

what does the position of
CHURCHWARDEN
OR PARISH COUNCILLOR
INVOLVE?



Churchwardens and parish councillors play an important role in ensuring that churches and parishes are effectively administered. This will in turn assist the mission of the church or parish.

This brochure provides an overview of what the positions of churchwarden and parish councillor involve.

Churchwardens

How many churchwardens are there?

Each church usually has three churchwardens. Two churchwardens are elected at the annual vestry meeting and one is appointed by the minister at that meeting or shortly afterwards.

Who can become a churchwarden?

You can become a churchwarden if you are:

- a parishioner of the relevant church; and
- at least 18 years of age; and
- a communicant member of the Anglican Church of Australia.

Note: For the purposes of the Church Administration Ordinance 1990, the term “communicant member”, includes a person who is a member of the Anglican Church of Australia and who partakes regularly in the Holy Communion or the Lord’s Supper.

However you cannot be a churchwarden if you are:

- the spouse of an ordained person licensed to the parish (minister, senior assistant minister or assistant minister); or
- an employee paid from the funds of the parish or church; or
- an insolvent under administration; or
- a prohibited person as defined by the Child Protection (Prohibited Employment) Act 1998.

Spouses cannot be churchwardens of the same church at the same time.

Before becoming a churchwarden or within seven days

thereafter, you must make this declaration:

“I declare that I am a communicant member of the Anglican Church of Australia and am not a prohibited person within the meaning of the Child Protection (Prohibited Employment) Act 1998.”

When do you cease to be a churchwarden?

You are a churchwarden until your successor is elected or appointed. However you cease to be a churchwarden before that time if you:

- die; or
- resign; or
- become an insolvent under administration; or
- become mentally ill or otherwise incapable; or
- become an employee who is paid from the funds of the parish or church; or
- become a prohibited person as defined by the Child Protection (Prohibited Employment) Act 1998; or
- fail to make the above declaration before or within seven days of becoming a churchwarden.

What are the churchwardens' responsibilities?

The churchwardens' main responsibilities are set out in the Church Administration Ordinance 1990, a copy of which can be found on our web site www.sds.asn.au under the 'For Churchwardens & Parish Councillors' section. They include:

- convening annual and other vestry meetings in conjunction with the minister;
- controlling and administering all money and property of the church (with some exceptions);
- collecting and counting all offertories given to the church and recording them in the register of service;
- keeping books of account of all money received and expended by the churchwardens;
- ensuring the church building and its grounds are maintained;
- paying to the churchwardens of the principal church the amounts determined by the parish council toward the expenses of the parish;

- preparing various financial statements, arranging for these to be audited and making copies of the statements available for inspection no later than the Sunday before the annual vestry meeting;
- arranging repairs to the church (including fixtures, fittings and furniture), rectory, hall(s) and other buildings;
- ensuring any property of the church listed on the State Heritage register is maintained to the relevant minimum standards; and
- granting licences to permit outside persons and groups to use church property (subject to conditions).

In a parish with more than one church, the responsibilities of the churchwardens of the principal church also include:

- controlling and administering any money and property of the parish that does not belong to a specific church (with some exceptions);
- paying stipends and other amounts to persons entitled to receive them as authorised by the parish council; and
- preparing separate financial statements for money held for the parish as a whole, arranging for these to be audited and making copies of the statements available for inspection no later than the Sunday before the annual vestry meeting of the principal church.

The churchwardens are also responsible for certain obligations arising from State and Federal laws. These include ensuring the parish's responsibilities are met in relation to:

- employment relations;
- occupational health and safety;
- child protection; and
- taxation.

A number of guides and circulars have been produced to assist churchwardens in each of these areas of responsibility. Guides on employment relations, parish risk management, child protection and taxation have previously been circulated to all parishes. Further copies may be obtained by contacting Lois Robinson on (02) 9265 1614.

How do the churchwardens make decisions?

Ideally, the decision-making process will include all three churchwardens acting unanimously. If one churchwarden is unable to be consulted, or does not agree with the others on a particular issue, a decision may still be made by the remaining two churchwardens.

Can the churchwardens ask other people to help them?

Although the churchwardens are responsible for various functions, they can arrange for other persons to perform some of these functions on their behalf. In particular, if one of the churchwardens is not prepared to act as treasurer, they may appoint another person to act as treasurer with the approval of the minister.

The churchwardens' ability to delegate the performance of some of their responsibilities to others is important, particularly in larger churches.

Parish Councillors

What is the composition of the parish council?

The parish council is usually made up of:

- the minister;
- the churchwardens of the principal or only church of the parish;
- three, six or nine persons elected by the annual vestry meeting; and
- one person appointed by the minister for each three persons to be elected by the annual vestry meeting.

For parishes with more than one church, the parish council usually also includes one churchwarden from each branch church.

What if there is only one church in my parish and the annual vestry meeting decides not to have a parish council?

In this case, the responsibilities of the parish council are exercised by the minister and churchwardens.

Who can become a parish councillor?

You can become a parish councillor if you are:

- a parishioner of a church in the parish; and
- at least 18 years of age; and
- a communicant member* of the Anglican Church of Australia.

* Refer to definition above.

No later than 7 days after becoming a parish councillor you must make this declaration:

“I declare that I am a communicant member of the Anglican Church of Australia and am not a prohibited person within the meaning of the Child Protection (Prohibited Employment) Act 1998.”

When do you cease to be a parish councillor?

You are a parish councillor until your successor is elected or appointed at the next annual vestry meeting. However you will cease to be a parish councillor before that time if you:

- die; or
- resign; or
- become an insolvent under administration; or
- become mentally ill or otherwise incapable; or
- become a prohibited person as defined by the Child Protection (Prohibited Employment) Act 1998; or
- fail to make the declaration above before or within seven days after becoming a parish councillor.

What are the responsibilities of the parish council?

The main responsibilities of the parish council are set out in the Church Administration Ordinance 1990. They include:

- fixing the stipend of the minister and (with the minister's consent) the stipend or salary of any curate, catechist, deaconess or lay worker of the parish;

- determining how expenses of the parish are to be apportioned among the churches of the parish;
- conferring with the minister in the initiation, conduct and development of church work and making recommendations on ministry within the parish;
- consulting on any measure or project that is likely to affect the general interests of the parish;
- keeping minutes of the parish council's meetings;
- directing the expenditure or investment policy of any of the parish's surplus funds;
- appointing a qualified person to fill any vacancy in the position of auditor of the statements and accounts of the churchwardens;
- making donations for patriotic or charitable purposes or for the purposes of a Christian mission society whether local or foreign, Anglican or non-Anglican; and
- authorising payments and determining matters of policy in the control of the funds and property of each church in the parish. It is important to note that churchwardens exercise their responsibilities in respect of funds and property subject to parish council's authority in these areas.

What if my parish has adopted the Parishes (Special Administration) Ordinance 2004?

If your parish has adopted the Parishes (Special Administration) Ordinance 2004 it will have three wardens for the parish as a whole. The parish wardens also act as the churchwardens of each church in the parish. Two parish wardens are elected at the annual parish meeting and one is appointed by the minister.

Parish wardens have the same responsibility for each congregation of the parish and the buildings in which they meet, as churchwardens do for churches. Certain functions of the parish wardens are also to be exercised in respect of the parish as a whole.

Further information about the Parishes (Special Administration) Ordinance 2004 is available on the Diocesan web site at www.sds.asn.au in the 'For

Churchwardens & Parish Councillors' section, as a circular, entitled "Parishes Special Administration Start-up", dated 16 November 2004.

Further information and feedback

Further information on the matters covered in this brochure can be found on the Diocesan web site at www.sds.asn.au in the 'For Churchwardens & Parish Councillors' section. Alternatively, please contact our Legal Services Manager, Steve Lucas on (02) 9265 1647 or szl@sydney.anglican.asn.au or our Legal Officer, Priti Pasupuleti on (02) 9265 1613 or pxp@sydney.anglican.asn.au.

Other help

We can help churchwardens and parish councillors in carrying out their responsibilities. We provide an advisory service in legal, ministry staff remuneration, risk management, finance and accounting, insurance and property/building matters. Please call us on (02) 9265 1555 for assistance.



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