

- (1) At Diocesan services, the Clerical and Lay Vice-Presidents of the Diocesan Synod and the Rural Deans may be allocated seats by the Dean.

## 21 THE ORDER OF PRECEDENCE IN THE CATHEDRAL CHURCH

- (1) The order of precedence at services held in the Cathedral shall be as follows:
  - (i) the Bishop, any Suffragan Bishop or Assistant Bishop when representing the Bishop and those in attendance on the Bishop;
  - (ii) the Dean;
  - (iii) the Residentiary Canons;
  - (iv) any Suffragan Bishop or Assistant Bishop when not representing the Bishop;
  - (v) the Archdeacons;
  - (vi) the Honorary Canons ;
  - (vii) the Lay Canons ;
  - (viii) the Ecumenical Canons ;
  - (ix) the Minor Canons;
  - (x) the Honorary Minor Canons;
  - (xi) the Clerical and Lay Vice-Presidents of the Diocesan Synod; and
  - (xii) the Area Deans.
  
- (2) Any other person attending the service shall do so under the direction of the Precentor.