

AB 3425 ANGLICAN CANON LAW COUNCIL SOUTHERN AFRICA, 2010-2016

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The collection contains records relating to the activities of the Anglican Church of Southern Africa's Canon Law Council. There are legal documents, diocesan reports , minutes of the meetings and correspondence.

The records were deposited at the Historical Papers Research Archive by Bishop Peter John Lee.

Please note: Permission to use this collection has to be obtained from the Anglican Church of Southern Africa Canon Law Council.

INTRODUCTION

Canon Law regulates the internal ordering of the Catholic Church, the Eastern Orthodox and the Anglican Communion . Canon Law is amended and adopted by the legislative authority of the church, such as councils of bishops, individual bishops, the Pope for the Catholic Church, and the British Parliament for the Church of England. In South Africa Canon Law is an Amalgam of Roman-Dutch Civil Law and English Common Law, as well as the Customary Law. Bishops and church leaders should know how to respect and uphold Canon Law and the regulations of the church in all forms. Canon Law should be included in training of the clergy.

COLLECTION

- A1 Documents relating to the Synod of Bishops' Intervention in the Diocese of Pretoria (2011-2016). 3 files**
- A1.1 Rules of the Diocese of Pretoria showing amendments approved by Synod 2011.
 - A1.2 Minutes of the Meetings of the Diocesan Executive Committee and the Diocesan Finance Board of the Diocese of Pretoria, 2011 - 2014.
 - A1.3 Documents relating to the financial affairs of St Alban's Cathedral in Pretoria, (2011 - 2016).
 - A1.3.1 Appointment of Commission by the Diocesan Finance Board to investigate the state of financial affairs at the Cathedral Parish, 2011.
 - A1.3.2 St Alban's Cathedral Financial Statements for 2010.
 - A1.3.3 Financial Statements of St Alban's Cathedral for 2011 & 2012.
 - A1.3.4 The North Gauteng High Court in Pretoria Judgement in the matter between the congregants of St Matthew's Judgement in the matter between District Mission, Madibeng and respondents from St Alban's Cathedral, 2012 - 2013.
 - A1.3.5 Statement by the employee of the Diocese of Pretoria at the South African Police Service in Pretoria, 11 May 2012.
 - A1.3.6 Defamation Case of an employees of the Diocese of Pretoria Anglican Church of South Africa, May 2012.
 - A1.3.7 Questions addressed to the Diocesan Administrator relating to financial operations of the Diocese, 2012.
 - A1.3.8 Questions relating to the auditing firm and the diocesan financial statements for 2011 & 2012.
 - A1.3.9 Inquiry regarding legal cost for the Diocesan Tribunal.
 - A1.3.10 Documents relating to Court Case in the North Gauteng High Court in the matter between two employees of the Diocese of Pretoria, June 2012.
 - A1.3.11 Report to the Chair of Synod of Bishops intervention team in Pretoria on the meeting with Cathedral representatives in October 2012.
 - A1.3.12 Cathedral Response to the Canon 21.3 and the Response of the Synod of Bishops, October 2012.
 - A1.3.13 Request to the Diocesan Bishop for a Special Parish Vestry, November 2012.
 - A1.3.14 Function and duties of the Diocesan Finance Board.
 - A1.3.15 Funding of Legal Costs by the Cathedral Parish, November 2012..

- A1.3.16 Summary of events prepared for the Provincial Task Team and Bishops in order to resolve the Cathedral impasse.

- A1.4 Documents relating to the Meeting of St Alban's Cathedral and Synod of Bishops Intervention Commission, November 2013.
 - A1.4.1 The Questions for the Diocesan Administrator relating to the document titled: "Cash and Investments-Diocesan and Institutions".
 - A1.4.2 St Alban's Cathedral Transfer of Funds in November 2012.
 - A1.4.3 Cathedral Statement of Income and Expenditure for 2013.
 - A1.4.4 Detailed Ledger prepared by Diocese of Pretoria, 2013.
 - A1.4.5 Independent Auditors' Report of St Alban's Cathedral.
 - A1.4.6 Financial Statements of St Alban's Cathedral for 2011 & 2012.
 - A1.4.7 Minutes of the Meeting of the representatives of Funds of the Diocese of Pretoria, 23 August 2012.
 - A1.4.8 GL Detailed Ledger of the Parish of Saint Alban's Cathedral.
 - A1.4.9 Report of the Commission appointed under By-Law F5 to investigate, correct and control the Finances of the Parish of the St Alban's Cathedral.
 - A1.4.10 St Alban's Cathedral Questions to the Audit Firm, Diocesan Finance Board and Diocesan Trustees, August 2012.

 - A1.4.11 Documents requested from the Diocesan Office, November 2013.
 - A1.4.12 Annual Dues of the parishes for 2014 forecast.
 - A1.4.13 Cathedral Administration Board Constitution of 1986.
 - A1.4.14 Statements of Income and Expenditure of St Alban's Cathedral for 2013.
 - A1.4.15 Investment Portfolio of St Alban's Cathedral Fund for the period ending 30 September 2013.
 - A1.4.16 Clergy Rules as members of the House of Clergy.
 - A1.4.17 St Alban's Cathedral Financial Statements for the year ended 31 December 2012.

- A1.5 Documents relating to the Synod of Bishops decisions regarding the Diocese of Pretoria.
 - A1.5.1 Resolution of Diocesan Executive Meeting towards the St Alban's Cathedral finances.
 - A1.5.2 Submission to the Synod of Bishops by the representatives of the Cathedral Parish Council documents relating to the problems in the Diocese.
 - A1.5.3 Attorneys Notice of special Vestry Meeting, March 2013.
 - A1.5.4 Synod of Bishops' Decisions at the meeting in March 2013.
 - A1.5.5 Diocesan matters to be recorded by the Diocesan Executive Committee.
 - A1.5.6 Document of the Cathedral Parish Council titled: "Towards the Normalization of the Cathedral" submitted to the Bishop of Pretoria and the Diocesan Executive Committee.
 - A1.5.7 Response of the Committee of Diocesan Executive to the Bishops.
 - A1.5.8 Response of the Executive Diocesan Committee to Decision of the Vestry of St Alban's Cathedral on 18 August 2013.
 - A1.5.9 Request for Appointment an independent Auditor for the financial accounts of St Alban's Cathedral, 2 September 2013.
 - A1.5.10 Feedback from the Synod of Bishops submitted to the Bishop of Pretoria and the Dean of St Alban's Cathedral.

 - A1.5.11 Comments on documents submitted to the Synod of Bishops containing questions directed to the Diocesan Administrator and auditors, 14 November 2013.
 - A1.5.12 Agreement between Diocesan Executive of the Anglican Diocese of Pretoria and the Parish Council of St Alban's Cathedral, witnessed by the Intervention Team established by the Synod of Bishops, 11 December 2013.

 - A1.5.13 Proposed process for moving forward to resolve outstanding issues between parties in the Diocese of Pretoria, January 2014.
 - A1.5.14 Response to the Proposal of the Diocesan Executive Committee of the Diocese of Pretoria regarding the Synod of Bishops' Intervention in the Diocese, 23 January 2014.
 - A1.5.15 Reply by the Diocesan Registrar to the questions of legal costs, litigation and F5 by- law by the Diocesan Executive Committee.
 - A1.5.16 Proposal on the St Alban's Cathedral Bridging Finance, 24 February 2014.
 - A1.5.17 Comments on the Intervention Team of the Synod of Bishops, 3 February 2014.
 - A1.5.18 Notes of meetings in July and August discussing Diocese of Pretoria finances, 2014.

- A1.6 Reports of the Task Team set up in terms of Canon 21.3 to investigate, correct and control the finances of the Parish of St Alban's Cathedral. 1 file
- A1.6.1 Report of the Commission appointed under By-Law F5 to investigate, correct and control the finances of the parish of St Alban's Cathedral.
- A1.6.2 Response of the Synod of Bishops to the Report of the Task Team, 27 September 2012.
- A1.6.3 Report of the Task Team set up in terms of Canon 21.3 for the Diocese of Pretoria, September 2012.
- A1.6.4 The Diocese of Pretoria Report of Intervention Team to Synod of Bishops, September 2013.
- A1.6.5 Comments on the Report of the Provincial Task Team submitted to the Synod of Bishops, 30 October 2013.

- A1.6.6 Report on the visit of the Provincial Treasurer to the Diocese of Pretoria, 9-10 October 2012.
- A1.6.7 Comments on the Agreements reached and Actions agreed upon by the meeting with the Bishops' Team in November 2013.
- A1.6.8 Report on the Diocesan Leadership in Pretoria and outstanding issues in the Diocese, 8 December 2014.

- A1.6.9 Heads of Agreement between the Diocesan Executive of the Anglican Diocese of Pretoria and the Parish Council of St Alban's Cathedral, witnessed by the Intervention Team established by the Synod of Bishops, 11 December 2013.
- A1.6.10 Final Report to the Archbishop of Cape Town from the Synod of Bishops' Intervention in the Diocese of Pretoria, 31 December 2014.
- A1.6.11 Newspaper clippings relating to the problems in the Diocese of Pretoria, 2012.
- A1.6.12 Articles of Presentment against Bishop of Pretoria, April 2012.

- A1.7 Correspondence relating to the finances and leadership of the Diocese of Pretoria, 2012 - 2015. 1 file
- A1.7.1 Correspondence between Bishop of the Diocese of Pretoria and Bishop of the Diocese Christ the King for 2012 - 2013.
- A1.7.2 Bishops' and clergy correspondence for 2014.
- A1.7.3 Correspondence of Bishops for 2015.

- B1 Documents relating to the Tribunal of the clergy member in the Diocese of Johannesburg, 2004 - 2011. 1 file**
- B1.1 Social Worker's Report on medical and therapeutical treatment of the Incumbent of the Bekkersdal Parish, April 2004 & 2005.
- B1.2 Letter of Resignation from Rev in Parish Bekkersdal, November 2004.
- B1.3 Agreement from the Diocese of Johannesburg towards position and future of Reverend in the Bekkersdal Parish, January 2005.
- B1.4 Correspondence relating to the resignation of the priest of the Bekkersdal Parish.
- B1.5 Extension of a tenure as Priest-in-charge for the Parisian Reverend of the Parish of St Bartholomew, 2007.

- B1.6 Correspondence relating to the suspension of the Bartholomew parish priest- in-charge, January 2011.

- B1.7 Disciplinary process against the parish priest, 2011.
- B1.8 The Tribunal in terms of Canon 26.5.
- B1.9 Report on the priest conduct submitted by churchwardens, February 2011.
- B1.10 Parisians' statements for the Tribunal purposes.
- B1.11 Judgment from the Tribunal in the matter between The Diocese of Johannesburg and the priest of St Bartholomew Parish, 6 April 2011.

- C1 Documents relating to the Provincial Tribunal Appeal in the matter between The Diocese of Port Elizabeth and Reverend in charge of the Parish of St Peter in Port Elizabeth, 2013 - 2014. 1 file**
- C1.1 Bishop of Port Elizabeth Covering Letter, 16 March 2015.
- C1.2 Report to the Bishop of the Diocese of Port Elizabeth of the Board of Preliminary Inquiry with regard to Reverend of St Peter Parish.
- C1.3 Correspondence relating to the recommendation of the Board of Preliminary Enquiry, 2013 - 2015.

- C1.4 Particulars to the Articles of Presentment, February 2014.
- C1.5 Tribunal Transcripts of the Hearings, May & September 2014.
- C1.6 Exhibits for the Tribunal, 2011 - 2012.
- C1.7 Report of the Diocesan Tribunal and Panel Judgments in the matter of charges made against Reverend of St Peter Parish in Port Elizabeth, 23 September 2014.
- C1.8 Final Judgment of the Tribunal for charges against Reverend of St Peter Parish in terms of Canons 36 & 37 of the Anglican Church of Southern Africa, 29 October 2014.
- C1.9 Recommendation in terms of Canon 39 towards the Reverend of St Peter Parish.
- C1.10 Notice of Appeal dated 12 January 2015 & Residents Reply to Applicant's Notice of Appeal (with Annexures).
- C1.11 Provincial Tribunal Appeal of Reverend of St Peter Parish in the Diocese of Port Elizabeth, 11 June 2015.
- C1.12 Judgement in the Appeal of Reverend of St Peter Parish versus Diocese of Port Elizabeth and Provincial Tribunal of Appeal held at Bishopscourt, 11 June 2015.

D1 Tribunal Hearings in the Diocese of George, 2008 - 2012. 1 file

- D1.1 Minutes of the Meetings of the Diocesan Board of Trustees of the Diocese of George, 2008 - 2011.
- D1.2 Minutes of the Meetings of the Diocesan Council of the Diocese of George, 2009 - 2012.
- D1.3 Upgrade Contract between the Diocese of George and S&S Business Solution, November 2008.
- D1.4 Statement of the Bishop of the Diocese of George, 5 March 2010.
- D1.5 Report on the Recommendations of Obtaining Judgement against Bishop of George, Reverend at the Parish and the staff member at the Diocese of George, September 2011.
- D1.6 Rental Agreement with various parishes, 31 March 2011.
- D1.7 Legal document of the Court Case in the matter between the Parishes in the Diocese of George as Plaintiff and the Bishop of George, Reverend of the Parish and the Diocese employee as the Defendants, September 2011.
- D1.8 Financial Statements and costs of the contracts with various parishes of the Diocese of George, July 2012.
- D1.9 Report in terms of Canon 39(3) in the Diocese of George providing the charges against the 3 Accused in Court Case of Fraud in the Diocese, August 2012.
- D1.10 Members of the Diocesan Tribunal, October 2012.
- D1.11 Tribunal Hearing in St Mark's Cathedral in George, 19-20 November 2012.
- D1.12 Final Judgement of the Diocesan Tribunal in the Diocese of George in the matter of the Parish Reverend, 5 April 2013.
- D1.13 Notice of Intention to Proceed in terms of Canon 39(6) to the Parish Reverend as Accused, October 2012.

E1 The Diocesan Tribunal in the Diocese of False Bay in the matter of the Reverend of the Diocese, 2009 - 2011. 4 files

- E1.1 The Acts of Diocesan Synod 2009.
- E1.2 Index of documents used in the Ecclesiastical Tribunal in the matter between The Anglican Church of Southern Africa (Diocese of False Bay) and the Reverend of the Diocese, 2010.
- E1.3 An Anglican Prayer Book of 1989.
- E1.4 Acts and Resolutions of the Second Session of the Synod of the Diocese of False Bay, 2009.
- E1.5 Correspondence via email between the Bishops, clergy and Parisians of the Anglican Church in South Africa relating to the behavior of the Reverend of the Diocese of False Bay, 2010.
- E1.6 Articles of Presentment in Terms of Canon 37(6) in the matter of the Reverend in the Diocese of False Bay, July 2010.
- E1.7 Notice of Intention to Proceed in terms of Canon 39(6) in the matter of the Reverend in the Diocese of False Bay, September 2010.
- E1.8 Tribunal held at Somerset West, Cape Town in the matter between the Diocese of False Bay as Applicant and the Reverend in the Diocese, 8 November 2010.
- E1.9 Correspondence relating to the diocesan Tribunal, 2010-2011.
- E1.10 Judgement of the Diocesan Tribunal in the Diocese of False Bay in the matter of the Reverend of the Diocese, January 2011.

E1.11 Closing Statement in the Ecclesiastical Tribunal held in Cape Town in the matter of the Diocese of False Bay versus the Reverend of this Diocese.