

¹THE CATHEDRAL STATUTE 2025

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BE IT RESOLVED by the Archbishop, clergy and laity of the Diocese of Perth in Synod assembled as follows:

1 Short Title

- 1.1 This Statute may be cited as the Cathedral Statute 2025.

2 Repeal

- 2.1 The Cathedral Statute 2017 is repealed.

3 Interpretation

- 3.1 The meanings of words and phrases given in the Interpretation Statute apply in this Statute except that for the purposes of this Statute the words and phrases listed hereunder have their meanings given or altered as follows:

canon means a person elected or appointed pursuant to this Statute;

Cathedral means the Church of St George, Perth until otherwise determined by Synod;

Cathedral Congregation means all bona-fide members of The Anglican Church of Australia (or of a church in communion with The Anglican Church of Australia) that have complied with and taken the declaration referred to in section 28.1 of this Statute;

Cathedral Square has the meaning given in the Diocesan Trustees Act;

Chapter means the body responsible for the general management and government of the Cathedral consisting of the Dean, the clerical canons and lay canons;

Dean means the dean of Perth, being the person appointed pursuant to Part 3 of this Statute;

Diocesan Trustees Act means the Anglican Church of Australia (Diocesan Trustees) Act 1888 (WA);

Foundation has the meaning given in the Diocesan Trustees Act;

policy means any protocol or policy approved from time to time by the Archbishop, the Trustees or Diocesan Council; and

precentor means the person in charge of the organisation of liturgy and worship in the Cathedral.

PART 1 – THE ARCHBISHOP

4 Powers of the Archbishop

- 4.1 Nothing contained in this Statute shall be construed to sanction an encroachment upon or to in any way prejudice the legal powers vested in the Archbishop.
- 4.2 No change of a substantial nature in the ceremonies, ornaments or services in the Cathedral shall be made without the consent of the Chapter and the Archbishop.
- 4.3 The Archbishop or the Archbishop's nominee may:
- use the Cathedral to take part in divine service at such times as they think fit;
 - use the Cathedral for ordinations, confirmations and visitations;
 - assume responsibility at their discretion for services of a national, provincial or diocesan character; and
 - with the concurrence of or invitation by the Chapter, use the Cathedral for services on any other special occasion.
- 4.4 In each case the Archbishop or the Archbishop's nominee shall give reasonable notice to the Dean of the Archbishop's intentions.
- 4.5 On the occasions that the Archbishop assumes responsibility for any service, all arrangements for the conduct of that service may be made by the Archbishop.
- 4.6 In addition, the Archbishop may appoint the preacher at two Sunday services each month.

PART 2 – THE CATHEDRAL BUILDING

5 Cathedral church and property

- 5.1 The Church of St George, Perth, shall be the Cathedral Church of the Diocese until otherwise determined by Synod.
- 5.2 No alterations or additions to the fabric of the Cathedral or to monuments placed in or on the fabric may be made without a faculty being issued by the Archbishop and the Diocesan Secretary on the application of the Dean and Chapter.
- 5.3 If a faculty is issued for any alteration or addition to the fabric of the Cathedral or to monuments placed in or on the fabric of the Cathedral under section 5.2, the Cathedral must adhere to any terms and conditions of the faculty.
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6 Cathedral Square

- 6.1 In accordance with section 3A (2) of the Diocesan Trustees Act, all land in Cathedral Square shall be held on trust for the ecclesiastical purposes of the Cathedral, the Diocese and the Province of Western Australia.
- 6.2 The proceeds from Cathedral Square shall be administered and distributed in accordance with the Diocesan Trustees Act, subject to fees and commissions as may be charged by the Trustees.
- 7 Cathedral Square Foundation**
- 7.1 The Foundation has been established pursuant to the Diocesan Trustees Act to represent the Chapter and the Diocesan Council.
- 7.2 The Foundation shall consist of:
- (a) the Archbishop or the Archbishop's nominee;
 - (b) the Dean or the person for the time being fulfilling the office of the Dean; and
 - (c) four laypersons and four deputy laypersons, of which the Chapter shall appoint two laypersons and two deputy laypersons, and Diocesan Council shall appoint two laypersons and two deputy laypersons.
- 7.3 The Foundation shall report half-yearly to the Chapter and Diocesan Council in relation to its functions under the Diocesan Trustees Act.

PART 3 - THE DEAN

8 Vacancy in the office of Dean

- 8.1 The office of Dean shall become vacant:
- (a) on a date set by the Dean in a letter addressed to the Chapter and the Archbishop;
 - (b) on the death of the Dean;
 - (c) on absence from the Diocese for three consecutive months without the permission of the Archbishop; or
 - (d) upon the Dean ceasing to hold the Archbishop's licence under Part 7 of the Clergy Appointment and Licensing Statute 2021.
- 8.2 Any vacancy occurring under section 8.1(a) may be deemed to have occurred as from the date of the acceptance of the letter by the Diocesan Council.
- 8.3 If a vacancy occurs in the office of Dean, a clerical canon chosen by the Chapter shall exercise the office of Dean. That clerical canon shall exercise the authorities, powers, rights and duties (including membership of Diocesan Council) conferred or imposed on the Dean by this and other statutes for the duration of the vacancy, except during any time when a Locum Tenens is appointed under section 8.4.
- 8.4 The Archbishop may, after consultation with the Chapter, appoint a Locum Tenens Dean when:
- (a) the office of Dean becomes vacant;
 - (b) the Dean is stood aside or suspended; or
 - (c) the Dean is absent from the Cathedral for a prolonged period.
- 8.5 The Locum Tenens Dean shall exercise the authorities, powers, rights and duties (including membership of Diocesan Council) conferred or imposed on the Dean by this and other statutes but is not entitled to vote in any election of nominee for the office of Dean.
- 8.6 The appointment of a Locum Tenens Dean may be for a specific time or for the duration of the vacancy, standing aside, suspension or absence and may be either full-time or part-time.

9 Election of the Dean

- 9.1 When a vacancy occurs in the office of Dean, or upon the resignation of the Dean, the most senior clerical canon by appointment or election must convene a meeting within two calendar months of the vacancy or of the acceptance of the resignation of the former Dean, to elect a nominee for the office of Dean. For the avoidance of doubt, a nominee for the office of Dean does not have to be elected at this meeting or within two months of the vacancy or the acceptance of the former Dean's resignation.
- 9.2 The most senior clerical canon must give at least 14 days' written notice of the meeting to each member of the Chapter.

10 Voting

- 10.1 The Chapter shall vote by secret ballot at a special meeting convened to elect a nominee for the office of Dean. Not fewer than four clerical and four lay members must be present before a ballot can be taken.
- 10.2 The Chapter must submit the name of the person elected as nominee to the Archbishop in writing for approval or otherwise.

11 Approval by Archbishop

- 11.1 On approval by the Archbishop of the nominee, the Archbishop shall invite that person to take up the office of Dean. On acceptance by the nominee the Archbishop shall license and install the nominee as Dean.
- 11.2 If the Archbishop does not approve the person elected for any reason, the Archbishop shall notify the Chapter as soon as may be possible, giving reasons for the decision.
- 11.3 The Chapter must proceed again from the beginning of the election process until a person is elected as nominee who meets the approval of the Archbishop to fill the office of Dean.

12 Functions and duties of the Dean

- 12.1 The Dean shall have the cure of souls and be responsible for all pastoral work and organisation in the district attached to the Cathedral.
- 12.2 Subject to section 4, the Dean shall have the charge and ordering of all services in the Cathedral and all other relevant

matters including the appointing of the preacher for services in the Cathedral.

- 12.3 The Dean shall install the Archbishop, assistant bishops, the archdeacons, the Chancellor, the deputy Chancellor, the clerical and lay canons and honorary canons.
- 12.4 The Dean must arrange the preaching and other duties of the precentor and assisting clergy at the Cathedral and is responsible for the management of the salaried staff of the Cathedral in accordance with relevant Diocesan statutes and policies and State and Commonwealth law.
- 12.5 The Dean shall have the direction of music in the Cathedral. The Dean has the right to appoint and dismiss members of the choir and to determine their duties and salaries. Unpaid choir members are Church volunteers and will be subject to Diocesan statutes and policies governing Church volunteers.
- 12.6 Subject to consultation with the Chapter, the Dean may nominate Cathedral assistant clergy to the Archbishop for appointment and licensing in accordance with the provisions of the Clergy Appointment and Licensing Statute 2021.
- 12.7 Subject to the terms of any relevant Diocesan statutes or policies and following consultation with the Chapter, the Dean may appoint and dismiss a Cathedral administrator to assist the Dean in performing the Dean's functions and duties.
- 12.8 Subject to this Statute and to specific engagements entered into by the Chapter, the Dean shall have the use of the Cathedral buildings for ecclesiastical and pastoral purposes.
- 12.9 In the absence of the Dean from the Diocese or if the Dean is unable to act through illness, the Dean's powers and duties may be exercised and performed by the most senior clerical canon.

PART 4 - CLERICAL CANONS

13 Vacancy in the office of clerical canon

- 13.1 The office of a clerical canon shall be deemed vacant upon:
 - (a) completion of their term of appointment or election;
 - (b) death;
 - (c) resignation sent in writing to the Archbishop and accepted;
 - (d) absence from the Diocese for three consecutive months without the permission of the Archbishop;
 - (e) ceasing to be a licensed member of clergy pursuant to the Clergy Appointment and Licensing Statute 2021;
 - (f) failure to perform usual duties for twelve consecutive months, without leave granted by resolution of the Chapter; or
 - (g) the office being declared vacant by the Archbishop.
- 13.2 A clerical canon ceasing to be a licensed priest of the Diocese may, with the consent of the Archbishop, retain the title of canon.
- 13.3 Any casual vacancy in the office of a clerical canon shall be filled by the person or body who appointed or elected the clerical canon whose office became vacant, and the person so appointed or elected shall hold office for the remainder of the term of the clerical canon whose office became vacant.

14 Election or appointment of clerical canons

- 14.1 The clerical canons shall not exceed seven in number, all appointed or elected from the licensed priests of the Diocese. Four shall be appointed by the Archbishop and three shall be elected by the Synod in such manner as the Synod determines.
- 14.2 Each appointed or elected clerical canon shall hold office for three years from the date of appointment or election but shall be eligible for re-appointment or re-election.

15 Functions and duties of clerical canons

- 15.1 Each clerical canon must attend the regular meetings of the Chapter and preach at the Cathedral if requested by the Dean.

16 Removal of clerical canons

- 16.1 If a clerical canon refuses to perform the duties of their office when required by the Dean in writing or refuses to comply with the regulations of the Chapter, the Chapter may after due enquiry refer the matter to the Archbishop. The Archbishop may in the Archbishop's sole discretion declare the office vacant.

PART 5 - LAY CANONS

17 Vacancy in the office of lay canon

- 17.1 The office of a lay canon shall become vacant upon:
 - (a) completion of the canon's term of appointment or election;
 - (b) death;
 - (c) resignation to the Dean in writing;
 - (d) the appointment being cancelled by the appointing person or body;
 - (e) absence from three consecutive meetings of the Chapter without leave;
 - (f) the lay canon ceasing to reside in the Diocese; or
 - (g) the office being declared vacant by the Archbishop.
- 17.2 Any casual vacancy in the office of a lay canon shall be filled by the person or body who appointed or elected the lay canon whose office became vacant, and the person so appointed or elected shall hold office for the remainder of the term of the lay canon whose office became vacant.

18 Election or appointment of lay canons

18.1 The lay canons shall not exceed seven in number and shall be appointed or elected as follows:

- (a) one appointed by the Archbishop;
- (b) two elected by Synod;
- (c) one appointed by the Dean;
- (d) one elected by the Chapter; and
- (e) two elected by the Annual Meeting of the Cathedral Congregation.

18.2 Each appointed or elected lay canon shall hold office for three years from the date of appointment or election but shall be eligible for re-appointment or re-election.

18.3 Lay canons are Church workers for the purposes of the Professional Standards Statute 2021 and unless otherwise provided in this statute are subject to statutes and policies of the Diocese which apply to Church workers.

19 Removal of lay canons

19.1 If a lay canon refuses to perform the duties of their office when required by the Dean in writing or refuses to comply with the regulations of the Chapter, the Chapter may after due enquiry refer the matter to the Archbishop. The Archbishop may in the Archbishop's sole discretion declare the office vacant.

19.2 A lay canon who is charged with an indictable criminal offence shall be suspended from exercising that office until such time as the proceedings have been concluded unless the Dean and Chapter with the assent of the Archbishop determine otherwise.

19.3 A lay canon who is convicted of an indictable criminal offence shall no longer hold that office which thereupon becomes vacant.

PART 6 – HONORARY CANONS

20 Honorary Canons

20.1 The Archbishop may appoint as honorary canon any member of the clergy in the Diocese holding the Archbishop's licence provided that the number of honorary canons shall not at any time exceed four and they shall not be members of the Chapter.

PART 7 – OBLIGATIONS OF CATHEDRAL CLERGY AND LAY OFFICERS

21 Application of Statutes and Policies

21.1 The Dean, clerical canons, and all other clergy appointed, elected or engaged under or in accordance with this Statute are subject to:

- (a) the Clergy Appointment and Licensing Statute 2021 (except where that statute does not apply to the Cathedral under section 4.1 of that statute) and any policy or requirement made from time to time pursuant to that statute;
- (b) the provisions of the Professional Standards Statute 2021 and any policy or requirement made from time to time pursuant to that statute;
- (c) the provisions of the Clergy Discipline Statute 2021 and any policy or requirement made from time to time pursuant to that statute; and
- (d) all other relevant Diocesan statutes and policies.

21.2 All lay persons appointed, elected or engaged under or in accordance with this Statute are subject to:

- (a) the provisions of the Professional Standards Statute 2021 and any policy or requirement made from time to time pursuant to that statute; and
- (b) all other relevant Diocesan statutes and policies.

21.3 For the avoidance of doubt, this section 21 does not change the extent to which a Diocesan statute or policy applies (if at all) to the Cathedral or to any of the persons referred to in sections 21.1 and 21.2.

22 Declarations

22.1 The provisions of Part 11 of the Parish Governance Statute 2016 shall apply to all lay members of the Chapter and all lay members of Synod who are elected in accordance with section 29.1(c) of this statute.

PART 8 - THE CHAPTER

23 Composition of the Chapter

23.1 The Chapter shall consist of the Dean, the clerical canons and the lay canons.

23.2 Any other person may by invitation attend and speak, but not vote, at a meeting of the Chapter.

23.3 The Chapter may act notwithstanding any vacancy.

24 Functions of the Chapter

24.1 Subject to section 4, the general management and government of the Cathedral shall be vested in the Chapter. The Chapter shall be responsible for:

- (a) the financial administration of the Cathedral. No expense may be incurred on account of the Chapter without their consent;
- (b) submission to the Diocesan Council of annual audited statements of receipts and expenditure and statistics as Diocesan Council shall require;
- (c) preparing an annual report for the annual meeting of the Cathedral congregation;
- (d) the provision of all things necessary for the celebration of the sacraments and of divine service in the Cathedral;
- (e) subject to the approval, directions or consent of the Trustees, the preservation, maintenance and repair of all

- property belonging to the Trustees, of which they have the use;
- (f) the preservation, maintenance and repair of all property which is held in trust by the Chapter, from funds at the disposal of the Chapter;
- (g) subject to Diocesan policies and statutes and consultation with the Dean, the employment and dismissal of any salaried clerk, organist, vergers or other paid lay official of the Cathedral, other than members of the choir who may be engaged and dismissed by the Dean without consultation;
- (h) subject to Diocesan statutes and policies and any national employment standards specified under federal legislation from time to time, the appointment of an organist and other lay officers of the Cathedral and the determination of their duties and salaries; and
- (i) the appointment for a three-year term of:
 - (i) a secretary from amongst its members; and
 - (ii) a treasurer who need not be a member of Chapter.
- 24.2 The functions of the secretary and treasurer appointed by the Chapter shall be as determined from time to time by the Chapter.
- 24.3 The secretary or treasurer may resign from office by notice in writing signed and sent to the Dean upon receipt of which that person's office becomes vacant.
- 24.4 The Chapter may by resolution remove from office a secretary or treasurer who is considered by the Chapter to be unfit for any cause to continue in office, and that person's office thereupon becomes vacant.
- 24.5 In accordance with the primary intent of the canonical institution as attached to cathedral churches, the Chapter shall be a council of spiritual persons upon whom the Archbishop may depend for advice and co-operation in matters concerning the spiritual welfare of the Diocese.
- 25 **Powers of the Chapter**
- 25.1 The Chapter shall have power to make rules for the conduct of all business coming before them and may reimburse themselves out of any moneys in their hands for all expenses which shall be incurred by them in or about the exercise of the duties imposed upon them.
- 25.2 The Chapter may:
 - (a) make, amend and repeal regulations governing its meetings, the duties of the lay canons and for the proper carrying out of its work in the Cathedral district; and
 - (b) in consultation with the Dean, nominate a precentor for appointment and licensing by the Archbishop in accordance with the provisions of the Clergy Appointment and Licensing Statute 2021 which apply to appointment and licensing of assistant priests. In precedence for ceremonial occasions, the precentor shall follow the clerical canons of the Cathedral.
- 26 **Chapter Meetings and Executive Committee**
- 26.1 At a meeting of the Chapter, seven members shall constitute a quorum, at least four of whom must be lay canons.
- 26.2 The Dean shall be the chairperson of the Chapter meetings unless the Dean appoints in writing another member of the Chapter either to convene or to chair Chapter meetings, or both. Such appointment ceases upon the Dean withdrawing such an appointment by written notice to the appointee or the appointee ceasing to hold office as a member of Chapter.
- 26.3 All questions before the Chapter which are not unanimous, shall be decided by the majority of votes of those present at the meeting and in such case the decision of the majority shall be the decision of the Chapter.
- 26.4 If the votes at any such meeting are equal the Dean shall in addition to a deliberative vote have a second or casting vote.
- 26.5 If at any meeting at which the Dean is not present the voting is equal, the matter shall be postponed to the next meeting of the Chapter at which the Dean is present.
- 26.6 The Chapter shall meet at least once in every quarter and shall at its first meeting after the fifteenth day of June in each year:
 - (a) review and amend, if necessary, the minutes of the annual meeting of the Cathedral congregation;
 - (b) fill any vacancies remaining after the annual meeting that the annual meeting is competent to fill;
 - (c) appoint an executive committee to consist of four members and the Dean who shall be its chairperson (unless the Dean appoints an alternative chair in accordance with section 26.2 of this statute). Three members shall constitute a quorum of the executive committee;
 - (d) delegate to the executive committee such of the powers and duties of the Chapter as the Chapter may determine; and
 - (e) make such rules as it may from time to time think proper for the guidance of the executive committee.
- 26.7 The office of any member of the executive committee shall be deemed vacant if they cease to be a member of the Chapter.
- 27 **Records**
- 27.1 All members of the Chapter shall have access to all the records of the Cathedral.

PART 9 – CATHEDRAL CONGREGATION AND ITS MEETINGS

- 28 **Cathedral Congregation**
- 28.1 For the purpose of this Statute the term 'member of the Cathedral Congregation' shall mean a person who shall have subscribed to a declaration in the form following: "I declare that:

I have attained the age of sixteen years;
 I have been baptised;
 I am a communicant member of the Anglican Church of Australia, namely,
 (i) I have been confirmed in the Anglican Church of Australia or am ready and desirous of being so confirmed; or
 (ii) I have been received into communicant membership of the Anglican Church of Australia or am ready and desirous of being so received; or
 (iii) I am a communicant member of a church that is in full communion with the Anglican Church of Australia;
 I am not a member of any church that is not in communion with the Anglican Church of Australia;
 I receive communion regularly at the Cathedral including normally at Christmas and Easter;
 I regularly attend the public worship of the Anglican Church of Australia at the Cathedral;
 I have regularly attended worship in the Cathedral during the preceding twelve months; and
 I am not registered as an enrolled member in any parish."

29 Annual Meeting

29.1 An annual meeting of the Cathedral Congregation shall be held by the fifteenth day of June in each year, unless dispensation is granted by the Archbishop to hold the meeting at a later date, to:

- (a) consider the annual report of the Chapter;
- (b) elect, when necessary, the two lay canons in accordance with section 18 of this Statute;
- (c) elect when necessary two lay members of Synod in accordance with the Parish Governance Statute 2016;
- (d) elect an auditor who shall not be a member of the Chapter; and
- (e) consider and determine any other business that may properly be brought before the annual meeting.

29.2 Notice of the time and place for the annual meeting shall be given by the Dean or officiating clergy, in the Cathedral, on the four Sundays prior to the day of the annual meeting, and by displaying a notice of such meeting publicly for at least four weeks before such meeting.

30 Special Meetings – mandated by Archbishop

30.1 In the case of failure to elect the lay canons of the Chapter, or the auditor or any of them, and if positions cannot be filled by the Chapter, the Archbishop may, by mandate, direct that a special meeting of the Cathedral Congregation be held.

30.2 The Archbishop shall cause the same notice of the time and place for the meeting to be given as must be provided in the case of the annual meeting of the Cathedral Congregation.

30.3 The notice convening the special meeting of the Cathedral Congregation must state the business for which a special meeting is being convened. No other business may be considered at the special meeting.

30.4 If both at the time appointed for the annual meeting of the Congregation and the special meeting of the Congregation the members of the Congregation fail to elect the required number of lay canons and auditors or any of them, Diocesan Council may appoint officers to fill the vacant positions.

31 Special Meetings – called by Dean or requisitioned

31.1 Whenever the Dean may think fit, a special meeting of the Cathedral Congregation may be convened. The Dean shall cause the same notice of the time and place for the meeting to be given as must be provided in the case of the annual meeting of the Cathedral Congregation.

31.2 The notice convening the special meeting of the Cathedral Congregation must state the business for which a special meeting is being convened. No other business may be considered at the special meeting.

32 Special Meetings – requisitioned by members

32.1 The Dean must upon a requisition in writing made by not less than ten members of the Cathedral Congregation convene a special meeting of the Cathedral Congregation.

32.2 A requisition must express the object of the meeting proposed to be called and must be given to the Dean either personally or by sending it through the post in a prepaid letter addressed to the Dean at the Cathedral Office or by electronic communication to the Dean.

32.3 Upon the receipt of a requisition the Dean shall forthwith proceed to convene the special meeting and shall cause the same notice of the time and place for the meeting to be given as must be provided in the case of the annual meeting of the Cathedral Congregation.

32.4 The notice convening the special meeting of the Cathedral Congregation must state the business for which a special meeting is being convened. No other business may be considered at the special meeting.

33 Meeting procedure

33.1 The Dean shall be convenor and chairperson of all meetings of the Cathedral Congregation.

33.2 Only members of the Cathedral Congregation and members of the Chapter shall be qualified to speak or vote at any meeting of the Cathedral Congregation.

34 Dispute Resolution

34.1 When a dispute arises between the Dean and the Chapter, the Dean and one or more members of the Cathedral Congregation, or the Chapter and one or more members of the Cathedral Congregation, the parties in dispute are encouraged to bring their concerns initially to the Dean and/or the Chapter with a view to resolution of the dispute within the Cathedral.

34.2 If the internal processes do not resolve the dispute, the Dean or the Chapter may invite the Archbishop to assist in the resolution of the dispute. The Archbishop, or a person nominated by the Archbishop for the purpose, may then implement a process of dispute resolution in accordance with the relevant Diocesan statutes and policies. .

34.3 Any dispute that has been managed through the processes outlined in sections 34.1 and 34.2 but remains unresolved may be referred to the Archbishop for determination. The determination of the Archbishop or a person nominated by the Archbishop for this purpose shall be final and binding on the parties to the dispute.

35 **External affiliations**

35.1 Section 76 of the Parish Governance Statute 2016 applies to the Cathedral, and that section shall be read as if the reference to parish is a reference to the Cathedral.

36 **Transitional**

36.1 The repeal of the Cathedral Statute 2017 will not affect or invalidate any act done or commenced, or any appointment made under or by virtue of the Cathedral Statute 2017, and all persons elected or appointed under that statute and holding office at the passing of this Statute will remain in office as if this Statute had been in force at the time they were elected or appointed and this Statute will apply to them.