

CHICHESTER CATHEDRAL

CONSTITUTION and STATUTES

September 2015

C O N T E N T S

PREAMBLE

THE CONSTITUTION

THE STATUTES

CONSTITUTION AND STATUTES OF
THE CATHEDRAL CHURCH OF THE HOLY TRINITY
IN CHICHESTER

PREAMBLE

1. The Cathedral Church of the Holy Trinity in Chichester is the seat of the Bishop of Chichester and a centre of worship and mission.
2. The Cathedral Church of the Holy Trinity is one of the Cathedrals of the Old Foundation and hitherto has been governed for the most part by the Constitution and Statutes of 1968 and by custom. A new Constitution and Statutes were drawn up by the Transitional Council established in accordance with the Cathedrals Measure 1999, to replace those of 1968, and came into effect on 15 September 2000. The texts that follow incorporate amendments made to them by the Cathedral Council by an Instrument under sections 28 to 31 of the Measure with effective dates of 22 March 2004 and 4 September 2015.
3. The Constitution makes provision for the Council, the Chapter, the College of Canons, the Finance Committee, the Cathedral Community Roll, the Cathedral Community Committee and any other committees as may be required from time to time. It also provides for the relationship of these bodies with the Bishop, for the appointment of the Dean, Canons and certain Clerical and Lay Staff as well as for future amendments to the Constitution and Statutes. Procedures and other detailed requirements appear in the Statutes under similar headings.

THE CONSTITUTION

1. Overriding Duty
2. The Corporation
3. The Council
4. The Chapter
5. The College of Canons
6. The Visitor
7. The Dean
8. The Residentiary Canons
9. The Non-Residentiary Canons
10. The Lay Canons
11. The Canons of Honour
12. The Communar
13. The Chapter Clerk
14. The Surveyor of the Fabric
15. The Auditor
16. The Organist and Master of the Choristers
17. Other Officials, Staff and Consultants
18. The Finance Committee
19. The Cathedral Community Roll
20. The Cathedral Community Annual Meeting
21. The Cathedral Community Committee
22. Church Representation
23. Other Committees
24. General Provisions Applicable to the Constitution and Statutes
25. Interpretation

THE CONSTITUTION

1. **OVERRIDING DUTY**

Every person or body having functions under the Constitution and 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.

2. **THE CORPORATION**

The members for the time being of the Council, the Chapter and the College of Canons of the Cathedral Church of the Holy Trinity in Chichester shall be a body corporate with perpetual succession and a common seal (known as the Common Seal of the Cathedral) which shall be held and affixed by the Chapter when required.

3. **THE COUNCIL**

There shall be a Council established in accordance with the following provisions:

- a. **The Bishop** The Bishop shall have the right to attend all meetings and to speak but not to vote.
- b. **The Chairman** The Council shall have a Chairman who shall be a lay person, not being a member of the Chapter, appointed by the Bishop. Before appointing the Chairman, the Bishop shall afford the Chapter an opportunity to express views both in general as to the appointment and specifically as to any person proposed by the Bishop for appointment, and the Bishop shall have regard to those views in deciding whom to appoint.
- c. **Membership** The membership shall consist of:
 - i. the Chairman;
 - ii. the Dean;
 - iii. three other members of the Chapter chosen by the Chapter;
 - iv. two members of the College of Canons appointed by the College of Canons;
 - v. two lay persons, not being members of the Chapter, representing the interests of the Cathedral Community elected at the annual meeting of the Cathedral Community from amongst those on the Roll;

- vi. eight other persons having experience in connection with the work of the Cathedral or the ability to reflect local, diocesan, ecumenical or national interests in that connection. Special consideration will be given to: the Chairman of the Cathedral Development Trust, the Chairman of the Fabric Advisory Committee, the Chairman of the Finance Committee, representation from the Bishop's Council.

Such persons shall be appointed by the Bishop and the Chapter jointly.

- d. **Term of Office** Members of the Council (other than the Dean) shall hold office for a term of five years but shall be eligible for membership for further terms of office.
- e. **Duties** It shall be the duty of the Council to further and support the spiritual, pastoral, evangelistic, social and ecumenical work of the Cathedral, reviewing and advising upon the direction and oversight of that work by the Chapter and in particular, without prejudice to the generality of the foregoing, to:
 - i. consider proposals submitted by the Chapter in connection with the general direction and mission of the Cathedral and to give advice on them to the Chapter;
 - ii. receive and consider the annual budget of the Cathedral;
 - iii. receive and consider the annual report and audited accounts;
 - iv. consider proposals submitted by the Bishop in connection with the Constitution and Statutes of the Cathedral with a view to their revision;
 - v. consider representations submitted by the College of Canons;
 - vi. consider proposals submitted by the Chapter in connection with the Constitution and Statutes of the Cathedral with a view to their revision;
 - vii. perform such other functions, which are not exercisable under the Measure or the Constitution and Statutes by another body, as may be determined by the Council, the Chapter and the Bishop jointly.

- f. **Powers** The Council may:
 - i. request reports from the Chapter on any matter concerning the Cathedral;
 - ii. discuss and declare its opinion on any such matter;
 - iii. draw any matter to the attention of the Visitor or the Church Commissioners.
- g. **Frequency of Meetings** The Council shall meet on at least two occasions in each calendar year.

4. **THE CHAPTER**

There shall be a Chapter constituted as follows:

- a. **Membership** The Chapter shall consist of:
 - i. the Dean and all the Residentiary Canons of the Cathedral;
 - ii. one member of the College of Canons elected by the College of Canons;
 - iii. no fewer than two and up to six other persons appointed by the Bishop and Chapter jointly;
 - iv. the Communar.

At least two thirds of those appointed under 4.a.ii. and 4.a.iii. shall be lay members.
- b. **Disqualifications** Subject to the provisions of section 4 of the Measure, a person shall be disqualified from being a member of the Chapter if that person is disqualified from being a charity trustee under section 72(1) of the Charities Act 1993.
- c. **The Chairman** The Dean shall be:
 - i. the Chairman and shall in the event of an equality of votes have a second or casting vote;
 - ii. a member of every committee of the Chapter.
- d. **Term of Office** The members mentioned in paragraphs 4.a.ii. and 4.a.iii. shall hold office for three years but shall be eligible for membership for further terms of office.
- e. **Duties** It shall be the duty of the Chapter to direct and oversee the administration of the affairs of the Cathedral and in particular, without prejudice to the generality of the foregoing, to:
 - i. order the worship and promote the mission of the Cathedral;

- ii. ensure a management structure in support of the Cathedral's mission which establishes clarity of purpose, responsibility, authority and accountability for all those who contribute to the running of the Cathedral, be they clergy or lay staff, paid or volunteer;
- iii. 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;
- iv. 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;
- v. provide for the pastoral care of the Cathedral congregation;
- vi. prepare the annual budget for the Cathedral in consultation with the Chairman of the Finance Committee;
- vii. prepare the annual report and accounts for audit in accordance with section 27 of the Measure following consultation with the Chairman of the Finance Committee;
- viii. submit to the Council the budget, annual report and audited accounts as approved by the Chapter and such other reports as may be requested by the Council on any matter concerning the Cathedral;
- ix. submit to the College of Canons the aforesaid annual report and audited accounts;
- x. keep under review the Constitution and Statutes of the Cathedral and submit any proposals for their revision to the Council;
- xi. subject to the Patronage (Benefices) Measure 1986 present clerks to benefices within the patronage of the Cathedral in accordance with Statute 14;
- xii. elect as representatives from among its members:
 - (a) one member of the Finance Committee;
 - (b) Governors of the Prebendal School as required by the Constitution of the Governing Body;

- xiii. appoint up to three trustees of Chichester Cathedral Friends as required by the Constitution of Chichester Cathedral Friends;
 - xiv. hold the Common Seal of the Cathedral and affix it when required;
 - xv. act as the Trustees of Saint Mary's Hospital;
 - xvi. act as the Executive and Custodian Trustees of the Morse-Boycott Bursary Fund;
 - xvii. act as Custodian Trustees for the Prebendal School which is the Cathedral Choir School and maintained for the primary purpose of educating choristers for the Cathedral;
 - xviii. perform such other functions which are not exercisable under the Measure or the Constitution and Statutes by another body as may be determined by the Chapter, the Council and the Bishop jointly.
- f. **Property and Investment** Subject to the provisions of the Measure and the Care of Cathedrals Measure 1990, the Chapter shall have the power to acquire and to dispose of property, and to invest monies, on behalf of the corporate body of the Cathedral.
- g. **Frequency of Meetings** The Chapter shall meet on at least nine occasions in each calendar year.

5. THE COLLEGE OF CANONS

There shall be a College of Canons constituted as follows:

- a. **The Chairman** The Dean shall act as Chairman of the College of Canons save when it meets in the capacity of a Council or Senate when the Bishop shall preside.
- b. **Membership** The College of Canons shall consist of the Dean and the following Canons: all the Residentiary Canons, including the Precentor, the Chancellor and the Treasurer, the Bishops Suffragan, any full-time stipendiary Assistant Bishops as may be appointed from time to time, the Archdeacons, the Prebendaries of Bracklesham, Bury, Hova Ecclesia, Hova Villa, Waltham, Woodhorn, Highleigh, Colworth, Bishopshurst, Eartham, Ferring, Gates, Mardon, Selsey, Sidlesham, Thorney, Wightring, Firle, Fittleworth, Hampstead, Heathfield, Ipthorne, Middleton, Seaford, Somerley, Sutton, Wisborough, Bursalis, Bargham, Exceit, Windham and up to five Lay Canons.

- c. **Election of the Bishop of Chichester** 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.
- d. **Diocesan Functions** The Bishop may also call upon the College of Canons to aid him in his work by its counsel and to help maintain the regular worship of Almighty God in his Cathedral Church. The College of Canons is a Council or Senate ready both to be consulted and to offer advice on weighty matters affecting the diocese even though its consent is not required. Of the College of Canons when acting in this capacity the Bishop is the Head, "Principale Caput".
- e. **Cathedral Functions** The College of Canons shall also have the following functions:
 - i. to receive and consider the annual report and audited accounts;
 - ii. to discuss such matters concerning the Cathedral as may be raised by any of its members;
 - iii. if it wishes, to make recommendations to the Chapter on any matter pertaining to the Cathedral;
 - iv. if not satisfied with the response of the Chapter, to make any representations as it thinks fit to the Council;
 - v. to elect as representatives from among its members:
 - (a) two members of the Council;
 - (b) a member of the Chapter who may also be one of the two Council members;
 - (c) certain Governors of The Prebendal School as defined within its Constitution;
 - vi. to perform such other functions as may be determined by the College of Canons, the Council, the Chapter and the Bishop jointly.
- f. **Frequency of Meetings** The College of Canons shall meet on at least one occasion in each calendar year.

6. **THE VISITOR**

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

7. **THE DEAN**

The Dean, being a person having the qualifications prescribed by law, shall be appointed by Her Majesty The Queen. The Dean shall not, without the consent of the Bishop, hold any benefice or other ecclesiastical preferment and shall vacate office automatically and without the execution of any instrument of resignation in accordance with the Ecclesiastical Offices (Age Limit) Measure 1975.

8. **THE RESIDENTIARY CANONS**

- a. **Number** The number of Residentiary Canons (or residentiary canonries) shall not exceed six at any one time. Their number shall include the Precentor, the Chancellor and the Treasurer.

Two of these Canons shall be known as the Commissioners' Canons reflecting the fact that their stipends are paid by the Church Commissioners. The Bishop may for financial or other reasons, after consultation with the Chapter, suspend or refrain from filling not more than three residentiary canonries which have fallen vacant and may, after like consultation, revive and fill such residentiary canonries.

- b. **Appointment** The Residentiary Canons, being persons having the qualifications prescribed by law, shall be appointed by the Bishop after wide consultation with others including both the Dean and the Chapter.

- c. **Cathedral Duties** The two Commissioners' Canons shall, in accordance with the provisions of section 8 of the Measure, be engaged exclusively on Cathedral duties.

- d. **Agreement** Subject to sub paragraph 8c above, the duties of each Residentiary Canon shall be determined in writing by the Bishop with the agreement of the Chapter, having regard to the customary duties attached to the office held or to be held by that Canon, provided that the Bishop may in writing, with the like agreement, from time to time vary such determination after consultation with the Canon concerned.

e. **Tenure**

- i. Any residentiary canon who on the coming into force of section 1 of the Ecclesiastical Offices (Terms of Service) Measure 2009 (“the 2009 Measure”) held that office on freehold tenure continues to hold it on the same basis unless he or she has agreed to the application of that section to him or her, in which case he or she holds under Common Tenure.
- ii. Any other residentiary canon (whether appointed before or after the coming into force of section 1 of the 2009 Measure holds that office under Common Tenure.

f. **Retirement** A Residentiary Canon shall vacate his canonry automatically and without the execution of any instrument of resignation in accordance with the Ecclesiastical Offices (Age Limit) Measure 1975.

g. **Diocesan Office Holders** Subject to the foregoing sub paragraph, if a Residentiary Canon were at the date of his appointment an Archdeacon or the holder of an appointment in the diocese and had been appointed on the understanding that he would hold that canonry only so long as he held that other appointment, he shall, on ceasing to do so, vacate office as a Residentiary Canon unless the Bishop after consultation with the Dean determines otherwise.

9. **THE NON-RESIDENTIARY CANONS**

a. **Prebendaries** Subject to the following provisions of this section and to the Statutes, there shall be not more than thirty-one Prebendaries. Individuals shall be appointed:

- i. by the Chapter to the Prebends of Highleigh and Bargham;
- ii. by the Bishop to the remaining Prebends listed in paragraph 5.b.
A Prebendary shall be a Clerk in Holy Orders who shall either be beneficed in the diocese or be licensed under the Bishop's Seal to officiate therein or hold some office or perform some function in connection therewith. The Bishop may dispense with the requirement for Prebendaries to be Clerks in Holy Orders and the diocesan requirement in respect of appointments to the Prebends of Bursalis, Wightring, Exceit, Windham and Bargham and may dispense with the diocesan requirement for other Prebends in such

exceptional circumstances as the Bishop may from time to time determine.

- b. **Other Non-Residentiary Canons** The following shall also be Non-Residentiary Canons:
 - i. the Suffragan Bishops of Horsham and Lewes;
 - ii. any full-time stipendiary Assistant Bishop of the diocese as may be appointed from time to time;
 - iii. the Archdeacons of Chichester, Hastings, Horsham and Brighton & Lewes unless already appointed Residentiary Canons.
- c. **Theological Canonries and Lectureships** The four Wiccamical Prebends of Bursalis, Windham, Exceit and Bargham, together with the Prebend of Wightring, shall be designated as Theological Canonries and Lectureships.
 - i. **Appointment** The procedure for appointment to these Prebends shall follow paragraph 9.a. of the Constitution and paragraph 10 of the Statutes. In the case of those who are not Clerks in Holy Orders the persons appointed shall hold lectureships bearing the names of the respective Prebends and for the periods during which the lectureships are held appointment to the Prebends shall be suspended. Lecturers who are not Prebendaries may occupy the stalls in Quire normally occupied by the Prebendaries, but they shall not be members of the College of Canons unless they are separately appointed as Lay Canons in addition to those appointed under paragraph 10. Those who are neither members of the Church of England nor of a Church in communion with the Church of England may be appointed Canons of Honour in addition to those appointed under paragraph 11.
 - ii. **Function** Theological Canons and Lecturers shall be expected to contribute to the educational life of the Cathedral and diocese in accordance with the Statutes.
 - iii. **Tenure** Theological Canons or Lecturers shall hold office for five years which may be renewed for a further period at the discretion of the Bishop and the Chapter acting jointly.
- d. **Retirement** The Suffragan Bishops, any full-time stipendiary Assistant Bishops and Archdeacons shall vacate their canonries automatically and

without the execution of any instrument of resignation upon ceasing to hold their relevant offices. Any other Non-Residentiary Canons shall vacate their offices automatically and without the execution of any instrument of resignation upon ceasing to meet the requirements in sub paragraph 9a, on attaining seventy years of age or at the expiration of their term of office, whichever occurs first, unless the Bishop determines otherwise

10. **THE LAY CANONS**

- a. **Number and Appointment** The Bishop may, after consultation with the Chapter, appoint up to five Lay Canons over and above those appointed under sub-paragraph 9.c.i. Such individuals shall be actual communicant members of the Church of England or of a Church in communion with the Church of England and selected from lay persons who give distinguished service to the Cathedral or to the diocese.
- b. **Function** Lay Canons shall be expected to contribute to the corporate life of the Cathedral and to promote its mission and service in the diocese. They shall be members of the College of Canons and allocated places within the Quire.
- c. **Tenure** Lay Canons shall hold office for up to a maximum of five years but shall be eligible for reappointment for further such periods.

11. **THE CANONS OF HONOUR**

After consultation with the Chapter, the Bishop may appoint up to five ordained Ministers of other Christian Churches, in or out of the United Kingdom, as Canons of Honour over and above those appointed under sub-paragraph 9.c.i. When such persons vacate the offices which they held at the time of their appointments, they shall automatically cease to be Canons of Honour unless the Bishop, after consultation with the Chapter, determines otherwise. Canons of Honour shall be neither Canons nor Non-Residentiary Canons within the meaning of the Measure. They shall not be members of the College of Canons but they shall be allocated places within the Quire.

12. **THE COMMUNAR**

There shall be an Administrator, known as the Communar, who shall be appointed by the Chapter, subject to a written agreement, upon such terms in respect of tenure, remuneration and statutory and other duties as the Chapter may determine.

13. **THE CHAPTER CLERK**

There may be a Chapter Clerk appointed by the Chapter, subject to a written agreement, to assist, advise and undertake such formal and ceremonial duties as may be required.

14. **THE SURVEYOR OF THE FABRIC**

There shall be an Architect, known as the Surveyor of the Fabric, appointed by the Chapter under a written agreement upon such terms and conditions as the Chapter shall determine. He shall be a person registered under the Architects Act 1997 or any Act amending or extending the same and shall be appointed after consultation with the Cathedrals Fabric Commission. His area of responsibility shall include the Cathedral, the Bell Tower and the Cloisters.

15. **THE AUDITOR**

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 who shall audit the accounts of the Cathedral in accordance with section 27 of the Measure. The Auditor shall be appointed by the Chapter on such terms in respect of tenure and remuneration as may be agreed in writing from time to time.

16. **THE ORGANIST AND MASTER OF THE CHORISTERS**

There shall be an Organist and Master of the Choristers who shall supervise the music in the Cathedral and be responsible for the discipline of the Choir. The Organist shall be appointed by the Chapter, subject to a written agreement, on such terms in respect of tenure, remuneration and duties as the Chapter may determine.

17. **OTHER OFFICIALS, STAFF AND CONSULTANTS**

Other officials, staff and consultants appointed by the Chapter are listed in the Statutes. The Chapter may also make additional appointments as may be required from time to time.

18. **THE FINANCE COMMITTEE**

There shall be a Finance Committee with the function of advising the Chapter in connection with its responsibilities in the field of financial and investment management.

- a. **The Chairman** The Chairman, being a person with appropriate experience, shall be appointed by the Chapter upon such terms as the Chapter may determine. The Chairman shall attend meetings of the Chapter when the budget and annual accounts are considered.
- b. **Membership** Membership of the Committee shall consist of:
 - i. the Chairman;
 - ii. the Dean;
 - iii. one Residentiary Canon chosen by the Chapter;
 - iv. the Communar;
 - v. the Chapter Accountant;
 - vi. up to four other persons appointed by the Chapter for their expertise and experience in the field of finance and investment management upon such terms as the Chapter may determine.
- c. **Functions**
 - i. To advise on financial and accounting matters;
 - ii. to endorse the draft annual budget before its submission to the Chapter;
 - iii. to comment upon the draft annual report and audited accounts before their submission to the Chapter;
 - iv. to advise on the policy for Chapter investments;
 - v. subject to delegation from the Chapter, to authorize the purchase and sale of individual investments, when appropriate, providing such action falls within the Chapter's investment policy and also, when necessary, to fund the Chapter's approved projects;
 - vi. to monitor and advise upon the Chapter properties.

19. **THE CATHEDRAL COMMUNITY ROLL**

There shall be a Cathedral Community Roll maintained by the Cathedral Roll Officer, who shall be appointed by the Chapter, which shall contain the names of persons who are members of the Cathedral Community. Those who are entered on the Cathedral Community Roll shall be persons over the age of sixteen years who

- a. worship regularly in the Cathedral, or
- b. are otherwise engaged in work or service in connection with the Cathedral in a regular capacity, or
- c. are resident in the Close and who apply to be so entered.

20. **THE CATHEDRAL COMMUNITY ANNUAL MEETING**

There shall be an annual meeting of the Cathedral Community comprising persons who are on the Roll to discuss Cathedral matters and the Church at large. At that meeting, which shall be chaired by the Dean, elections shall take place to the Cathedral Council and to the Cathedral Community Committee. The governance of the Cathedral Community Roll and the conduct of business at both the annual meeting and those of the Cathedral Community Committee and membership of the Cathedral Community Committee shall be established by a set of Rules approved by the annual meeting of the Cathedral Community and by the Chapter.

21. **THE CATHEDRAL COMMUNITY COMMITTEE**

There shall be a Cathedral Community Committee which shall meet not less than four times in each year to advise the Chapter on all matters affecting the Cathedral Community and to undertake such functions relating to the Cathedral Community as may be delegated to it by the Chapter.

22. **CHURCH REPRESENTATION**

The representation of lay persons on the Deanery Synod shall be governed by the Church Representation Rules.

23. **OTHER COMMITTEES**

The Chapter may establish such other committees as it may determine and may delegate functions, powers and duties to any committee. The Dean shall be a

member of each such committee. If the Chapter so determines, persons who are not members of the Chapter may be members of a committee.

24. GENERAL PROVISIONS APPLICABLE TO THE CONSTITUTION AND STATUTES

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. Nothing in the Constitution or Statutes shall affect any right of patronage or other right or interest of Her Majesty. Where the context so admits, any reference to the male gender shall include the female gender. 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 qualifications or election of any members.

25. INTERPRETATION

In the Constitution and in the Statutes:

- “actual communicant member of the Church of England or of a Church in communion with the Church of England” means a member of the Church of England or of a Church in communion with the Church of England 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 during the twelve months preceding appointment ;
- “Cathedral” means the Cathedral Church of the Holy Trinity in Chichester;
- “Diocese” means the Diocese of Chichester and "diocesan" shall be construed accordingly;
- “Measure” means the Cathedrals Measure 1999;
- “Council” means the Cathedral Council created in accordance with the Measure;
- “Cathedral duties” means, subject to section 8 of the Measure, duties (whether in the Cathedral or diocese) which should, in the opinion of the Chapter after consultation with the Bishop, be discharged in or from the Cathedral;
- “Commissioners' Canons” means, subject to section 8 of the Measure, the two Residentiary Canons of the Cathedral who are engaged exclusively on Cathedral duties and paid such sums by way of stipend and other emoluments as the Commissioners may from time to time determine;

- "Wiccamical Prebends" means the Bursalis Prebend and the Prebends of Exceit, Windham and Bargham founded by Bishop Sherburne.
- "Theological Canonries and Lectureships" means the Wiccamical Prebends and the Prebend of Wightring.

Wherever in the Constitution and the Statutes reference is made to the holder of any office, dignity or preferment whatsoever, this means the holder for the time being of such office, dignity or preferment in the Cathedral or diocese as appropriate.

THE STATUTES

1. Introduction
2. The Council
3. The Chapter
4. The College of Canons
5. The Bishop of Chichester
6. The Dean
7. The Dignitaries
8. The Residentiary Canons
9. The Prebendaries
10. The Special Prebends
11. Ordo Praedicandi
12. Emeritus Titles
13. Priest Vicars and Chaplains
14. Patronage
15. The Choir
16. Serving Clerks
17. The Vergers
18. The Librarian
19. The Sub-Treasurer
20. The Communar
21. Lay Staff and Consultants
22. Volunteers
23. The Foundation
24. Precedence
25. Stalls
26. Financial Matters
27. The Prebendal School
28. The Common Seal of the Cathedral
29. By-Laws

THE STATUTES

1. INTRODUCTION

The Statutes make provision for the governance of the Cathedral within the framework of the Constitution while also allowing for the custom of the Cathedral.

2. THE COUNCIL

- a. **Meetings** The Council will meet at least twice each year normally in March and October following the preparation by the Chapter of the annual budget and the audited accounts.
Additional meetings may be called by the Chairman either on his own motion or as agreed in Council or on receiving a request from at least six members of the Council.
- b. **Quorum** A quorum shall be one third of the Council of which at least two shall be clerical members of the Chapter.
- c. **Absence of the Chairman** In the absence of the Chairman, the Council shall elect one of its members to preside over it.
- d. **The Secretary** The Communar shall act as Secretary to the Council.
- e. **The Constitution and Statutes** The Constitution requires the Council to consider any proposals submitted by either the Bishop or the Chapter to revise the Constitution and Statutes. Should the Council decide to undertake a revision, this shall be undertaken in accordance with the provisions of sections 28 to 32 of the Measure.

3. THE CHAPTER

- a. **Meetings** In addition to planned meetings the Dean shall convene a meeting of the Chapter either on his own motion or within two weeks of receiving a request from any two of its members to do so.
- b. **Quorum** A quorum shall comprise four persons of whom at least two must be Dignitaries - see Statute 7.

- c. **Absence of the Dean** In the absence of the Dean, and subject to Statute 6g, the senior Residentiary Canon by precedence shall act as Chairman but shall not have a second or casting vote.
- d. **Decisions requiring the Dean's Consent** The following steps shall not be taken without the consent of the Dean:
 - i. any alteration of the ordering of services in the Cathedral;
 - ii. the settlement of the Cathedral's budget;
 - iii. 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 (i) or (ii) above, the consent of the Dean shall be deemed to have been given for the purposes of paragraph (iii) 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 the meeting, the Dean having in the event of an equality of votes a second or casting vote.
- e. **Consensus** If on any issue there is not consensus, decision of the Chapter shall be made by a simple majority of those attending, the Dean having in the event of an equality of votes a second or casting vote.
- f. **Presentations to Chapter** As determined from time to time, Chapter may invite relevant persons to make an appearance at a Chapter meeting to account for their stewardship and offer any suggestions that they may have concerning their areas of responsibility.
- g. **The Secretary** The Communar shall act as Secretary to the Chapter and shall be responsible for keeping the minutes of all meetings.

4. **THE COLLEGE OF CANONS**

- a. **Meetings** The College of Canons shall be summoned by the Dean to meet in each year on a day as near as convenient to the Feast of All Saints. The Dean shall also summon it, giving reasonable notice, whenever the Bishop desires to seek its counsel or advice on any matter. The Dean may also summon a meeting whenever he deems it desirable to do so, whenever it is required to

make an election or whenever a request for a meeting is made by not less than two-thirds of the total number of Canons.

- b. **The Dean** The Dean, when presiding over the College of Canons, shall in the event of an equality of votes have a second or casting vote.
- c. **The Secretary** The Communar shall act as Secretary to the College of Canons and shall be responsible for keeping the minutes of all meetings.

5. **THE BISHOP OF CHICHESTER**

- a. The Bishop shall have the principal seat and dignity in the Cathedral.
- b. The Bishop, so soon as is convenient after his Consecration or Confirmation, shall be solemnly placed in his Throne in the Cathedral in accordance with the custom of the Cathedral.
- c. The Bishop shall have the right to celebrate the Holy Communion and preach or appoint a preacher at one of the services on Christmas Day, Easter Day and Pentecost as well as the Feast of the Translation of Saint Richard.
- d. The Bishop, after consultation with the Chapter, shall also have the right:
 - i. to celebrate the Holy Communion and to preach in the Cathedral;
 - ii. to use the Cathedral or any part thereof for Synods, Visitations, Ordinations, Confirmations and special services;
 - iii. on all occasions referred to in paragraph ii of this section to determine the form and order of the service, to appoint the preacher, to decide the objects of the collection made and to claim of the Dean the reasonable assistance of the ministers and officials of the Cathedral, due regard always being paid to the customs and rights of the Cathedral.
- e. The Bishop may at any time seek the advice of the Chapter on any matter.
- f. The Bishop shall, as Visitor, hear and determine any question as to the construction of the Constitution and Statutes.
- g. The Bishop may hold a Visitation of the Cathedral when considers he desirable or necessary to do so or when requested by the Council or the Chapter.
- h. In the course of a Visitation the Bishop may give such direction 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.

- i. 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 direction by the Bishop under this Statute.
- j. The Bishop may at any time propose for consideration by the Council amendments to the Constitution and Statutes.

6. **THE DEAN**

- a. The Dean shall be the principal dignitary of the Cathedral, next after the Bishop.
- b. The person so appointed shall be admitted and installed as Dean according to the custom of the Cathedral and take such oaths as are prescribed by law.
- c. To the Dean shall belong the care of souls within the precincts of the Close.
- d. 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 and, in particular, to:
 - i. ensure that Divine Service is duly performed in the Cathedral;
 - ii. ensure that the Constitution and Statutes are faithfully observed;
 - iii. maintain good order and proper reverence in the Cathedral
 - iv. secure the pastoral care of all members of the Cathedral Community;
 - v. take all decisions necessary to deal with any emergency affecting the Cathedral, pending consideration of the matter by the Chapter;
 - vi. act as Governor of the Prebendal School;
 - vii. act as Chairman of the Trustees of Saint Mary's Hospital;
 - viii. act as Chairman of the Executive and Custodian Trustees of the Morse-Boycott Bursary Fund and the Traditional Choir Trust
- e. The Dean, without prejudice to the foregoing rights of the Bishop, shall have the right to preach at one of the services on Christmas Day, Easter Day and Pentecost. He shall also have the right to preach or nominate a preacher on two other Sundays in each year.
- f. The Dean shall be in residence and shall reside in the house for the time being attached to his office for at least eight months in the year and, during such time, shall be diligent in his attendance at services in the Cathedral Church. Absence for any purpose in connection with the work of the Church without objection from the Bishop or the Chapter shall count towards the foregoing total, and absence under a licence granted by the Visitor with the approval of the Chapter shall be counted as residence.

- g. If the office of Dean shall be vacant, or the Bishop considers the Dean to be 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. If any question shall arise whether such an appointment be justified, the question shall be determined by the Archbishop of Canterbury.

7. **THE DIGNITARIES**

The Dignitaries in the Cathedral shall be the Dean, the Precentor, the Chancellor and the Treasurer.

8. **THE RESIDENTIARY CANONS**

- a. **The Commissioners' Canons** The Commissioners' Canons shall reside in the houses allocated to them by Chapter for at least eight months in the year. During such residence, it shall be the individuals' duty to attend daily at least one of the Cathedral services. Absence in connection with the work of the Church undertaken without objection by the Bishop, Dean or the Chapter shall count towards the foregoing total providing not less than three months are spent in Close residence. The maximum time spent in Close residence shall be four and a half months.
- b. **Other Residentiary Canons** Up to four other Residentiary Canons shall also undertake Close residence as determined at the time of their appointment subject to any subsequently approved rearrangement.
- c. **Canons in Residence** To ensure that a Canon shall be readily available in Close residence throughout the year, a periodic list of Canons in Residence will be drawn up by mutual agreement and approved by the Chapter. The Canon in Residence shall daily attend all the usual Cathedral services or at least Mattins and Evensong. In the absence of the Dean, the Canon in Residence shall be responsible for the due performance of the services. With the approval of the Dean, the Canon in Residence must provide a substitute from among the other Residentiary Canons if he has to be absent or is otherwise unable to perform his duties. Exceptionally, if all the Residentiary Canons should be committed

elsewhere, with the approval of the Dean, the Canon in Residence may provide a substitute from among the Prebendaries.

- d. **Sermons** The Residentiary Canons shall have the right to preach in the Cathedral during each period of their Close residence, as agreed and reflected in the rota issued periodically by the Chapter.

9. **THE PREBENDARIES**

From time to time it may be appropriate for Prebendaries, who are not Residentiary Canons, to act as Canons in Residence. The period of any such individual Close residence shall be only one week and during that period the Canon shall have the opportunity of celebrating Holy Communion and, if convenient, of preaching in the Cathedral. During the residence of a Prebendary either the Dean or one of the Residentiaries shall be available in the Close.

10. **THE SPECIAL PREBENDS**

- a. **Theological Canonries and Lectureships** The four Wiccamical Prebends of Bursalis, Windham, Exceit and Bargham, together with the Prebend of Wightring, are designated Theological Canonries and Lectureships as described in paragraph 9.c of the Constitution. Those appointed shall be persons of sound learning and distinction who shall represent a range of theological disciplines. They shall be expected to contribute to the educational life of the Cathedral and the diocese by giving such course of lectures concerning theology during their tenure as are agreed by Chapter.
 - i. ***Wightring, Bursalis, Exceit and Windham*** The Prebends of Wightring, Bursalis, Exceit and Windham, or the Lecturers, shall be appointed by the Bishop.
 - ii. ***Bargham*** The Prebend of Bargham, or the Lecturer, shall be appointed by the Chapter.
- b. **Highleigh** In appointing to the Prebend of Highleigh, the Chapter shall have regard to the traditional connection with the Prebendal School.

11. **ORDO PRAEDICANDI**

It shall be the duty of the Dean, in agreement with the Chapter, to arrange for sermons to be given throughout the year. Such arrangements are to recognize the rights of the Bishop, the Dean and the Residentiary Canons. A rota shall be issued periodically by the Chapter.

12. **EMERITUS TITLES**

The Bishop may confer upon a Dean, Archdeacon or Canon who vacates his office the title of Dean Emeritus, Archdeacon Emeritus or Canon Emeritus as the case may be. This title shall not confer the right of membership of any body or the right to occupy a stall.

13. **PRIEST VICARS AND CHAPLAINS**

One or more Priest Vicars, Assistant Priest Vicars or Chaplains may be appointed by the Chapter as required from time to time and subject to written agreement upon such terms as may be determined at the time. A Priest Vicar may only hold another office or preferment if, in the opinion of the Chapter, the duties of such office or preferment are compatible with his Cathedral duties. Each Priest Vicar, Assistant Priest Vicar or Chaplain shall be required to hold the Bishop's licence or permission to officiate.

14. **PATRONAGE**

Subject to the provisions of the Patronage (Benefices) Measure 1986, any presentations to benefices in the patronage of the Cathedral shall be exercised by the Chapter after consultation with the members of the College of Canons.

15. **THE CHOIR**

- a. **Assistant Organist** In addition to the Organist and Master of the Choristers, the Chapter may also appoint, after consultation with the Organist, an Assistant Organist, subject to a written agreement, on such terms in respect of tenure, remuneration and duties as the Chapter may determine.
- b. **Organ Scholars** After consultation with the Organist, the Chapter may also appoint one or more Organ Scholars, subject to a written agreement, on such terms in respect of tenure, remuneration and duties as the Chapter may determine.

- c. **Lay Vicars** After consultation with the Organist, the Chapter shall appoint Lay Vicars or Singing Clerks in as many numbers as may be determined from time to time. Their appointments shall be subject to written agreements on such terms in respect of tenure, remuneration and duties as the Chapter may determine.
- d. **Choristers** After consultation with the Organist and the Head Master of the Prebendal School, the Chapter shall appoint Choristers in accordance with the custom of the Cathedral in so many numbers as may be determined from time to time. The Chapter shall ensure that provision is made for their education and upbringing.

16. **SERVING CLERKS**

The Chapter shall appoint lay persons of sufficient age and of good character to serve at the Celebration of Holy Communion and to assist in such other ways in the worship in the Cathedral as may be determined.

17. **VERGERS**

The Chapter shall appoint a Head Verger and as many Assistant Vergers as may be required from time to time, one of whom shall act as Sacristan. Their appointments shall be subject to written agreements on such terms in respect of tenure, remuneration and duties as the Chapter may determine. The Vergers shall be concerned to uphold the dignity of worship in the Cathedral, to care for its security and cleanliness, as well as to welcome visitors.

18. **THE LIBRARIAN**

There shall be a member of the Chapter who shall have responsibility for the Library. In addition the Chapter shall appoint a suitably qualified Librarian, subject to a written agreement, on such terms in respect of tenure, remuneration and duties as the Chapter may determine.

19. **THE SUB-TREASURER**

The Chapter shall appoint a suitably qualified Sub-Treasurer, subject to a written agreement, on such terms in respect of tenure, remuneration and duties as the Chapter may determine. The Sub-Treasurer shall be responsible for the care and display in the

Treasury of all communion plate and other property on loan to the Cathedral from parishes as well as the display of selected Cathedral property as determined by the Chapter from time to time.

20. **THE COMMUNAR**

The Communar shall be an actual communicant member of the Church of England or Church in communion with the Church of England and shall be a member of Chapter. The Communar shall not be entitled to be elected to be a representative of those bodies set out in section 4.xii. of the Constitution or act as a Trustee of Saint Mary's Hospital or the Morse-Boycott Bursary Fund or the Traditional Choir Trust. His duties shall include:

- a. **Cathedral Revenues** The Communar shall, subject to the control of the Chapter, administer the Cathedral reserves, act as the Receiver and ensure that an annual budget is submitted for approval by the Chapter as well as an audited annual set of accounts.
- b. **Fabric** The Communar shall, subject to the control of the Chapter and the provisions of the Care of Cathedrals Measure 1990, also give directions for the repairs that are necessary, whether to the fabric of the Cathedral Church or to the buildings belonging to the Cathedral; and in these works the Surveyor, Architect, Clerk of Works and others whom the Chapter may employ in connection therewith shall follow the instructions of the Communar, provided that, if any matter of importance arises or any serious expenditure is urgently required, the Communar shall immediately confer with the Dean or in his absence the Canon in Residence.
- c. **Administrative Matters** The Communar shall also be entrusted with the administrative and personnel management of the Cathedral.
- d. **Legal Matters** The Communar shall refer all matters requiring professional legal advice to the Chapter's Legal Advisers.

21. **LAY STAFF AND CONSULTANTS**

In addition to those staff specified in the Constitution in accordance with the Measure as well as the foregoing Statutes, the Chapter may also appoint additional staff and consultants as may be required from time to time and subject to written agreement upon such terms as may be determined at the time including the following:

- a. **The Chapter Clerk** The Chapter Clerk shall be a person who is legally qualified and an actual communicant member of the Church of England or of a Church in communion with the Church of England. It shall be the duty of the Chapter Clerk to assist, advise and undertake such formal and ceremonial duties as may be required by the Chapter, Council or College of Canons. In the absence of a Chapter Clerk, such formal and ceremonial duties shall be performed by a suitably qualified person.
- b. **Legal Advisers** The Chapter shall appoint a firm of solicitors as their Legal Advisers who shall be entitled to charge fees for work undertaken. If the Chapter Clerk is a member of that firm and a member of the Chapter, nothing herein will prevent the firm of Legal Advisers charging fees and the Chapter Clerk, if a partner, from sharing in such fees.
- c. **The Chapter Architect** The Chapter Architect shall be a person registered under the Architects Act 1997. His area of responsibility shall include all Cathedral properties, walls and land, other than those which are the responsibility of the Surveyor of the Fabric.
- d. **The Consultant Archaeologist** The Consultant Archaeologist shall possess such qualifications and expertise in archaeological matters as may be recognized as appropriate by the Cathedrals Fabric Commission before his appointment. His area of responsibility shall include all Cathedral properties, walls and land within the Precinct as defined under the Care of Cathedrals Measure 1990.
- e. **The Clerk of Works** The Clerk of Works shall be a suitably qualified person. He shall be responsible for the oversight of the day-to-day restoration and maintenance of the Cathedral and its properties.
- f. **The Chapter Accountant** The Chapter Accountant shall be a qualified Chartered or Certified Accountant and shall be responsible for maintaining the accounts in accordance with section 27 of the Measure.
- g. **The Visitor Services Officer** The Visitor Services Officer shall be a suitably qualified person who shall be responsible for the arrangements for visitors to the Cathedral as well as the co-ordination of volunteers who work for the Cathedral.
- h. **The Education Officer** The Education Officer shall be a suitably qualified person who shall be responsible for undertaking those tasks which may be determined by the Chapter from time to time.

- i. **Secretaries and Accounts Staff** There shall be suitably qualified secretarial and accounts staff to undertake tasks as specified from time to time.
- j. **Precular, Gardeners, Cleaners and Maintenance Staff** There shall be suitably qualified staff to undertake tasks as specified from time to time.

22. **VOLUNTEERS**

The Chapter encourages volunteers to make a contribution towards the running of the Cathedral. Volunteers may be recruited directly into their specific areas of expertise but the Visitor Services Officer shall be responsible for their overall co-ordination.

23. **THE FOUNDATION**

Membership of the Cathedral Foundation shall consist of the Bishop, members of the Council, Members of the Chapter, members of the College of Canons, Theological Canons and Lecturers, Priest Vicars, Organist, Assistant Organist, Organ Scholars, Lay Vicars, Choristers, Servers, Vergers, Communar, Chapter Clerk, Librarian, Sub-Treasurer, Head Master, Surveyor of the Fabric, Architect, Clerk of Works, Chapter Accountant, Visitor Services Officer and Education Officer, as well as the Custos of Saint Mary's Hospital. Membership of the Cathedral Foundation does not confer any rights. Any privileges or responsibilities of membership shall be determined by the Chapter from time to time.

24. **PRECEDENCE**

The order of precedence in the Cathedral shall be as follows:

- a. the Bishop or any Bishop Suffragan or Assistant Bishop when acting for the Bishop;
- b. the Dean, Precentor, Chancellor, Treasurer, Archdeacon of Chichester if a Residentiary Canon, and any other member of Chapter in this order;
- c. the Chancellor of the Diocese and the Diocesan Registrar;
- d. any Bishop Suffragan or Assistant Bishop who is not a Residentiary Canon if he is not acting for the Bishop;
- e. the Archdeacon of Chichester if not a Residentiary Canon, the Archdeacon of Hastings, the Archdeacon of Horsham, and the Archdeacon of Brighton & Lewes in this order;
- f. other members of the College of Canons;

- g. Canons of Honour;
- h. Priest Vicars and Cathedral Chaplains;
- i. the Organist, Assistant Organist, Organ Scholar, Lay Vicars and Choristers;
- j. Chapter Officers who are members of the Foundation.

Where not otherwise specified, the order of procession within any given group shall be in accordance with the custom of the Cathedral.

25. STALLS

The Bishops Suffragan, Dignitaries and Prebendaries shall each occupy the stalls assigned to their Offices. The Archdeacon of Chichester shall occupy the stall at the right hand of the Dean; the Archdeacon of Hastings the stall at the left hand of the Precentor; the Archdeacon of Horsham the stall at the left hand of the Chancellor; the Archdeacon of Brighton & Lewes the stall at the right hand of the Treasurer. Assistant Bishops, Lay Canons and Canons of Honour shall be allocated places within the Quire.

26. FINANCIAL MATTERS

- a. **Funds** The funds shall be divided into:
 - i. Endowment Funds - those where there is no power to spend capital;
 - ii. Restricted Funds - those where specific conditions are attached to the expenditure of either capital or income or both - these include the Fabric Fund;
 - iii. Unrestricted Designated Funds - those where the Chapter has designated the funds for a specific purpose - these include the Property Investment Repair Reserve;
 - iv. Unrestricted Undesignated Funds - otherwise known as the Common Fund.
- b. **Income** All Cathedral revenues, bequests, benefactions, offerings and donations shall be paid, promptly, into the Common Fund save those which are designated by the donor or the Chapter for a specific purpose in which case they shall be paid into the appropriate fund.
- c. **Expenditure** The general running costs of the Cathedral, which may include charitable donations, shall be met from the Common Fund except where such costs fall to a specific fund. Such general running costs may include provision

for pensions or contributions thereto for all lay staff and for their widows and dependants.

- d. **Cheques** Two signatures shall be required on all cheques drawn. Those authorized to sign shall include the Communar, Dean, Commissioners' Canons and, for cheques up to a limit established from time to time by the Chapter, the Chapter Accountant.
- e. **Wiccamical Prebends** The income from the Wiccamical Prebends may be used for repairs and maintenance of 1 and 2 Saint Richard's Walk. Any surplus may, at the discretion of the Chapter, either be accumulated or, alternatively, applied towards such projects for the promotion of sacred learning in connection with the Cathedral as may be agreed from time to time between the Chapter and the Bishop.
- f. **Prebendary of Wightring** On retirement of the existing incumbent the income from the Wightring Prebend may, at the discretion of the Chapter, either be accumulated or, alternatively, be used for the payment of expenses arising from the work of the Theological Canons and Lecturers.
- g. **Prebendary of Highleigh** So long as the Prebendal School shall be an Independent School, the income of the Highleigh Prebend shall be paid to the said School.
- h. **Income from Prebends** The income from the Prebends may be used in accordance with sub-paragraphs 26.e.f.g. provided that the Bishop, if he shall consider insufficient funds are being used towards the promotion of learning and education through the work of the Theological Canons and Lecturers, may, following consultation with the Chapter and if satisfied that sufficient funds are available, require the Chapter to allocate funds for the purpose.

27. **THE PREBENDAL SCHOOL**

The Prebendal School is a financially independent charity and incorporated company for the advancement of education and religion of its pupils who shall continue to include the Choristers of the Cathedral. It is a preparatory school, which may include a pre-preparatory department, and is open to both boys and girls. The management and control of the Prebendal School, including the accounts and appointment of the Head Master and other staff, is undertaken by a body known as The Governors of the Prebendal School (the Governing Body). The Governors are the company directors

and charity trustees of the Charity and have control of the Charity and its property and funds.

28. THE COMMON SEAL OF THE CATHEDRAL

The Chapter Secretary is responsible for the custody of the Common Seal of the Cathedral, for affixing it to documents when required and for maintaining the register of sealed documents. Documents shall be sealed in the presence of two signatories drawn from the Dean, the Chapter Clerk, the Residentiary Canons and the Communar.

29. BY-LAWS

The Chapter may make By-Laws regulating any matter not being inconsistent with the Measure, the Constitution or these Statutes. In particular, By-Laws may include:

- a. regulation of the time of Divine Worship, the manner of conducting it and the preaching of sermons;
- b. the care, use and arrangement of the ornaments of the Cathedral and of the vessels and other objects used in the conduct of Divine Worship;
- c. any questions concerning precedence not expressly defined by the Statutes;
- d. any questions concerning periods of Close residence not expressly defined by the Statutes;
- e. policy statements and regulations amplifying legislation applicable to the Cathedral.

By-Laws shall be enacted by the Chapter, recorded in the minutes of the relevant meeting and copies of all By-Laws retained in a special file.

