

# THE CATHEDRAL CHURCH OF ST THOMAS OF CANTERBURY, PORTSMOUTH

## THE STATUTES

### *Office holders*

#### **The Bishop**

1. (1) The Bishop has the principal seat and dignity in the Cathedral.
- (2) The Bishop may, after consultation with the Chapter and subject to the following provisions, officiate in the Cathedral and use it in the Bishop's work of teaching and mission, for ordinations and synods and for other diocesan occasions and purposes.
- (3) The Bishop may—
  - (a) celebrate the Holy Communion in the Cathedral on Christmas Day and Easter Day;
  - (b) preach at or appoint the preacher at one of the services in the Cathedral on Christmas Day and Easter Day;
  - (c) preach at or appoint the preacher at ordination services.

#### **The Dean**

2. (1) The Dean is the principal dignitary of the Cathedral, next after the Bishop.
- (2) The Dean, having been collated as Vicar by the Bishop, shall be installed according to the usage of the Cathedral, and at the installation take such oaths as may be prescribed by law.
- (3) Those appointed or elected to stipendiary or honorary positions shall be admitted to office by the Dean or some other member of the Chapter.
- (4) The Dean shall consult with the Bishop as to the arrangements for synods and visitations and the ordering of all services held by the Bishop, and shall see that such functions and services are conducted as the Bishop may determine.
- (5) The Dean shall have the right to arrange the order of seating at all services.

### *The Chapter: general*

#### **Corporate and spiritual life**

3. (1) The Chapter is at heart of the Cathedral's corporate and spiritual life. Its members pray for the Cathedral, its mission, each other and the communities they serve.
- (2) All members of Chapter and its sub-committees work together to support and uphold the Cathedral's vision and strategy, its reputation, mission and ministry through independent scrutiny and oversight.
- (3) When opportunities arise for the Chapter members to develop their governance skills and understanding, individually or collectively, members will be encouraged and wherever possible, resourced to do so.

## *The Chapter: election of non-executive members*

### **Appointment of presiding officer**

4. Where the Constitution requires there to be an election of a non-executive member of the Chapter, the Chapter must appoint a presiding officer for the election.

### **Role description**

5. (1) The Chapter, having appointed a presiding officer for an election, must direct the Nominations Committee to prepare a description of the post to be filled by the election (a “role description”).
  - (2) The role description must list the skills which the Nominations Committee considers essential in the post and skills which it considers desirable.
  - (3) The Nominations Committee must submit the role description to the Chapter for approval.
  - (4) The Chapter, having approved the role description, must direct the presiding officer to ensure that notice of an election to fill the post is displayed on the Cathedral’s website for a period of at least four weeks.

### **Invitation to nominate candidate**

6. (1) The presiding officer must, within the first five working days of the period for which the notice is displayed under Article 5(4) above, send an invitation to nominate by email<sup>1</sup> to—
  - (a) each member of the Chapter,
  - (b) each member of a committee or sub-committee of the Chapter who is not also a member of the Chapter,
  - (c) each person listed on the church electoral roll of the Parish
  - (d) each person listed on the Cathedral community roll
- (2) The invitation to nominate must specify—
  - (a) the criteria for eligibility for membership of the Chapter,
  - (b) the role description prepared for the post under Article 5 above,
  - (c) information about what a candidate would need to demonstrate to fit the role description,
  - (d) how to submit a completed nomination to the presiding officer, and
  - (e) the period for submitting a completed nomination.
- (3) Subject to that, it is for the Chapter to determine the form of the invitation to nominate.
- (4) It is for the presiding officer to determine the length of the period to be specified under paragraph (2)(e); and the period determined must be at least seven days but no more than fourteen days.

### **Nomination of candidate**

7. (1) A nomination in response to an invitation to nominate under Article 6 above must be supported by a proposer and a seconder, each of whom must come within Article 6(1).
- (2) A nomination is valid only if the person nominated—
  - (a) is eligible to be a member of the Chapter,

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<sup>1</sup> Electronic communications and ballots have been suggested for the entire process, as these are the simplest administratively and least costly to run. If not appropriate for your Cathedral, or if you consider additional options are needed where some of those to be contacted have limited or no access to email, amend accordingly.

- (b) is not disqualified from being a charity trustee, and
  - (c) confirms his or her willingness to stand for election and, if elected, to serve as a member of the Chapter and a charity trustee.
- (3) A person is not to be included as a candidate for the election unless—
- (a) a valid nomination for the person is submitted to the presiding officer before the end of the period determined under Article 6(4) above, and
  - (b) the Bishop, the Chapter and the Nominations Committee, each being satisfied that the person is suitable to be a member of the Chapter, approve the person's candidacy.
- (4) If a person's candidacy is not approved under paragraph (3)(b), the person is entitled to be given the reasons for the decision not to approve it.

### **Conduct of election**

8. (1) If the number of persons included as candidates under Article 7 above does not exceed the number of posts to be filled, each candidate is elected.
- (2) If the number of such persons exceeds the number of posts to be filled, an election must take place under the following provisions.
- (3) The election is to be conducted by the single transferable vote system.
- (4) The presiding officer must ensure that a suitable mechanism for conducting the election by electronic means is in place.
- (5) The presiding officer must determine the period within which votes may be cast; and that period must be at least fourteen days beginning with the day on which invitations to vote are issued.
- (6) The presiding officer must issue by email to each person entitled to vote in the election an invitation to vote; and the invitation to vote must be accompanied by—
- (a) instructions on how to vote, including the date on which the period determined under paragraph (5) ends, and
  - (b) if a candidate has prepared an election address that is suitable for circulation, a copy of that election address.
- (7) A vote in the election is valid only if it is cast by following the instructions on how to vote accompanying the invitation to vote.
- (8) The presiding officer must cause the votes to be counted, must declare the result of the election and must ensure that the result—
- (a) is published on the Cathedral's website within two working days of the last day of the period determined under paragraph (5), and
  - (b) is sent by email to each candidate and each person entitled to vote in the election.
- (9) If there is a tied vote between candidates for a single post, the candidate to be elected is chosen by lot.

### **Election appeals**

9. (1) An appeal against the result of an election under Article 8 above may be made on the grounds that the conduct of the election was such as to affect the outcome of the election.
- (2) An appeal under this Article may be brought by a candidate or voter in the election; and the appeal is to be determined by the Bishop.

- (3) The provisions in the Church Representation Rules relating to appeals apply, with whatever modifications are necessary, to an appeal under this Article as if it were a summary election appeal within the meaning of those Rules.

### *Nominations Committee*

#### **Composition etc.**

10. (1) The Nominations Committee must have at least five members.
- (2) It is for the Chapter to appoint the members of the Committee, at least one of whom must be a non-executive member of the Chapter.
- (3) It is for the Chapter to appoint the chair of the Committee, but that person may not be an executive member of the Chapter.
- (4) The Chapter may remove a member of the Committee from office if—
  - (a) there is a good reason for the removal including breach of any code of conduct applying to Chapter members, and
  - (b) at least 75% of members present and voting vote in favour of the removal (either at a meeting or by written resolution).
- (5) A member of the Committee holds office as such for a term of up to three years and may be reappointed; but a member who has served more than two consecutive terms is not eligible for appointment as a member, until at least one year has passed since the member last ceased to hold office as such.
- (6) If, at the invitation of the Committee, any chief officer or member of the Chapter who is not a member of the Committee attends the whole or part of a meeting of the Committee, the person may speak but not vote.
- (7) If, at the invitation of the Committee, any other person attends the whole or part of a meeting of the Committee, the person may speak, but only at the discretion of the chair, and may not vote.

#### **Functions**

11. (1) The Nominations Committee must advise the Chapter on—
  - (a) the recruitment and appointment of non-executive members,
  - (b) the recruitment and appointment of members of committees of the Chapter,
  - (c) the training needs of members of the Chapter,
  - (d) the recruitment and appointment of members of any advisory body for which Chapter has agreed terms of reference,
  - (e) the procedure for the selection and approval of candidates for election as non-executive members.
- (2) The Nominations Committee must—
  - (a) keep under review the skills, knowledge and experience of, and the diversity among, members of the Chapter, members of each committee (including the Nominations Committee itself) and members of each sub-committee.
  - (b) where, in light of a review under sub-paragraph (a), the Committee identifies areas where improvements are required, make recommendations to the Chapter on how to make those improvements.
- (3) The Nominations Committee must liaise and co-operate with each other committee and each sub-committee of the Chapter.

- (4) The Nominations Committee must recommend to the Bishop candidates for the role of senior non-executive member.

### **Proceedings**

12. (1) It is for either of the chief officers, at the request of the chair of the Nominations Committee, to convene a meeting of the Committee.
- (2) The Committee must meet at least twice each year.
- (3) Notice of a meeting of the Committee must, unless otherwise agreed, be given to each member of the Committee, and to each person invited to attend the meeting by virtue of Article 10(6) above, at least five working days before the date of the meeting. Provided that in exceptional or urgent circumstances and with the agreement of the majority of the Committee a meeting may be called at shorter notice.
- (4) In the case of each person invited to attend a meeting of the Committee by virtue of Article 10(7) above, notice of the meeting must be given to the person as soon as reasonably practicable before the meeting.
- (5) Notice of a meeting of the Committee—
  - (a) must specify when and where the meeting is to be held,
  - (b) must include an agenda for the meeting, and
  - (c) must, subject to paragraph (6), be accompanied by the relevant papers for the meeting.
- (6) In so far as it is not reasonably practicable for the relevant papers for a meeting of the Committee to accompany the notice of the meeting, the papers must as soon as reasonably practicable be given to each person to whom the notice was given.
- (7) The quorum for a meeting of the Committee is three members, at least one of whom must be a non-executive member of the Chapter.
- (8) Articles 12(6) and (7) of the Constitution (remote participation) apply to a meeting of the Committee as they apply to a meeting of the Chapter.
- (9) Article 13 of the Constitution (Decisions without meetings) applies to a meeting of the Committee as it applies to a meeting of the Chapter.

### **Reporting**

13. (1) A draft of the minutes of each meeting of the Nominations Committee must be reviewed by the Chair and then circulated promptly to each member of the Committee. The minutes must then be approved by the Committee at its next meeting or by written resolution.
- (2) Once the minutes of a meeting of the Committee are approved and signed by the Chair as an accurate record of proceedings, the minutes—
  - (a) must be sent to every member of the Chapter and the chief officers, and
  - (b) may be sent to such other persons as the Committee thinks appropriate.<sup>2</sup>
- (3) The Chapter must consider any matters arising from the minutes of a meeting of the Committee.

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<sup>2</sup> Consider whether you want to include a requirement for minutes to be sent to the chief officers.

## **Terms of reference**

14. The Chapter has the power under section 15(8) of the Measure to set terms of reference for the Nominations Committee in relation to its functions, proceedings and reporting requirements but subject to the requirements of the Measure, the Constitution and these Statutes.

### *Finance Committee*

#### **Composition etc.**

15. (1) The Finance Committee must have at least five members.
- (2) It is for the Chapter to appoint the members of the Committee, following consultation with the Nominations Committee.
- (3) It is for the Chapter to appoint the chair of the Committee; and that person must have recent and relevant financial experience and must be a non-executive member of the Chapter<sup>3</sup>.
- (4) The Chapter may remove a member of the Committee from office if—
- (a) there is a good reason for the removal including breach of any code of conduct applying to Chapter members, and
  - (b) at least 75% of members present and voting vote in favour of the removal (either at a meeting or by written resolution).
- (5) A member of the Committee holds office as such for a term of up to three years and may be reappointed. A member who has served more than three consecutive terms is not eligible for appointment as a member, until at least one year has passed since the member last ceased to hold office as such.
- (6) The Dean is not entitled to be a member of the Committee but is entitled to attend the whole or part of a meeting of the Committee, and at any meeting which the Dean attends, he or she may speak but may not vote.
- (7) The chief officers must each attend each meeting of the Committee unless the Committee considers that there are circumstances which justify excluding or excusing either or both of the chief officers from the whole or part of the meeting; and a chief officer, when attending the whole or part of a meeting of the Committee, may speak but not vote.
- (8) If, at the invitation of the Committee, any member of the Chapter attends the whole or part of a meeting of the Committee, the person may speak but not vote.
- (9) If, at the invitation of the Committee, any other person attends the whole or part of a meeting of the Committee, the person may speak, but only at the discretion of the chair, and may not vote.

#### **Functions**

16. (1) The Finance Committee must keep under review the activities and management of the Cathedral in relation to such matters as the Chapter specifies in terms of reference for the Committee.
- (2) Section 16(8) of the Measure requires the Chapter, in providing the terms of reference referred to in paragraph (1), to have due regard to any guidance issued by the Church Commissioners on the responsibilities of a Finance Committee.

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<sup>3</sup> Some Chapters may wish to appoint the SNEM as the Finance Committee chair. However, this should not be set out in the Statutes as it will preclude the appointment of a SNEM who may not have the required “recent and relevant financial experience” but may have other valuable skills needed by the Chapter.

- (3) The Chapter may seek the advice of the Finance Committee on the appropriate oversight of the management of risk and internal and external audit arrangements at the Cathedral in accordance with Article 29 paragraph (1) of the Constitution.

### **Proceedings**

17. (1) It is for either of the chief officers, at the request of the chair of the Finance Committee, to convene a meeting of the Committee.
- (2) The Committee must meet at least four times each year.
- (3) Notice of a meeting of the Committee must, unless otherwise agreed, be given to each member of the Committee, and to each person entitled or invited to attend the meeting by virtue of Article 15(6) or (7) above, at least five working days before the date of the meeting. Provided that in exceptional or urgent circumstances and with the agreement of the majority of the Committee a meeting may be called at shorter notice.
- (4) In the case of each person invited to attend a meeting of the Committee by virtue of Article 15(8) above, notice of the meeting must be given to the person as soon as reasonably practicable before the meeting.
- (5) Notice of a meeting of the Committee—
  - (a) must specify when and where the meeting is to be held,
  - (b) must include an agenda for the meeting, and
  - (c) must be accompanied by the relevant papers for the meeting.
- (6) In so far as it is not reasonably practicable for the relevant papers for a meeting of the Committee to accompany the notice of the meeting, the papers must as soon as reasonably practicable be given to each person to whom the notice was given.
- (7) The quorum for a meeting of the Committee is three members, at least one of whom must be a non-executive member of the Chapter.
- (8) Articles 12(6) and (7) of the Constitution (remote participation) apply to a meeting of the Committee as they apply to a meeting of the Chapter.
- (9) Article 13 of the Constitution (Decisions without meetings) applies to a meeting of the Committee as it applies to a meeting of the Chapter.

### **Reporting**

18. (1) A draft of the minutes of each meeting of the Finance Committee must be reviewed by the Chair and then circulated promptly to each member. The minutes must then be approved by the Committee at its next meeting or by written resolution.
- (2) Once the minutes of a meeting of the Committee are approved and signed by the Chair as an accurate record of proceedings, the minutes—
  - (a) must be sent to every member of the Chapter and the chief officers, and
  - (b) may be sent to such other persons as the Committee thinks appropriate.
- (3) The Chapter must consider any matters arising from the minutes of a meeting of the Committee.

### **Terms of reference**

19. The Chapter has the power under section 16(11) of the Measure to set terms of reference for the Finance Committee in relation to its functions, proceedings and reporting requirements but subject to the requirements of the Measure, the Constitution and these Statutes.

### *Other committees and sub-committees*

#### **Committees: composition etc.**

- 20.** (1) A committee of the Chapter established under the Constitution must have at least three members.
- (2) It is for the Chapter to appoint the members of the committee, at least one of whom must be a member of the Chapter, following consultation with the Nominations Committee.
- (3) It is for the Chapter to appoint the chair of the committee; and that person may, but need not, be a member of the Chapter.
- (4) The Chapter may remove a member of the committee from office if—
- (a) there is a good reason for the removal including breach of any code of conduct applying to Chapter members, and
  - (b) at least 75% of members present and voting vote in favour of the removal (either at a meeting or by written resolution).
- (5) A member of the committee holds office as such for a term of up to three years and may be reappointed; but a member who has served more than two consecutive terms is not eligible for election, or for appointment or co-option as a member, until at least one year has passed since the member last ceased to hold office as such.
- (6) A member of the Senior Management Team is entitled to attend the whole or part of a meeting of the committee and is entitled to speak but not vote.
- (7) A chief officer, any member of the Chapter, the Dean, the senior non-executive member is entitled to attend the whole or part of any meeting of the committee and is entitled to speak but not vote.
- (8) If, at the invitation of the committee, any other person attends the whole or part of a meeting of the committee, the person may speak, but only at the discretion of the Chair, and may not vote.

#### **Sub-committees: composition**

- 21.** (1) A sub-committee established under the Constitution must have at least three members.
- (2) It is for the committee under which the sub-committee sits to appoint the members of the sub-committee.
- (3) It is for the Chapter to appoint the chair of the sub-committee.
- (4) At least one member of the sub-committee must be a member of the committee under which the sub-committee sits.
- (5) The Chapter may remove a member of the sub-committee from office if—
- (a) there is a good reason for the removal including breach of any code of conduct applying to Chapter members, and
  - (b) at least 75% of members present and voting vote in favour of the removal (either at a meeting or by written resolution).
- (6) A member of the sub-committee holds office as such for a term of up to three years and may be reappointed. A member who has served more than two consecutive terms is not eligible for election, or for appointment or co-option as a member, until at least one year has passed since the member last ceased to hold office as such.
- (7) A member of the Senior Management Team is entitled to attend the whole or part of a meeting of the sub-committee and is entitled to speak but not vote.



## **Functions**

- 22.** The functions of each committee or sub-committee established under the Constitution are set out in the terms of reference for that committee or sub-committee.

## **Proceedings**

- 23.** (1) It is for the chief officers, at the request of the chair of a committee or sub-committee established under the Constitution, to convene a meeting of the committee or sub-committee.
- (2) Notice of a meeting of the committee or sub-committee must, unless otherwise agreed, be given to each of its members, and to each person entitled or invited to attend the meeting by virtue of Article 20(6) or (7) or 21(7) above, at least five working days before the date of the meeting. Provided that in exceptional or urgent circumstances and with the agreement of the majority of the Committee a meeting may be called at shorter notice.
- (3) In the case of each person invited to attend a meeting of the committee by virtue of Article 20(8) above, notice of the meeting must be given to the person as soon as reasonably practicable before the meeting.
- (4) Notice of a meeting of the committee or sub-committee—
- (a) must specify when and where the meeting is to be held,
  - (b) must include an agenda for the meeting, and
  - (c) must be accompanied by the relevant papers for the meeting.
- (5) In so far as it is not reasonably practicable for the relevant papers for a meeting of the committee or sub-committee to accompany the notice of the meeting, the papers must as soon as is reasonably practicable be given to each person to whom the notice was given.
- (6) The quorum for a meeting of the committee or sub-committee is three members.
- (7) Articles 12(6) and (7) of the Constitution (remote participation) apply to a meeting of the committee or sub-committee as they apply to a meeting of the Chapter.
- (8) Article 13 of the Constitution (Decisions without meetings) applies to a meeting of the Committee as it applies to a meeting of the Chapter.

## **Reporting**

- 24.** (1) The terms of reference of a committee or sub-committee established under the Constitution make provision as to the reporting of proceedings of its meetings to the Chapter.
- (2) A draft of the minutes of each meeting of the committee or sub-committee must be reviewed by the Chair and then circulated promptly to each of its members of the Committee. The minutes must then be approved by the Committee at its next meeting or by written resolution.
- (3) Once the minutes of a meeting are approved and signed by the Chair as an accurate record of proceedings, the minutes—
- (a) must be sent to every member of the Chapter, and
  - (b) may be sent to such other persons as the committee or sub-committee thinks appropriate.

## **Terms of reference**

- 25.** The Chapter has the power under section 17(6) of the Measure to set terms of reference for each committee or sub-committee established under the Constitution in relation to its functions, proceedings and reporting requirements but subject to the requirements of the Measure, the Constitution and these Statutes.

### *Advisory bodies*

26. (1) The principal function of any advisory body is to advise the Chapter on the matters relating to the Cathedral which the Chapter from time to time assigns to it; and the composition and proceedings of the advisory body should be such as to support the exercise of that function.
- (2) The Chapter has the power under section 18(4) of the Measure to set terms of reference for one or more advisory bodies in relation to its composition, functions, proceedings and reporting requirements but subject to the requirements of the Measure, the Constitution and these Statutes.

### *Senior Management*

#### **Chief officers**

27. The chief officer(s) appointed by Chapter pursuant to Article 23 of the Constitution shall be appointed on such terms in respect of tenure, remuneration and duties as the Chapter may determine.

#### **Establishment**

28. There is to be a group called the Senior Management Team, concerned with the management of the Cathedral, with terms of reference determined by the Chapter.

#### **Membership**

29. The members of the Senior Management Team are—
- (a) the Dean,
  - (b) each residentiary canon with responsibility for a department of the Cathedral or for part of its operations,
  - (c) the chief officers, and
  - (d) such other members of staff (whether lay or clergy) as the Chapter considers appropriate.

#### **Functions**

30. The Senior Management Team shall be responsible for the day to day operational management of the Cathedral and the implementation of the strategy and vision for the Cathedral as determined by the Chapter from time to time. In carrying out its role the Senior Management Team will regulate its proceedings in accordance with any Terms of Reference and Statement of Delegated Authority adopted by the Chapter from time to time.

#### **Proceedings**

31. The Senior Management Team shall meet as regularly as it sees fit from time to time, and shall make provision for its own proceedings, with the agreement of the Dean, and Chapter's approval.

#### **Accountability**

32. The Senior Management Team is accountable to Chapter.

#### **Committees**

33. (1) The Senior Management Team may establish one or more committees for dealing with matters relating to the day to day running of the Cathedral.
- (2) In the case of each committee established under this Article, the Senior Management Team must specify in writing the matters which come within the committee's remit.

- (3) The Senior Management Team must appoint the members of each committee so established.
- (4) The chair of each committee so established must be a member of the Senior Management Team; but subject to that, the membership of the committee need not include a member of staff or a member of the Chapter.
- (5) Each committee so established must report to the Senior Management Team in accordance with such requirements as the Senior Management Team may specify in writing.
- (6) Each committee so established may regulate its own procedure, subject to such rules as the Senior Management Team may specify in writing.

### *Dignities*

#### **Vice Dean**

34. (1) This Article 34 is without prejudice to the rights and obligations of the Bishop under section 13 of the Measure and Article 19 of the Constitution to appoint an Interim Dean. For the purpose of this Article and throughout the Statutes the term “Dean” includes any “Interim Dean” appointed pursuant to Article 19 of the Constitution.
- (2) The Dean may, in consultation with the Chapter, appoint one of the residentiary canons as Vice Dean. If the Dean is temporarily absent, the duties of the Dean shall be undertaken by the Vice-Dean save for (a) those steps set out in Article 18(3) of the Constitution, which shall not be taken without the consent of the Dean as defined in that Article, and (b) the chairing of Chapter meetings, which is the duty of the senior non-executive member in the absence of the Dean under and subject to Article 12 of the Constitution.

#### **Cathedral Wardens**

35. (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 as the Bishop’s substitute (who may be the Dean).
- (3) The churchwardens shall perform such duties as are required by law or agreed with the Chapter.
- (4) The churchwardens shall be known as “Cathedral Wardens”.
- (5) The Chapter may make provision for the appointment of not more than four 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 for the avoidance of doubt shall not qualify as Cathedral Warden Members of the Chapter under the Constitution.

#### **Honorary and lay canons**

36. (1) Each honorary (non-residentiary) canon and lay canon shall be admitted to office by the Bishop and be installed by the Dean according to the usage of the Cathedral, and shall take such oaths as may be prescribed by law or custom.
- (2) Honorary canons and lay canons shall seek to contribute to the corporate life of the Cathedral and to promote its mission and service.
- (3) Each honorary canon may be invited by the Dean to preach or preside at the Holy Communion in the Cathedral from time to time, subject to the rights of others according to the Constitution and Statutes.

### **Canons theologian**

- 37.** (1) There shall be not more than three canons theologian, lay or ordained, who shall be people of learning appointed by the Bishop after consultation with the Dean in addition to the non-residentiary canons and lay canons.
- (2) Subject to paragraphs (3) and (4) below a canon theologian shall hold office for a term of five years and shall be eligible for reappointment for further such terms.
- (3) A canon theologian shall vacate office on reaching 70 years of age.
- (4) The Bishop may after consultation with the Dean, for such reasons as he or she may in his or her absolute discretion may determine, require a canon theologian to vacate his or her office as such.
- (5) Each canon theologian shall be admitted to office by the Bishop and be installed by the Dean according to the usage of the Cathedral, and shall take such oaths as be prescribed by law or custom.
- (6) Canons theologian shall contribute to the teaching ministry of the Diocese and promote its mission and ministry.
- (7) The holder of the title of canon theologian shall not by virtue of that title be a member of the College of Canons.

### **Canons of Honour**

- 38.** (1) Subject to the following provisions of this statute there shall be not more than six Canons of Honour who shall be appointed by the Bishop with the agreement of the Dean after consultation with the Chapter. Up three of these may be from among persons who are members of Christian churches and congregations other than churches of the Anglican Communion and hold some position or perform some function which in the Bishop's opinion is or should be connected with the Diocese or Cathedral. A title conferred under this provision shall constitute a dignity in the cathedral but not an office and, in particular, the holder shall not by virtue of that title be a canon for the purposes of the Measure, nor a member of the Chapter nor a member of the College of Canons.
- (2) Subject to and so far as permitted by law, a Canon of Honour may take such part in the Services of the Cathedral as the Chapter may determine.
- (3) Canons of Honour shall be appointed to such canonry for an initial period of five years, renewable for a single additional period of three years. On the expiration of such appointment, or earlier on the Canon of Honour ceasing to hold the position or perform the function set out at paragraph (1) above, such Canon of Honour shall vacate the canonry automatically and without the execution of any instrument of resignation unless the Bishop otherwise determines.

### **Dean Emeritus**

- 39.** The Bishop may offer the title of Dean Emeritus to any Dean vacating the office of Dean. The title of Dean Emeritus carries no rights or responsibilities save to maintain the good name of the Cathedral and to pray for its ministry.

### **Canon Emeritus**

- 40.** The Bishop may offer the title of Canon Emeritus to any Canon vacating the office of Canon. The title of Canon Emeritus carries no rights or responsibilities save to maintain the good name of the Cathedral and to pray for its ministry.

## *Residence*

### **Residence for residentiary canons**

- 41.** (1) The residentiary canons shall undertake such duties in the Cathedral as determined by the Bishop in consultation with the Chapter from time to time, which may include, without limitation, pastoral and liturgical duties and assisting the Dean with the overall management of the Cathedral;
- (2) Any residential canon may be given a particular title by the Bishop in consultation with the Chapter in connection with the duties they perform or otherwise;
- (3) Subject to the rights exercisable by any other person in accordance with the Constitution and Statutes, each of the residentiary canons shall have the duty of preaching, and the right of celebrating the Holy Communion;
- (4) The residentiary canons shall endeavour to strengthen the whole corporate life, worship and work of the Cathedral and to promote the mission and service of the Cathedral in the Diocese.
- (5) Each residentiary canon shall make such declarations and take such oaths as may be prescribed by law and/or custom;
- (6) Subject to the provisions of their Statement of Particulars, each residentiary canon for whom a house is provided shall live in it while holding that office.

## *Worship*

### **Divine Service and preaching**

- 42.** (1) The Dean shall ensure the Divine Service is duly performed in the Cathedral Church in accordance with the Canons of the Church of England.
- (2) The liturgy of Diocesan Services in the Cathedral shall be ordered by the Bishop, or by those appointed by him or her, in consultation with the Chapter.
- (3) No other person than a Clerk in Holy Orders or a Licensed Lay Minister of the Church of England or of a Church in communion therewith shall be permitted to preach in the Cathedral Church without the consent of the Dean.
- (4) The Dean and Residentiary Canons shall be regular in attendance at daily worship.

### **Order of precedence**

- 43.** (1) The order of precedence in processions at services held in the Cathedral Church shall be as follows:
- (a) the Bishop, or any commissary appointed by the Bishop to perform episcopal acts in the Cathedral;
- (b) any Area or Suffragan Bishop or Assistant Bishop when representing the Bishop;
- (c) the Dean;
- (d) any Area or Suffragan Bishop or Assistant Bishop when not representing the Bishop;
- (e) the Archdeacons;
- (f) the Residentiary Canons;
- (g) lay members of the Chapter;
- (h) the Honorary Canons, according to the seniority of their appointment;
- (i) the Canons of Honour;

- (j) the Lay Canons;
- (k) those upon whom an Emeritus title has been conferred;
- (l) the Assistant Clergy of the Cathedral Church and Licensed Lay Ministers.

When attending the Bishop in the Cathedral, the Chancellor of the Diocese and the Diocesan Registrar process before the Bishop.

Any questions as to the order of precedence not covered by these Statutes shall be determined by the Dean.

#### **Music, choir etc.**

- 44. (1) The Chapter shall appoint on such terms as it may determine from time to time a Director of Music, who may also be known by the title of “Organist and Master of the Choristers”.
- (2) The Chapter may appoint as many vergers, organists, organ scholars, choral scholars, lay clerks, choristers and probationary choristers on such terms as it may from time to time determine.
- (3) The Chapter shall make such provision for the religious, general and musical education of the choristers as it may consider suitable.

### *Miscellaneous*

#### **Execution of documents**

- 45. A document which is not required to be executed by the application of the Chapter’s seal is validly executed by the Chapter if it is signed on behalf of the Chapter by two members of the Chapter, or by one member of the Chapter and one of the chief officers, each of whom is authorised to sign the document by written resolution of the Chapter (whether specially or generally).

#### **Power to establish subsidiaries**

- 46. (1) The Chapter may, for the purpose of securing the good government of the Cathedral, establish subsidiary companies.
- (2) The Chapter may itself become a member of a company established under this Article.
- (3) In this Article, “company” includes any body corporate.

#### **Archaeologist**

- 47. Section 23(2) of the Care of Cathedrals Measure 2011 requires the Chapter to appoint a cathedral archaeologist.

#### **Patronage**

- 48. The power of presentation or nomination to a benefice in the patronage of the Cathedral is exercisable by the Chapter or a patronage committee of the Chapter.

#### **Parish church**

- 49. The whole of the Cathedral is to be the Parish church.

### *Amendments to Statutes*

#### **Amendments**

- 50. The procedure for making amendments to these Statutes is set out in sections 31 to 34 of the Measure.

## *Interpretation*

### **Interpretation**

**51.** (1) In these Statutes—

“the Bishop” means the Bishop of Portsmouth (but see paragraph (2));

“the Cathedral” means the Cathedral Church of Saint Thomas of Canterbury in Portsmouth;

“the Measure” means the Cathedrals Measure 2021;

“electronic means” has the meaning given to it in section 1168 of the Companies Act 2006<sup>4</sup>;

“the Constitution” means the constitution of the Chapter adopted pursuant to the Measure and as revised from time to time;

“Canons of the Church of England” means the canons of the Church of England from time to time;

“Cathedral Warden” means a person elected as the Churchwarden of the Parish from time to time;

“Master of Choristers” means the Director of Music appointed by the Chapter in accordance with Article 44;

“the Parish” means the Parish of Saint Thomas of Canterbury, Portsea being the parish for which the Cathedral is the parish church;

“Statement of Particulars” means the statement of particulars which apply to any residentiary canon setting out the terms of their appointment;

“working day” means a day which is not a Saturday or Sunday, Christmas Day, Good Friday or a bank holiday in England under the Banking and Financial Dealings Act 1971;

- (2) Where the functions of the Bishop are being exercised by another bishop in accordance with an instrument made under section 13 or 14 of the Dioceses, Pastoral and Mission Measure 2007, the references in these Statutes to the Bishop are to be read as references to that other bishop.
- (3) A reference in these Statutes to a provision of the Measure is to be read as a reference to that provision as for the time being amended, extended or applied by or under any other Measure.
- (4) Subject to that, the Interpretation Act 1978 applies to these Statutes.

## *Revocation*

### **Revocation**

**52.** The Statutes of the Cathedral made on the 27<sup>th</sup> day of November 2000 as revised on the 17<sup>th</sup> day of December 2002 and on the 16<sup>th</sup> day of July 2012 and on the 24<sup>th</sup> day of January 2019 cease to have effect.

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<sup>4</sup> <https://www.legislation.gov.uk/ukpga/2006/46/section/1168>