



CATHOLIC DIOCESE OF HAMILTON, NEW ZEALAND

DECREE OF PROMULGATION

In the light of my consultation February-May 2024, I, Bishop Richard Laurenson, order these Statutes, regarding the Governance of the Diocese of Hamilton, New Zealand, be promulgated forthwith, circulated to diocesan parties, and be published on our Diocesan websites.

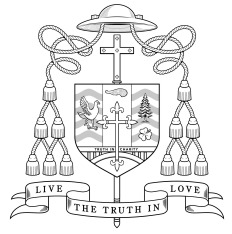
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✠ Richard Laurenson
BISHOP OF HAMILTON

D. McGirr
Chancellor

27 May 2024



Collegial Areas **(or Clusters or Deaneries)**

Preamble

Can. 374 provides for the Bishop to join several neighbouring parishes into “Special Groups” in order “To foster pastoral care through common action”. In the Diocesan Pastoral Plan “Who is My Neighbour” this special group was given the name “Collegial Area” Historically we have had Vicariates Forane, Deaneries, and even Collegial Clusters.

Intent and Scope of a Collegial Area

1. A Collegial Area is the primary support group for priest and parishes.
2. Bishop will determine the composition of a Collegial Area from time to time.
3. Priests are encouraged to gather at least once per month, and more regularly when distance allows.
4. The primary focus of the Collegial Area is local.

The Work of the Collegial Area

1. Purpose:

- a. Each Collegial Area is to support the priests in the area for reasons of Vacation, Illness or other situations where supply for sacraments are needed. Therefore
 - i. Mass Times and other activities are to be co-ordinated within the Collegial Area so that at least partial coverage may be given should a priest be impeded or fall ill or takes leave and is unable to find external supply.
 - ii. Changes to Mass times and other activities needs to take into account the needs of the other parishes and priests within the area.
 - iii. A consensus between the pastors in the Collegial area is desirable when it comes to mass times and sacramental celebrations like Christmas and Easter Confessions and Masses.
- b. Meeting time is to be allocated for:
 - i. considering proposals from Bishop’s Consulting Groups.
 - ii. coordinating times of absence and cover for supply;
 - iii. considering ways of closer cooperation within in the Collegial Area.
- c. The meeting is to either start or finish with a time of food and fellowship.
- d. At times it may be appropriate for the meeting to include Deacons and Pastoral Workers.

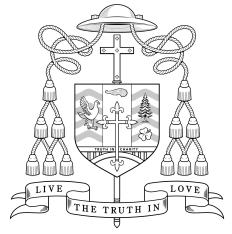
2. Nominations to consulting groups:

- a. If Nominations are called for, the Collegial Area may consult and nominate persons Lay or cleric to the Bishop for consideration for the Diocesan Pastoral council, Finance Committee or other groups proposed from time to time.

Vicar Forane

If it is desirable, Bishop may appoint a Vicar Forane, who has the following responsibilities:

1. Co-ordinate the Collegial Area(s) entrusted to him.
2. Ensure Communication between the Clergy in the collegial area(s) is effective.



3. If nominations are called: see that the area is consulted and if a candidate emerges, propose that person to bishop.
4. Help co-ordinate and promote common pastoral activity in the area,
5. Help promote meetings intended for the ongoing care and formation of the priests.
6. Help clerics, especially those new to New Zealand, to lead a life in keeping with the situation of the local Church guiding them in the particular ways things are done in the diocese.
7. Have general oversight so that the sacred liturgy is well celebrated, that the beauty and elegance of churches and sacred furnishings are maintained carefully, and considering the age of our housing stock that the rectory is cared for with proper diligence.
8. To help Bishop ensure that spiritual supports are available to the presbyters of his district, and likewise to be concerned especially for those who find themselves in more difficult circumstances or are beset by problems.
9. To be a designated support for clerics should a cleric lack sufficient spiritual and material aid, or need support in the event of disciplinary action, complaint, investigation.

The primary focus of a vicar forane is pastoral support of brother clergy within the collegial cluster. The vicar forane has authority by virtue of Canons 553-555. Other Names in the past for a Vicar Forane have been dean, archpriest.



Presbyteral Council

Preamble

The “Presbyteral Council”, is the premier means by which the priests of Hamilton assist the Diocesan Bishop in the governing of the Catholic Diocese of Hamilton. It is to provide a suitable forum for developing an overall perspective on the situation of the diocese, to discern the promptings of the Holy Spirit as expressed through people or groups, to exchange ideas and experiences and to elucidate clear objectives for the exercise of various diocesan ministries, priorities and methods. It is also known as the “Council of Priests”.

Due to the small number of priests in the Diocese, this format of council is considered to be the best means by which the council can advise Bishop.

All previous Statutes are replaced by this document.

Membership of the Council of Priests:

1. *Pastors:* Each Pastor is, by office, a member of the Presbyteral council.
2. *Episcopal Vicars:* be they priest or bishop, are members by office;

Attending Persons:

3. *Parochial Vicars:* If parochial vicars wish to attend the Council, they may, and may participate with full voice.
4. *Other priests working in the diocese:* may also attend these meetings and lend their full voice to deliberations.

Meetings of the Council of Priests:

The Diocesan Bishop shall from time to time call together the Presbyteral Council to deliberate upon certain matters that Bishop needs advice and help regarding the pastoral situation of the Diocese of Hamilton.

Bishop intends to call the council no more than twice in a given year, although if a serious need appears he may call extra meetings.

The meeting is consultative, and any decision made is advice to Bishop. While a consensus is important, in the end Bishop wishes to listen to various voices rather than have a single view agreed to.

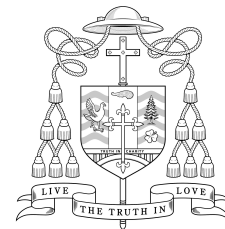
Notice will be given of the meeting about one month prior, and the areas for consultation will be announced at that time.

The meeting should begin at 10 am, and formalities conclude with a shared lunch. Any postprandial activities will be informal and geared towards fellowship.

Quorum, Since the meeting is consultative, a quorum will be achieved if a minimum of 10 persons attend.

Dissolution of the Council of Priests:

Should the See of Hamilton fall vacant, the Council of Priests ceases to exist. The functions of the Council will be taken up by the College of Consultors. The new bishop will establish anew the Presbyteral Council within 12 months of taking office.



If the Diocesan Bishop determines that the presbyteral council does not fulfill the function entrusted to it for the good of the diocese or has gravely abused its function, he may, after consulting with the metropolitan, dissolve the council and establish it anew within a year.

Offices in the Council of Priests:

President: The Diocesan Bishop presides at the Presbyteral Council.

Chair: The Chair organises and facilitates the meeting of the Presbyteral Council.

- If the Chair is Vacant, the Council of Priests will nominate a Chair which the President will confirm should it please him. The previous chair may be nominated again if it so pleases the council. The Term of the chair shall be 3 years, and will fall vacant at the end of the term.

Secretary: The Secretary, in conjunction with the President and Chair, prepares and distributes the meeting notes, records and distributes the minutes, and holds the recent archives of the Council of Priests. Older archives are to be held in the Diocesan Archive.

- The Secretary is appointed by the Diocesan Bishop.
- The Secretary may be a priest, a deacon, or a layperson.

Both the Chair and the Secretary hold this office at the pleasure of the President.

Functions of the Council of Priests:

The Council of Priests is the premier consultative body of the Diocese. It will:

- Consider and reply to questions posed to the Council of Priests by the Diocesan Bishop.
- Consider and present to the Diocesan Bishop proposals made by members of the Diocese.
- Establish, if asked, a Council of Pastors available for the Diocesan Bishop to consult in the removal, or transfer of a Parish Priest. (c.1742) (Shifts Committee)

Required consultation: The Diocesan Bishop is required to consult the Council of Priests in significant issues in general and specifically in making decisions in the following areas:

- The advisability of a diocesan synod (c.461,1)
- The modification of parishes, e.g., their erection, modification, division or suppression (c.515,2)
- The determination of the use of offerings of the faithful (planned giving etc.) made on the occasion of parish services and placed in a general parish fund (c.531)
- The appropriateness of parish councils (c.536)
- The granting of permission to build a church (c.1215)
- The granting of permission for a church to be converted to secular purposes for reasons other than its poor condition (c.1222,2)
- The imposition of a tax for the needs of the diocese of public juridic persons subject to the bishop; also the imposition of an extraordinary and moderate tax for very grave needs on other juridic persons and on physical persons (c.1263)

Limitations of the Council of Priests:

The Council of Priests is consultative in nature only (c.500,2). The presbyteral council must never act without the knowledge of the Bishop, who alone is competent to convoke the council, preside over it, determine the questions to be treated by it and make public the content of the discussions and any decisions taken (c.500,1,2).



College of Consultors

Preamble

The College of Consultors exists to provide the Diocesan Bishop with timely advice and support in weighty or sensitive matters regarding the governance of the Catholic Diocese of Hamilton (CDH). Its authority and existence and scope of action is provided for under Can. 502 et al. The College of Consultors is a stable body that remains together for five (5) years from its inception or until a new college is formed, whichever is the latter.

Membership of the College of Consultors

1. The Bishop shall freely select between six (6) and twelve (12) Priests, who participate in the Presbyteral Council.
2. To assist in his deliberations, The Presbyteral Council may be asked to nominate a series of names to Bishop for consideration.
3. Included in his selection shall be his Vicars General.
4. At the time of appointment to the College, the Presbyter must be a participating member of the Presbyteral Council.
5. A vicar general ceases membership if he ceases to be the Vicar General while the See is filled, but may be retained as an ordinary member if the bishop so chooses.
6. A consultor is free to resign from the college for any reason. If he reaches the age of 75 he may tender his resignation as required, but is to wait for acceptance from Bishop before it takes effect.
7. If a consultor becomes impeded from exercising his role, the bishop may replace him. Impediment may be a canonical, mental, or physical incapacity to minister.

Dissolution of the College of Consultors

The College exists for a five-year Term, after which the Diocesan Bishop will constitute a new College. Until the new College is constituted, the old College continues to function. Should the See of Hamilton fall vacant or is impeded, the College continues to operate, and takes to itself the functions of the Council of Priests until a new Council of Priests is constituted.

Offices of the College of Consultors

President: The Diocesan Bishop Presides at the College of Consultors.

If the See is vacant or impeded, the one who temporarily takes the place of the Diocesan Bishop (c.413) presides. Failing that, the priest senior in ordination presides.

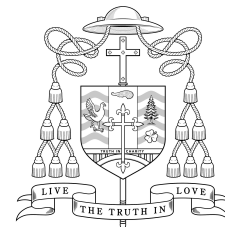
Chair: The chair organises and facilitates the meeting of the College

- Ordinarily the Bishop Chairs the meetings, however if he so chooses, the College may nominate a Chair to the Bishop who will confirm the nomination if it pleases him.

Secretary: in conjunction with the President and Chair, prepares and distributes the meeting notes, records and distributes the minutes, and holds the recent archives of the College.

- The Secretary is appointed by the Diocesan Bishop.
- The Secretary may already be a member of the College or another person.

Both the Chair and the Secretary hold this office at the pleasure of the Diocesan Bishop.



Functions of the College of Consultors

1) When the See is filled:

1. **The Diocesan Bishop is to hear** (audire) or consult the College in order to:
 - a. Place acts of administration which are more important in light of the economic condition of the diocese (but are not extraordinary - e.g. \$15,000 in a tiny parish or an 8-year lease with serious implications)
 - b. Appoint and remove the “diocesan finance officer” (c.494,1-2), whose local title is “*Diocesan General Manager*”
2. **The Diocesan Bishop may choose to consult** the College in sensitive matters where he desires a wider range of advice than he might receive on a day-to-day basis.
3. **The Diocesan Bishop must obtain the consent** of the College to:
 - a. Perform acts of extraordinary administration (c.1277)
 - b. Alienate Diocesan Property (c.1292,1)
 - c. Alienate goods given to the Church by vow, or goods precious for artistic or historical reasons.
 - d. Authorise Alienation within minimal and maximal sums set by the New Zealand Catholic Bishop’s Conference for juridic persons subject to bishop (c.1293,1)

2) When the See is impeded the College:

1. Must elect an administrator if no other provision has been made (cc.413,2 419);
2. Receive the Letter of Appointment of an Auxiliary or Coadjutor Bishop in the presence of the Chancellor (c.404,3)

3) When the See is vacant the College must:

1. Elect an administrator within eight days of the vacancy (c.421,1);
2. Receive the approved Profession of Faith by the diocesan administrator;
3. Give consent for the administrator to:
 - a. Issue a dimissorial letter (c.1018,2);
 - b. Remove the chancellor or other notaries (c.485),
 - c. allow incardination, excommunication or emigration of clerics (c.272)
4. Fulfil the role of the presbyteral council (c.501,2).
5. If there is no auxiliary bishop,
 - a. govern the diocese initially, unless other arrangements are made by the Holy See(c.419).
 - b. to inform the Apostolic See of a death of a bishop
6. To receive the Letter of Appointment of a new Diocesan Bishop (cc.382, 404)

NB: Members who are to advise or give consent regarding alienating goods are not to offer advice or consent unless they have first been thoroughly informed both of the economic state of the juridic person whose goods are proposed for alienation and of previous alienations.



Diocesan Finance Council

The diocesan finance council fulfils the purposes identified in the *Code of Canon Law* and other particular Diocesan legislation. Its Purpose is:

1. To prepare an annual diocesan budget of foreseen income and expenditures (can. 493)
2. To examine the annual diocesan report of revenue and expenses (c.493; see c.494 §4)
3. To review the annual financial reports presented by administrators of any ecclesiastical goods whatsoever which have not been legitimately exempted from the power of governance of the diocesan bishop (canon 1287 §1)
4. To elect a temporary Diocesan General Manager (DGM) if the DGM is elected as the diocesan administrator *sede vacante* (canon 423 §2)
5. To assist the Diocesan Bishop and his DGM observe and promote Book V of the Code of Canon Law.

To give its *consent* to the diocesan bishop before he performs the following acts:

1. Acts of extraordinary administration in the diocese, as defined by the conference of bishops (canon 1277);
2. Alienate goods of public juridic persons subject to his authority,
3. Alienate diocesan goods, which belong to the stable patrimony and whose value falls between the minimum and maximum amounts established by the conference of bishops (canon 1292 §2)
4. Perform any transaction which can worsen the patrimonial condition of public juridic persons subject to his authority or of the diocese, which belong to the stable patrimony and whose value falls between the minimum and maximum established by the conference of bishops (canon 1295);

To give their individual and considered opinion to the diocesan bishop before he performs the following seven acts:

1. Appoint or remove the DGM (c 494);
2. Place acts of administration which are more important in light of the economic condition of the diocese (canon 1277);
 - a. Bishop must also listen to the college of consultors in 1 & 2
3. Impose a moderate tax on public juridic persons subject to his authority (canon 1263);
4. Impose an extraordinary tax upon other juridic persons and upon physical persons subject to his authority (canon 1263);
 - a. Bishop must also listen to the presbyteral council in 3&4
5. Determine the acts placed by public juridic persons subject to him which exceed the limits of ordinary administration (canon 1281§1)
6. Make a prudent judgement on the investment of money and movable goods assigned



to an endowment for the benefit of a foundation after also hearing those concerned. (canon 1305)

7. Reduce, moderate, or commute obligations attached to a foundation (not Masses) if, through no fault of the administrators, the fulfilment of these obligations becomes impossible because of diminished revenue or some other cause with the intention of the founder preserved as much as possible (canon 1310§2; those concerned must also give their counsel)

MEMBERSHIP

1. The Diocesan Bishop, or his delegate, shall preside at all its meetings.
2. At least three and no more than 7 members of the Christian faithful, freely appointed by the diocesan bishop (see canon 492 § 1).
3. Appointed members shall be truly expert in finances and civil law and outstanding in integrity (canon 492 §1). They may not be related to the diocesan bishop up to the fourth degree of consanguinity or affinity (canon 492 § 3).
4. Members are appointed to a term of five years, renewable (canon 492 § 2).
 - i. Members are free to resign should they need to.
 - ii. If, in the mind of the Bishop, a member's position becomes untenable, the Bishop may replace that member.
5. The vicar(s) general and the DGM shall attend all meetings of the diocesan finance council, but are not to be counted as members of it.
6. A Chair and Vice-chair are to be elected at the first organizational meeting held after the beginning of each new fiscal year, and shall serve for a one-year term, renewable. The secretary shall be appointed by Bishop, or failing that elected in the same manner as the Chair. They form the Executive Committee of the diocesan finance council.

MEETING SCHEDULE:

1. The diocesan finance council shall meet at least four times a year, at a time and place determined by the diocesan bishop. If needed, more frequent meetings may occur.
2. At least two weeks prior to each meeting of the diocesan finance council, the DGM and the Secretary will meet with the diocesan bishop or his delegate to determine the agenda for the next council meeting.
3. The chairperson is responsible for conducting the business of all meetings of the diocesan finance council.
4. The vice-chairperson assists the chairperson, and substitutes for the chairperson when the chairperson is unable to perform the duties of office.
5. The secretary prepares and distributes agenda for meetings, records minutes of meetings, and distributes them to members.
6. A simple majority of the Diocesan Finance Council shall form a Quorum.
7. Some Meetings may be held by Video link, or resolutions made by email.



SUB COMMITTEES.

Treasury Committee

The Treasury Committee is to consist of The Finance Officer, two Members of the Council and at most three other persons as the Finance Council Nominates to Bishop for approval.

The Treasury Committee is to:

- a. Observe its investment strategy according to the Investment policy
- b. Recommend to DFC the appointment of External Investment Mangers, as needed.
- c. Oversee External Investment Managers;
- d. Receive and resolve to accept or decline recommendations for purchase and sale of investments from those investment managers;
- e. Present to the Finance council an annual Review of the investment policy for approval; and
- f. report to the Diocesan Finance Council, on a quarterly basis, the outcomes and progress of the committee.
- g. Review the performance of the Investment Managers at least 5 yearly, and recommend to DFC to retain or replace.

Other committees of the diocesan finance council shall be created when and for as long as the DFC sees the need, with the consent of the Diocesan Bishop. The purpose of each committee shall be determined clearly by the Bishop, consulting with the DFC Chair.

Sub committees consist of a Chair, and at least one other who are DFC members. They may co-opt other persons from outside the DFC to help their deliberations. There should be one more DFC member than co-opted members on subcommittees.

IN GENERAL:

Members receive no remuneration for service on the council, but may be reimbursed for reasonable expenses incurred if these have been approved in advance by the diocesan bishop.

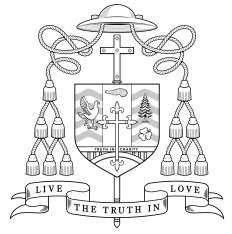
Meetings and deliberations enjoy normal levels of Confidentiality.

If special interests arise in the course of deliberations, the DFC Member will make that known to the Bishop and the DFC in a timely manner.

Amendments

These Statutes may be amended **ONLY** by the consent of the diocesan bishop on his own initiative or following a majority vote of council members favouring amendment.

Nothing in the Statutes may contradict the divine law, the universal law of the Catholic Church, Civil Law, or the particular law of the Diocese of Hamilton.



Council of Pastors

(Appointments' Committee)

In order to facilitate the staffing of parishes, a stable committee is to be established by the Presbyteral council.

It is to be comprised of no less than 4 Pastors.

Three Pastors are to be proposed to Bishop by the Presbyteral Council.

The Vicar General is a member ex officio.

The Term of Membership shall be 5 years, and then the Presbyteral Council is to consider the names of the three pastors again.

The intent of the committee is fourfold:

1. Design and review procedures to facilitate Appointments in the Diocese.
2. Begin and complete the process of Parish Appointments and shifts that occur from time to time, especially upon the retirement, resignation, or death of incumbent Pastors and parochial Vicars.
3. Facilitate any strategic planning required for future staffing of parishes, including recruitment of priests from outside the diocese.
4. Be consulted by and give advice to the Bishop should the removal or transfer of a pastor from a parish be required.

Dissolution of the Council of Pastors:

Should the See of Hamilton fall vacant, the Council of Pastors ceases to exist. The functions of the Council will be taken up by the College of Consultors with its canonical limitations. The new bishop will establish anew the Council of Pastors within 12 months of taking office.

Should a member of the Council of Pastors resign, be impeded, or otherwise be unable to fulfil his function, the Bishop shall freely appoint another pastor in his place.

If the Diocesan Bishop determines that the Council of Pastors does not fulfil the function entrusted to it for the good of the diocese or has gravely abused its function, he may, after consulting with the metropolitan, dissolve the council and establish it anew within a year.