

**THE CATHEDRAL CHURCH OF
ALL SAINTS, DERBY**



CONSTITUTION AND STATUTES

**prepared in accordance with the Cathedrals
Measure 1999**

brought into operation 19 March 2000

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THIS INSTRUMENT is made the twenty fourth day of December one thousand nine hundred and ninety nine **BY THE TRANSITIONAL COUNCIL** (“the Transitional Council”) established for the **CATHEDRAL CHURCH OF ALL SAINTS, DERBY** (“the Cathedral Church”) in accordance with Schedule 1 to the Cathedrals Measure 1999 (“the Measure”).

IN accordance with the Measure and with the consent of the Bishop of the Diocese of Derby the Transitional Council hereby **PROVIDES** that as from the date to be appointed by the Archbishops of Canterbury and York in accordance with section 38(2) of the Measure the Constitution set out in the Schedule hereto shall be the Constitution of the Cathedral Church and (together with the Statutes set out in the Schedule to an Instrument made by the Transitional Council on the same date as this Instrument) shall replace the Constitution and Statutes established for the Cathedral Church under the Cathedrals Measure 1963 by Order in Council dated the twenty eighth day of July 1967.

THE SCHEDULE

PREAMBLE

The Collegiate Church of All Saints, Derby was founded in the tenth century as a Royal foundation. The constitution and governance of the collegiate church changed over the centuries until the college was dissolved in 1549 and All Saints became a parish church. In 1927 it was hallowed as the cathedral church of the newly formed Diocese of Derby.

These provisions are drawn up in accordance with the procedures set out in the Cathedrals Measure 1999 and they replace the Constitution and Statutes made under the Cathedrals Measure 1963 confirmed by an Order in Council dated the 28th day of July 1967.

The object of the following Constitution and Statutes (“the governing instruments”) is to secure a sound and fair basis for the common life, mission, administration and government of the Cathedral Church of All Saints, Derby.

The governing instruments provide for the body of Christian believers who, individually and as members of the Chapter, the Council, the College of Canons, the Foundation, the Staff and the Congregation, contribute to the Cathedral’s ministry.

Any person or body on whom functions are conferred by or under this Constitution or 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. As such the Cathedral shall;

- maintain a daily pattern of corporate prayer and worship, giving glory to God and holding before him the needs of the church and the world, and particularly of the diocese of Derby, the city of Derby and the county of Derbyshire;
- be a focus for the Bishop’s ministry, a resource to him and a place where prayer is offered for him;
- preach the gospel of Christ and nurture Christian learning, in collaboration with other churches and traditions and with sensitivity to other faiths;
- extend hospitality to pilgrims and visitors of every kind;
- demonstrate the concern of Christ for the poor;
- engage with the city and the county, with corporate life and institutions, in the complexities of contemporary society and culture, and explore spiritual values with all people of goodwill;
- share, as the mother church, with the parishes of the diocese in every aspect of the Church’s vocation.

THE CONSTITUTION

I. INTERPRETATION

I.1 In these governing instruments:

- a. “actual communicant” means a person 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 within the preceding twelve months;
- b. “Bishop” means the Bishop of Derby.
- c. “Cathedral” and “Cathedral Church” means the cathedral church of All Saints, Derby;
- d. “City”, “County”, and “Diocese” mean the City of Derby, the County of Derbyshire, and the Diocese of Derby, respectively;
- e. “cathedral duties” means duties, whether in the cathedral or the Diocese, which should, in the opinion of the Chapter after consultation with the Bishop, be discharged in or from the cathedral;
- f. “the Measure” means the Cathedrals Measure 1999;
- g. “Parish” means the ecclesiastical parish of All Saints, Derby and “Parish Church” and “parochial” shall be construed accordingly;
- h. “See” means See of Derby;
- i. “Vicar” means Vicar of the Parish of All Saints, Derby;
- j. “Chapter”, “Council” and “College of Canons” shall respectively mean the bodies referred to in Clauses 7, 10 and 11 of this Constitution;
- k. in accordance with prevailing legal practice, words importing the masculine shall include the feminine.

I.2 A reference in these governing instruments to the holder of any office, dignity or preferment shall be to the holder for the time being of such office, dignity or preferment in the Cathedral Church or, as the case requires, in the Diocese.

2. THE CORPORATION

2.1 The members for the time being of the Council, the Chapter and the College of Canons shall be a body corporate (which will be known as the corporate body of the Cathedral Church of All Saints, Derby) with perpetual succession and a common seal (to be known as the Common Seal of the Cathedral) which shall be hitherto used by the Cathedral Chapter of the Cathedral Church of All Saints, Derby.

2.2 The Chapter shall hold the Common Seal of the Cathedral and affix it when required.

3. THE BISHOP

- 3.1** The Bishop shall have the principal seat and dignity in the Cathedral.
- 3.2** The Bishop shall be the Visitor of the Cathedral, and shall have all the powers that belong as of right to the office of Visitor.
- 3.3** As Bishop or as Visitor, the Bishop shall have the rights, powers, privileges and duties set out in the Statutes.

4. THE DEAN

- 4.1** The Vicar of the parish of All Saints, Derby shall by virtue of his office be Dean, and shall be the principal dignitary of the Cathedral, next after the Bishop.
- 4.2** The Dean shall vacate his office automatically and without the execution of any instrument of resignation in accordance with the Ecclesiastical Offices (Age Limit) Measure 1975.

5. THE CANONS RESIDENTIARY

- 5.1** The number of Canons Residentiary shall not exceed 5 at any one time.
- 5.2** The Canons Residentiary, being persons having the qualifications prescribed by law shall be appointed by the Bishop after consultation with the Dean.
- 5.3** The holders of two Residentiary Canonries shall, subject to the provisions of Section 8 of the Measure, be engaged exclusively on Cathedral duties.
- 5.4**
- a) Any Canon Residentiary appointed under the Constitution which this Constitution replaces, shall continue in office for the duration of his appointment under such Constitution.
 - b. Subject as aforesaid, each Residentiary Canonry shall be held for the shortest of the following periods:
 - i. an initial term of 7 years
 - ii. a term expiring on the date on which such Canon Residentiary shall vacate his office automatically in accordance with the Ecclesiastical Offices (Age Limit) Measure 1975;
 - iii. where a Canon Residentiary is at the date of his appointment the holder of a Diocesan Office or is appointed to a Diocesan Office at the same time as he is appointed to a Residentiary Canonry on the understanding that he is to hold such canonry only so long as he holds the Diocesan Office concerned, a term expiring on the date when such Canon ceases to hold such Diocesan Office.
- 5.5** Any appointment as a Canon Residentiary may, subject to the provisions of Clause 5.6 below, be renewed by the Bishop after consultation with the Dean for one or more further terms, not exceeding 5 years in the case of any such renewal.

- 5.6** Every Canon Residentiary shall vacate his office automatically and without the execution of any instrument of resignation in accordance with the Ecclesiastical Offices (Age Limit) Measure 1975.
- 5.7** The Bishop may for financial or other reasons and after consultation with the Dean, suspend or refrain from filling any of the Residentiary Canonries (other than the 2 referred to in Clause 5.3 above) which have fallen vacant and may after the like consultation revive and appoint to such Residentiary Canonry.

6. HONORARY CANONS AND LAY CANONS

- 6.1** Subject to the following provisions of the Clause there shall be not more than 15 Honorary Canons who shall be appointed by the Bishop after consultation with the Dean from among persons in Holy Orders who are beneficed or licensed in the Diocese.
- 6.2** Every full time stipendiary Assistant Bishop in the Diocese shall be appointed to an Honorary Canonry and such shall be held in addition to the Canons appointed under Clause 6.1.
- 6.3** Any Honorary Canon appointed under the Constitution which this Constitution replaces shall continue in office for the duration of his appointment under such Constitution.
- 6.4** Subject to the provisions of Clause 6.3, an Honorary Canon shall vacate his office automatically and without the execution of any instrument of resignation upon ceasing to be beneficed or licensed in the diocese.
- 6.5** Subject to the following provisions of this Clause the Bishop may after consultation with the Dean, appoint up to 8 Lay Canons from among lay persons who have given distinguished service to the Cathedral or the Diocese or Church of England and who are actual communicants being either resident within the Diocese or having their names on the Church Electoral Roll of a parish in the Diocese.
- 6.6** A Lay Canon shall hold office for an initial period of 5 years and shall be eligible for re-appointment by the Bishop after consultation with the Dean for further such periods but shall vacate his office automatically and without the execution of any instrument of resignation upon ceasing to fulfil the conditions set out in Clause 6.5.
- 6.7** No Lay Canon shall be appointed or re-appointed over the age of 70, but a Canon so appointed or re-appointed prior to his 70th birthday may serve the full term of 5 years notwithstanding that he attains the age of 70 during such 5 year term.

7. THE CHAPTER

- 7.1** There shall be a Chapter of the Cathedral whose membership shall, subject to the provisions of Section 4 of the Measure, consist of:

- a) The Dean;

- b) All the Canons Residentiary of the Cathedral;
- c) 4 other persons appointed by the Bishop after consultation with the Dean and the Bishop's Council and Standing Committee of the Diocesan Synod subject always to the following provisos:
 - i. at least 3 of such persons must be lay people;
 - ii. 1 of the 4 shall represent the Cathedral community (being appointed from such community) and being either a past or present churchwarden of the Parish;
 - iii. 2 of such 4 persons shall represent the wider community of the City and County;
 - iv. 1 of such persons must have particular expertise in financial matters.

Provided always that such lay persons must be actual communicants being either resident within the Diocese or having their names on the Church Electoral Roll of a parish in the Diocese.

Such persons shall hold office for 3 years but shall be eligible for membership for further terms of office.

- 7.2** The Chapter shall exercise the functions previously exercisable in relation to the Parish by the parochial church council and transferred to the administrative body of the Cathedral under Section 12(1) of the Cathedrals Measure 1963.
- 7.3** The Administrator of the Cathedral (who shall act as Clerk to the Chapter) shall be entitled to be present at any meeting of the Chapter (except during any discussion concerning the Administrator personally) and to speak but not vote.
- 7.4** The Dean shall be the Chairman and shall have a second or casting vote.
- 7.5** In the absence of the Dean or of any person appointed to exercise the functions of the Dean under Article 2.6 of the Statutes, the Chapter shall elect one of its members to preside over it, but such person shall not have a second or casting vote.
- 7.6** The Chapter shall meet on at least 9 occasions in each calendar year.
- 7.7** Meetings of the Chapter shall be called by the Dean in accordance with a resolution of the Chapter, on his own motion, or on the written requisition of at least four members of the Chapter.
- 7.8** Two weeks notice of meetings shall be given to members of the Chapter.
- 7.9** The quorum for the transaction of business at a meeting of the Chapter shall be 50% of its members of whom at least one must be a Lay person.
- 7.10** It shall be the duty of the Chapter to direct and oversee the administration of the Cathedral and in particular, to;
 - a) Order the worship and promote the mission of the Cathedral.

- b) 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;
- c) Provide for the pastoral care of the Cathedral congregation;
- d) 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 ornaments are carried out;
- e) Prepare an annual budget for the Cathedral and submit it to the Council;
- f) Prepare in accordance with Section 27 of the Measure an annual report and audited accounts, and submit them to the Council and the College of Canons;
- g) Submit to the Council such other reports as may be requested by the Council on any matter concerning the Cathedral;
- h) Keep under review the Constitution of Statutes of the Cathedral and submit any proposals for their revision to the Council;
- i) Hold the Common Seal of the Cathedral and affix it when required;
- j) Exercise patronage where the Cathedral has the right to present to benefices.

8. THE FINANCE COMMITTEE OF THE CHAPTER

8.1 As soon as practicable after the coming into force of this Constitution and Statutes the Chapter shall establish a Finance Committee having the function of advising the Chapter in connection with its responsibilities in the field of financial and investment management (and the management of property belonging to the Cathedral).

8.2 The Finance Committee shall consist of;

- a) The Member of Chapter appointed by the Bishop for financial expertise, who shall be the Chairman of the Finance Committee;
- b) The Dean;
- c) The Administrator;
- d) 1 other Member of the Chapter who shall hold office for a term of 3 years but shall be eligible for membership for further terms of office;
- e) 3 other persons, not being Members of the Chapter, but appointed by the Chapter for the expertise and experience in the field of financial and investment management who shall hold office for a term of 3 years but shall be eligible for membership for further terms of office.

9. OTHER COMMITTEES

9.1 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.

10. THE COUNCIL

10.1 There shall be a Council of the Cathedral whose membership shall consist of:

- a) The Chairman appointed by the Bishop;
- b) The Dean;
- c) 3 further members of the Chapter chosen by it;
- d) 2 members of the College of Canons elected from within their number;
- e) 4 Lay persons from the Cathedral Community (who shall not be members of the Chapter) elected at their Annual meeting (from Rolls as hereinafter defined) as follows:
 - i) 2 from Part 1 of the Cathedral Community Roll
 - ii) 1 from Part 2 of the Cathedral Community Roll as hereinafter described
 - iii) 1 from Part 3 of the Cathedral Community Roll
- f) 10 persons as follows:
 - i) 2 of the Archdeacons elected by all the Archdeacons;
 - ii) The 2 Churchwardens of the Parish;
 - iii) 1 Lay person from each Archdeaconry appointed by the Bishop's Council and Standing Committee of the Diocesan Synod;
 - iv) 1 Ecumenical Representative;
 - v) 1 Representative of the City;
 - vi) 1 Representative of the County;
 - vii) 1 Representative from the University of Derby;

These last four persons representing the wider community shall be appointed by the Bishop in consultation with the Dean.

- 10.2** The Chairman shall be a Lay person, not being a member of the Chapter, appointed by the Bishop, who shall before making an appointment afford the Chapter an opportunity to express views both in general as to the appointment and as to any specific person proposed by the Bishop for appointment, and who shall in deciding whom to appoint have regard to those views.
- 10.3** The Bishop shall be entitled to be present and speak but cannot vote.
- 10.4** The Churchwardens of the Parish shall serve for a period of one year and subject thereto all the members of the Council other than the Dean shall serve for a period of three years.
- 10.5** All members of the Council shall be eligible for re-appointment or re-election (as the case may be) provided that the Archdeacons and the Churchwardens of the Parish shall cease to be members of the Council upon their ceasing to hold office as Archdeacon or Churchwarden of the Parish as the case may be.
- 10.6** In the absence of the Chairman members shall choose a Chairman for the meeting who shall be a Lay person (other than a member of the Chapter).
- 10.7** The Council shall appoint its own Secretary from inside or outside its membership. If the latter, the Secretary (who may be the Cathedral Administrator) shall not thereby become a member of the Council.
- 10.8** The Council shall meet on at least two occasions in each calendar year.
- 10.9** Meetings of the Council shall be called by the Chairman, in accordance with a resolution of the Council, on his own motion, or on the written requisition of at least eight members of the Council.
- 10.10** The quorum for the transaction of business at a meeting of the Council shall be two fifths of its members.
- 10.11** It shall be the duty of the Council to further and support the work of the Cathedral, spiritual, pastoral, evangelical, social and ecumenical, 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:
- a) 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.
 - b) Receive and consider the annual budget of the Cathedral;
 - c) Receive and consider the annual report and audited accounts and financial projections;
 - d) Consider proposals submitted by the Chapter in connection with the Constitution and Statutes of the Cathedral with a view to their revision under Part II of the Measure.

- 10.12** The Council may:
- a) Request reports from the Chapter on any matter concerning the Cathedral;
 - b) Discuss and declare its opinion on any such matter;
 - c) Draw any matter to the attention of the Visitor or the Church Commissioners.

11. THE COLLEGE OF CANONS

11.1 There shall be a College of Canons consisting of:

- a) The Dean (who shall be Chairman);
- b) Every Bishop Suffragan;
- c) Every full-time stipendiary assistant Bishop;
- d) Every Canon as provided for in Clauses 5 & 6 Constitution;
- e) Every Archdeacon.

11.2 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.

11.3 The College of Canons shall meet not less than twice a year and at least on one such occasion with the Bishop.

11.4 The College of Canon shall:

- a) Consider such matters relating to the Diocese or the Cathedral as the Bishop may determine;
- b) Have a special care for the promotion of sound theological learning in the Cathedral and the Diocese.
- c) Receive and consider the annual report, the audited accounts of the Cathedral and any financial projection relating to future policy of the Cathedral as determined by the Chapter;
- d) Discuss such matters concerning the Cathedral as may be raised by any of its members;
- e) Discuss such other matters as the Dean or the Chapter may refer to the College of Canons.

11.5 Members of the College of Canons shall seek to contribute to the corporate life of the Cathedral and to promote its mission and service in the diocese.

12. THE ADMINISTRATOR AND OTHER OFFICERS

- 12.1** There shall be an Administrator of the Cathedral, who shall act as Clerk to the Chapter and shall be appointed by the Chapter on such terms in respect of tenure, remuneration and duties as the Chapter may determine.
- 12.2** There shall be an Architect of the Cathedral, who shall be a person registered under the Architects Act 1997 and shall be appointed by the Chapter (after consulting the Cathedrals Fabric Commission for England) on such terms in respect of tenure, remuneration and duties as the Chapter may determine.
- 12.3** 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 shall be appointed by the Chapter on such terms in respect of tenure and remuneration as the Chapter may determine, and who shall audit the accounts of the Cathedral in accordance with Section 27 of the Measure.
- 12.4** There shall be a Director of Music who shall supervise the music in the Cathedral and shall be appointed by the Chapter on such terms in respect of tenure, remuneration and duties as the Chapter may determine.
- 12.5** There shall be an Archaeological Consultant, who shall be appointed by the Chapter on such terms in respect of tenure and duties as the Chapter may determine and who shall possess such qualifications and expertise as required by the Care of Cathedrals Measure 1990.

13. THE CATHEDRAL COMMUNITY ROLL

- 13.1** There shall be a Roll formed by the Cathedral Administrator as soon as practicable after the coming into effect of this Constitution and thereafter maintained by him containing in:
- Part 1** - the names of all those lay persons entered on the Church Electoral Roll who are qualified as such by residence in the parish or by virtue of habitual worship in the Cathedral;
- Part 2** - the names of all those lay persons entered on the Church Electoral Roll who are qualified as such by virtue of habitual worship at Saint Mary's Chapel on the Bridge (whether or not being also resident in the parish);
- Part 3** – the names of all those persons who are engaged in work or service connected with the Cathedral in a regular capacity.
- 13.2** No person may be transferred from one Part of the Roll to another except at the time of Annual Revision.
- 13.3** Each Part of the Roll shall be revised and a new Roll shall be prepared at the same time as the Church Electoral Roll.

14. THE CATHEDRAL COMMUNITY COMMITTEE

14.1 Membership of the committee shall consist of:

- a) The Dean;
- b) A Canon Residentiary elected by the Chapter;
- c) The Lay member of the Cathedral Chapter chosen to represent the Cathedral Community (if not a present Churchwarden);
- d) The Churchwardens;
- e) 5 members elected from and by those on Part 1 of the Cathedral Community Roll;
- f) 2 members elected from and by those on Part 2 of the Cathedral Community Roll;
- g) 1 member elected from and by those on Part 3 of the Cathedral Community Roll;
- h) Any Clerk in Holy Orders licensed by the Bishop to serve at the Cathedral, but not a member of the Chapter or Chaplain appointed under Article 7 of the statutes provided always that if there are more than 2 persons so licensed, they shall elect 2 from their own number;
- i) Up to 2 lay members co-opted annually.

14.2 Elected members shall be elected annually. No elected member shall serve continuously for longer than 5 years.

14.3 The Co-chairmen shall be the Canon Residentiary and a Lay person elected by the Committee. The Co-chairmen shall draw up the agenda.

14.4 The Committee shall appoint its own secretary from within or without its membership.

14.5 The Committee shall:

- a) Provide good lines of communication between the Chapter and the Cathedral community by receiving reports from and by reporting regularly to the Chapter;
- b) Enable the Dean and the Chapter to consult with the Cathedral community about the life and ministry of the Cathedral;
- c) Promote the involvement of the Cathedral Community in the life and ministry of the Cathedral and to send reports to the Cathedral Chapter;
- d) Make and implement policy in areas of Cathedral life and ministry delegated to it by the Chapter;
- e) Build up and establish the life of the Cathedral community.

- 14.6** There shall be an Annual Meeting of the Cathedral Community (to be held immediately following the Annual Parochial Meeting held pursuant to the Church Representation Roles) which any person whose name is entered on any Part of the Cathedral Community Roll shall be entitled to attend. The business of the Meeting shall be to hear and receive a report on the life of the Cathedral by the Cathedral Community Committee and to elect representatives of the Community to the Council and to the said Committee as required by this Constitution.
- 14.7** All elections to the Community Committee shall be whichever single transferable vote system has been adopted and is in use by General Synod for its own elections at any given time.

14.8 The Community Committee shall meet at least four times a year.

15. THE FOUNDATION

15.1 The Cathedral Foundation is a body the members of which are:

- a) The members of the Chapter;
- b) The College of Canons;
- c) The Lay Officers named in Clause 12 of this Constitution;
- d) The members of the Cathedral Choir;
- e) The Vergers;
- f) Such other persons who share in the day to day life and worship of the Cathedral as the Chapter shall from time to time determine.

Such membership shall confer no vested rights.

16. PROVISIONS APPLICABLE TO THE CONSTITUTION AND STATUTES

- 16.1** No repeal or amendment of, nor any addition to, the Constitution or the Statutes shall be made except in accordance with the provisions of the Measure.
- 16.2** Nothing in the Constitution or Statutes shall affect the right of patronage or other right or interest of Her Majesty.

Signed on behalf of the Transitional Council)
by Michael Francis Perham Chairman and)
Provost in the presence of:)

**THE COMMON SEAL OF THE
CATHEDRAL CHAPTER OF
THE CATHEDRAL CHURCH
OF ALL SAINTS, DERBY** was

Hereunto affixed in the presence of:
Michael A B Mallender

Michael Perham
Tony Chesterman
Members of the Chapter

Michael A B Mallender
Chapter Clerk

In accordance with the Measure, I Jonathan Sainsbury, Lord Bishop of Derby give my consent to the provisions of this Instrument.

Dated this twenty fourth day of December 1999

THIS INSTRUMENT is made on the (date) **BY THE TRANSITIONAL COUNCIL** (“the Transitional Council”) established for the **CATHEDRAL CHURCH OF ALL SAINTS, DERBY** (“the Cathedral Church”) in accordance with Schedule 1 to the Cathedrals Measure 1999 (“the Measure”).

IN accordance with the Measure and with the consent of the Bishop of the Diocese of Derby, the Transitional Council hereby **PROVIDES** that as from the date to be appointed by the Archbishops of Canterbury and York in accordance with section 38(2) of the Measure the Statutes set out in the Schedule hereto shall be the Statutes of the Cathedral Church and (together with the Constitution set out in the Schedule to an Instrument made by the transitional Council on the same date as this Instrument) shall replace the Constitution and Statutes established for the Cathedral Church under the Cathedrals Measure 1963 by Order in Council dated the twenty eighth day of July 1967.

THE SCHEDULE

THE STATUTES

I. THE BISHOP

- I.1** The Bishop shall have the principal seat of dignity in the Cathedral and all persons holding office or ministering therein shall pay him due reverence and render him loyal and ready to service.
- I.2** After consultation with the Chapter, the Bishop may officiate in the Cathedral and use it in his work of teaching and mission, for baptisms, Confirmations, Ordinations and Synods and for other Diocesan occasions and purposes. On any such occasion, the Bishop may determine the ordering thereof, after consultation with the Dean, and may preach or appoint the preacher.
- I.3** The Bishop shall have the right, provided that he has given not less than four weeks notice of his intention to do so, to preside and to preach at the Holy Communion on any principal feast.
- I.4** When the Bishop is present at the celebration of the Holy Communion or of Holy Baptism in the Cathedral, having given notice of his intention to be present, he shall normally be the president of the rite. At any service at which he is present he shall normally pronounce the blessing.
- I.5** The Bishop may at any time seek the advice of Chapter on any matter.
- I.6** The Bishop shall as visitor hear and determine any question as to the construction of the Constitution and Statutes.
- I.7** The Bishop may hold a visitation of the cathedral when he considers it desirable or necessary to do so or when requested by the Council or the Chapter.
- I.8** In the course of a visitation, the Bishop may give such directions 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.9** 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 any direction by the bishop under this statute.
- I.10** The Bishop may at any time propose for consideration by the Council amendments to the Constitution and Statutes.
- I.11** The Bishop shall have the right to confer upon a Dean, a Canon Residentiary, or an Honorary Canon who shall vacate his office and immediately upon such vacation of office retires the title, as the case may be, of Dean Emeritus, or Canon Emeritus.

2. THE DEAN

2.1 The Dean shall be the principal dignitary of the Cathedral, next after the Bishop.

2.2 The Dean shall be allocated a stall in the Cathedral and, after collation by the Bishop, shall be installed by the Canon who has been Acting Dean, and at his installation shall make the following the declaration:

***I (name) do solemnly declare
that I will serve this Cathedral church,
its Chapter, Foundation and congregation,
by governing and directing its life and work
with openness to the Spirit of God,
with zeal for the Christian gospel,
and with reverence for the members of this church,
in obedience to its Constitution and Statutes
and in the faith of Jesus Christ.***

He shall also make such declarations and take such oaths as may be prescribed by law.

2.3 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:

- a) Promote the mission of the church and the ministry of the Cathedral in the community;
- b) To be present at the daily worship of the Cathedral on a regular and frequent basis;
- c) Ensure that divine service is duly performed in the Cathedral with liturgical and musical provision suitable to every occasion;
- d) Ensure that the Constitution and Statutes are faithfully observed;
- e) Maintain good order and proper reverence in the Cathedral;
- f) Secure the pastoral care of all members of the cathedral community, and;
- g) Take all decisions necessary to deal with any emergency affecting the Cathedral, pending consideration of the matter by the Chapter.

2.4 The following steps shall not be taken without the consent of the Dean:

- a) Any alteration of the ordering of services in the Cathedral;
- b) The settlement of the Cathedral's budget;
- c) 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 Article 2.4(a) or Article 2.4(b) of these Statutes, his consent shall be deemed to have been given for the purposes of Article 2.4(c) of these Statutes after the expire 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 a second or casting vote.

- 2.5** If the office of Dean is vacant, or the Bishop considers that the Dean is 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.
- 2.6** The Dean may, subject to Article 2.5 of these Statutes, with the consent of the Chapter, appoint one of the Canons Residentiary to the office of Sub-Dean to act as his deputy or representative in his temporary absence.
- 2.7** If any question arises whether an appointment under Article 2.5 of these Statutes is justified that question shall be determined by the Archbishop of the Province.

3. THE CANONS RESIDENTIARY

- 3.1** The Canons Residentiary shall undertake such duties in the Cathedral as Chapter shall determine after consultation with them. They shall endeavour to strengthen the whole corporate life, worship and work of the Cathedral and to promote the usefulness of the Cathedral in the Diocese.
- 3.2** Any Canon Residentiary provided for in the Constitution may hold such other title as the Chapter may decide but in any event the Chapter shall ensure that there is a designated member of the Chapter responsible for the following:
- a) Liturgy and music;
 - b) Mission;
 - c) Pastoral care.
- 3.3** Subject to the rights exercisable by any other person in accordance with the Constitution and the Statutes, each of the Canons Residentiary shall have the right of preaching on at least four Sundays in the year and of presiding at the Holy Communion on at least four Sundays in the year and on at least one week day in every month, and the duty of leading worship and preaching as often as the Dean shall determine after consultation with him.
- 3.4** It shall be the duty of a Canon Residentiary to:
- a) Be present at the daily worship of the Cathedral on a regular and frequent basis;

b) Reside within the City of Derby or within five miles of the Cathedral Church either in any house or residence as may be provided for him or, with the approval of the Bishop, in a house of his own choosing.

c) Attend meetings of the Chapter unless reasonably prevented.

3.5 Each Canon Residentiary shall be allocated a stall in the Cathedral and, after collation by the Bishop, shall be installed by the Dean.

3.6 Where there is a Sub-Dean, he shall take precedence over the other Canon Residentiary. Otherwise seniority is established by date of appointment.

4. THE BISHOPS SUFFRAGAN

4.1 Any Bishop Suffragan shall be allocated a stall in the Cathedral and shall be installed by the Dean.

4.2 He shall be received with honour and courtesy in the Cathedral, both when representing the Diocesan Bishop and when he comes in his own right, and shall exercise a liturgical ministry in the Cathedral at the invitation of the Dean in addition to the occasions when he comes as the representative of the Diocesan Bishop.

4.3 In particular, he shall have the right of presiding and preaching at the Holy Communion on two Sundays of the year in consultation with the Dean.

4.4 Should there be a full-time stipendiary Assistant Bishop, he will be afforded the same rights as the bishop Suffragan.

5. THE ARCHDEACONS

5.1 An Archdeacon shall be allocated a stall in the Cathedral and shall be installed by the Dean.

5.2 He shall have the right of preaching at the Holy Communion on one Sunday of the year on a date in consultation with the Dean.

6. THE HONORARY AND LAY CANONS

6.1 Each Honorary Canon and Lay Canon shall, after collation by the Bishop, be installed by the Dean.

7. THE CATHEDRAL CHAPLAINS

7.1 The Chapter may from time to time, with the consent of the Bishop in each case, appoint not more than six persons at any one time to be Cathedral Chaplains, being persons in Holy Orders who are either beneficed in the Diocese or hold a licence or permission from the Bishop to officiate in the Diocese or who are ministers of a Church to which the Church of England (Ecumenical Relations) Measure 1988 (as amended) applies.

- 7.2** The duties of the Cathedral Chaplains shall be to assist the Dean in the Services of the Cathedral Church and to undertake such duties as may be assigned to them by the Chapter.
- 7.3** Cathedral Chaplains may hold such other titles, appropriate to their duties as the Chapter shall decide.
- 7.4** Each Cathedral Chaplain shall be allocated a stall in the Cathedral and shall be installed by the Dean.

8. OATHS AND DECLARATIONS

- 8.1** The following declaration shall be made prior to installation by members of the College of Canons excepting the Dean, by the Cathedral Chaplains appointed under Article 7 of these Statutes and the lay Officers as defined in Clause 12 of the Constitution:

*I (name) do solemnly declare
that I will serve this Cathedral church
its Dean, and its Chapter, Foundation and congregation,
by exercising the ministry laid upon me
with openness to the Spirit of God,
with zeal for the Christian gospel
and with reverence for the members of this church,
in obedience to tis Constitution and Statutes,
and in the faith of Jesus Christ.*

- 8.2** Such persons shall also make such declarations and take such oaths as may be prescribed by law.

9. THE ORGANIST AND DIRECTOR OF MUSIC AND THE CHOIR

- 9.1** The Organist and Director of Music will regularly consult with the Dean and with the Chapter and in particular with the member of the Chapter responsible for liturgy and music, as to the music to be rendered in the Cathedral Church and as to the conduct of the Choirs.
- 9.2** The formation of Cathedral Choirs, their duties and terms of service shall be decided by the Chapter in consultation with the Organist and Director of Music.
- 9.3** The members of the Choirs shall hold office under the Chapter and shall be admitted by the Dean.

10. APPOINTMENT OF CATHEDRAL STAFF

- 10.1** The Chapter may constitute a Senior Staff Team consisting of such members of the Chapter and such other members of the Cathedral staff as they shall determine.
- 10.2** The Chapter may employ such other persons on such terms and conditions as it sees fit.

11. THE OTHER OFFICERS AND SERVANTS OF THE CATHEDRAL

- 11.1** The Chapter may appoint a Head Verger and as many Assistant Vergers as may from time to time seem necessary on such terms and conditions as may be determined by the Chapter. The Vergers shall be concerned to uphold the dignity of worship in the Cathedral, to care for its security and to welcome all who enter it.
- 11.2** The Chapter may appoint suitable persons to act as Voluntary Vergers, Musicians, Bellringers, Servers and other lay helpers in the Cathedral Church. All such persons shall hold their offices and discharge their duties at the pleasure and at the direction of the Chapter.
- 11.3** The Dean after consultation with the Churchwardens may appoint annually not more than four Deputy Cathedral Wardens to assist the Churchwardens.

12. PRECEDENCE

The order of precedence in processions at services held in the Cathedral shall be determined on each occasion by the Dean (who may delegate it to the member of the Chapter responsible for liturgy) in accordance with the following principles:

- a) At the Holy Communion and in the celebration of other sacramental rites, the order of the procession is determined by function in that service rather than by office held;
- b) It is appropriate that on occasions when the Bishop is present, the Chancellor, any Bishop Suffragan, the Archdeacons, the Registrar and the Bishop's Chaplain should walk with the Bishop except that on Cathedral occasions, it may be appropriate for the bishop Suffragan and the Archdeacons to walk with the College of Canons.
- c) It is appropriate that the members of the Chapter should walk together as an expression of their collegiality.
- d) The Dean is the principal dignitary of the Cathedral, next to the Bishop.
- e) Any Bishop Suffragan, when he represents the Diocesan Bishop, is received as the principal dignitary, and at other times is received with honour and courtesy.
- f) On Diocesan occasions, the Honorary and Lay Canons, the clerical and lay Vice Presidents of the Diocesan Synod and the Rural Deans should have a place in the procession and appropriate seating in the service.
- g) On occasions, it is appropriate for the members of the Cathedral foundation to constitute a separate procession from others.

Signed on behalf of the Transitional Council)
By Michael Francis Perham Chairman and)
Provost in the presence of:)

Michael A B Mallender

**THE COMMON SEAL OF THE
CATHEDRAL CHAPTER OF
THE CATHEDRAL CHURCH
OF ALL SAINTS, DERBY** was
hereunto affixed in the presence of:

Michael Perham
Tony Chesterman
Members of Chapter

Michael A B Mallender
Chapter Clerk

In accordance with the Measure, I Jonathan Sainsbury Lord Bishop of Derby, give my consent to the provisions of this Instrument.

Dated this twenty fourth day of December 1999.