

ACT SEVENTEEN

Of Diocesan Property

Vesting

- 1** All immovable property belonging to the Diocese of Natal shall vest in and be under the control of Diocesan Trustees, who shall be a body acting with the powers designated in Articles XVIII and XIX of the Constitution and Schedule "A" thereof. Provided, however, that the Diocesan Trustees may, without the approval of the Diocesan Synod and at the request of the Pastoral Charge or Institution concerned, sell or alienate any immovable property belonging to the Diocese of Natal if they consider this essential, subject:
 - (a) to their decision to do so being carried by at least two-thirds of their members; and
 - (b) to a full report being made to the Diocesan Synod at the next session thereof.

Signature of Documents

- 2** Whenever a matter requires authorisation by the Diocesan Board of Trustees the related documentation shall be signed by the Bishop, unless the Bishop authorises in writing that the Diocesan Secretary, or another member of the Board of Trustees shall sign documentation in a particular instance, that person being identified in the bishop's authority.

Building Alterations or Additions

- 3** No building on property held or occupied by the Diocesan Trustees, or any Diocesan Institution or Parish, may be erected, altered or demolished without first obtaining the written consent of the Diocesan Trustees.

Parish Asset Register Immovable and Movable Property

- 4** An Asset Register Immovable and Movable Property of Lands and other immovable property and movable assets belonging to the Church in each Pastoral Charge shall be made by the Churchwardens of every Parish, assisted, so far as may be necessary, by the Diocesan Secretary. An Asset Register Immovable and Movable Property shall be kept in the book provided for the Inventory as required by Canon 29 (7).

Diocesan Asset Register Immovable and Movable Property

- 5 An Asset Register Immovable and Movable Property shall be made and kept by the Diocesan Secretary of all immovable and movable property of the Church in the Diocese, with a proper index for convenience of reference.

Disposal of Consecrated Ground

- 6 The Diocesan Trustees shall not be empowered to sell, exchange or otherwise dispose of any consecrated ground or building except in pursuance of a Resolution of Synod, or of *Diocesan Council*, expressly authorising such sale, exchange, or other disposal.

Motions in Synod or Diocesan Council for Disposal of Consecrated Ground

- 7 No motion for the sale, exchange, or other disposal of any consecrated ground or building shall be placed upon the Synod or Diocesan Council Agenda paper except if it is in pursuance of a report presented by a Commission appointed by the Bishop to enquire fully into the circumstances of the case. The Bishop may, if he/she deem fit, cause the report of any such Commission to be printed in such Agenda paper.

Insurance of Diocesan Property

- 8 The insurance of all insurable property owned by, or held on behalf of this Diocese against loss or damage by fire, storm or tempest, shall be effected by the Board of Trustees. It is accordingly the duty of Churchwardens to furnish the Board of Trustees (via the Property Manager) annually with full particulars of all church properties and contents within a parish including title deed references, a description of property usage and the condition of any buildings. The Churchwardens may make recommendations to the Property Manager on appropriate insurance arrangements for a particular property for the Property Manager to submit to the Board of Trustees with his/her comments.

The Board of Trustees shall from time to time initiate a process of property valuations so as to ensure that the valuation of church property is reasonably up to date.

Contracts of Insurance and Advances

- 9 The Board of Trustees is authorised to enter into contracts from time to time for the carrying out of such insurance and to advance from the funds of which it has the administration, such sums of money as may from time to time be necessary.

Insurance Fund

- 10** The Board of Trustees shall create an Insurance Fund, to which all moneys received in respect of such insurance shall be paid, and from which all premiums and other expenses shall be met.

Rates of Premium or Contribution

- 11** The Board of Trustees shall fix and determine the premium or contribution to be paid by each Pastoral Charge in respect of all property insured. The premiums or contributions so fixed and determined shall not be in excess of the current rate for the risk concerned.

Extension of Insurance Scheme

- 12** Upon application such insurance scheme may be extended by the Board of Trustees to any Parochial property, the household property of the Clergy, and any property of, or held on behalf of all Diocesan Colleges, Schools and Institutions.

Parish Dilapidation Fund

- 13** Each Parish shall administer a fund styled "Parish Dilapidation Fund" as a provision against the expense of the maintenance, renovation and repair of the fabric of the church buildings. Withdrawals from this fund shall be made on the authority of the Parish Council, conveyed by resolution. The motion for the adoption of the said resolution may only be proposed by the Parish Executive.

Adornments of a Church

- 14** The Bishop's faculty must first be obtained before any monument, mural tablet, stained glass window, piece of furniture, musical instrument or other adornment is installed or removed from any Church. The prerequisite for the granting of such a faculty is a joint application to the Bishop signed by the Archdeacon, the Incumbent and the Churchwardens.

Bylaw

- 15** Direction and guidance related to business transactions and financial administration in any sphere of diocesan life may be given by bylaw.

Acquisition/Alienation of Property and Building Alterations

- 16** Any recommendation to the Board of Trustees for the acquisition, alienation, subdivision or consolidation of property, or in terms of Section 3 above for the erection, alteration or demolition of buildings, shall not be made without a resolution of Vestry, which may be passed at a special vestry meeting. The outcome of the voting at such a vestry meeting must be advised to the Archdeaconry Finance & Property Committee, when it considers the proposed change, and to the Diocesan Board of Trustees when authority is sought for the proposed change.

Any decision of the Board of Trustees must be recorded in writing.