

FACT SHEET

The establishment of the Ministerial Public Juridic Person - Whānau Mercy Ministries

Background

- 1 In the past two decades, religious congregations within the Catholic church have looked for ways to ensure that their institutional ministries, such as Catholic hospitals, schools and social service enterprises can continue to serve even when there are no sisters or priests, or brothers to sustain or oversee them. At the very time when fewer Catholics have felt called to religious life, the vision of Vatican II has recognised a much wider vocation for lay people. Modern conditions demand that the apostolate of lay people be broadened and intensified, according to Vatican II's decree on the apostolate of the laity.
- 2 Ministerial Public Juridic Persons ("MPJP") are established by church authority, either by a Vatican department on behalf of the Pope, or by the local Bishop. Details of just how this is done vary, but the goal is to ensure that ministries began by religious congregations continue. An MPJP enables this to happen through a governing body with both canonical (church) and civil (state) responsibilities for the ministries entrusted to it.
- 3 Once established, each ministerial PJP reports annually to the authority which established it, usually the Bishop or the Vatican department. The report includes a profile of new governing members, the programmes in place for their formation, leadership decisions, financial status, external audit, apostolic activities, and relations with the local church. In our case, Whānau Mercy Ministries reports to the Vatican department responsible for PJPs. The report includes an insight into how the mission of Whānau Mercy is expanding through the governance provided by our MPJP.

Context

- 4 The Leadership of Ngā Whaea Atawhai o Aotearoa Sisters of Mercy New Zealand approved the canonical statutes for its Ministerial Public Juridic Person. This opened the way for the establishment of Whānau Mercy Ministries as the MPJP, which has assumed responsibility for the ministries that have transferred to the new civil entity, Whānau Mercy Ministries Trust by the Sisters of Mercy. These ministries include health, education and community development organisations established and incorporated by the Sisters of Mercy as apostolic and charitable works consistent with the mission entrusted to the Catholic Church by Jesus Christ and Catherine McAuley.
- 5 The transfer took place through a decree issued in Rome by the Vatican's *Dicastery for Institutes of Consecrated Life and Societies of Apostolic Life* on 27 November. The decree recognises Ngā Whaea Atawhai o Aotearoa Sisters of Mercy New Zealand as the founding Sponsor, whose primary duty will be to ensure that the works of Whānau Mercy Ministries are in keeping with its canonical statutes and with the teaching, discipline and laws of the Roman Catholic Church, and that they reflect the charism and traditions of the Sisters of Mercy New Zealand.

Sisters of Mercy sponsor the MPJP

- 6 The Sponsor of the MPJP is Ngā Whaea Atawhai o Aotearoa Sisters of Mercy New Zealand Trust (“**congregation**”), with the Leadership Team appointing representatives who will be the Sponsor’s Council. The Sponsor’s Council has reserved powers to define the mission of Whānau Mercy Ministries and to approve or amend the Trust Deed and any canonical (church) laws relating to the Trust, consistent with the Statutes.
- 7 The Sponsor’s Council also has reserved powers to appoint the trustees who will be directly responsible for the governance of Whānau Mercy Ministries in both canon and civil law. The Sponsor’s Council will appoint the Chair of the trustees and the Treasurer, and has the power to remove any trustee, including the chair. It falls to the Sponsor’s Council to approve the initial formation guidelines for trustees and to receive the annual report prepared by the Trustees for the Holy See.
- 8 The Sponsor appoints its representatives who meet as the Sponsor’s Council, which exercises the duties and powers of the Sponsor in accordance with the by-laws. The Sponsor’s Council is not part of the MPJP - Whānau Mercy Ministries. It has reserved powers that enable a link between the Founding Congregation, Rome and the MPJP.

Key role of trustees outlined in MPJP Statutes

- 9 On behalf of the Congregation’s Leadership, the Sponsor’s Council will appoint the trustees who will be directly responsible for the governance of Whānau Mercy Ministries in both canon (church) and civil (state) law. There will be a minimum of five trustees, with a maximum of nine. The majority of these must be Catholics. Their key responsibilities are outlined in the Canonical Statutes and Trust Deed.

The Trustees will act in the civil sphere as a church entity through a body corporate known as the Whānau Mercy Ministries Trust. The duty of the trustees will be to ensure that the purposes of the new trust are fulfilled, in a way that aligns with the philosophy and mission prescribed by the Sisters of Mercy as Sponsor and outlined in the Statutes and the Trust deed. The trustees must also ensure that the work of the Trust’s ministries and its boards is in accord with the teachings, ethical directives and laws of the Catholic Church.

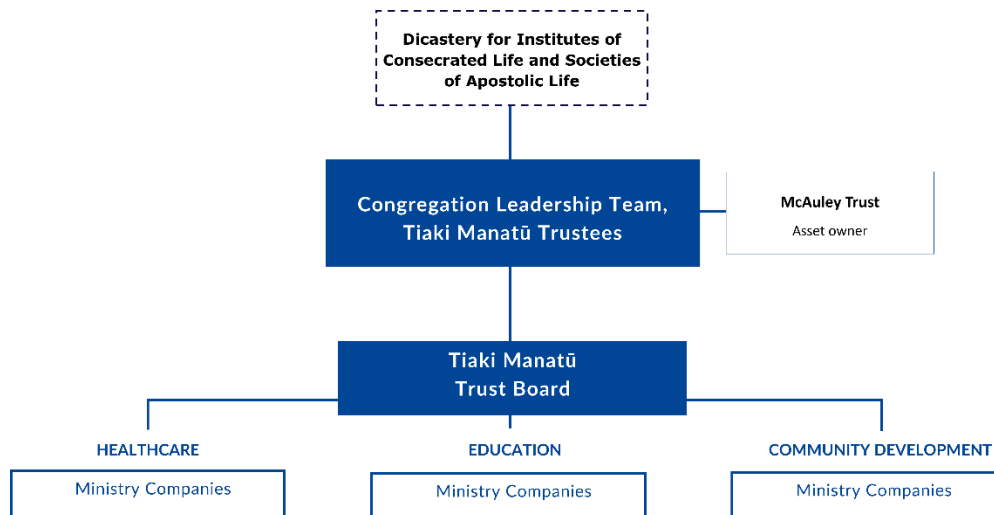
The Statutes and the Trust deed will ensure that the MPJP upholds the values and heritage of Catherine McAuley and the Sisters of Mercy.

The change in structural organisation

- 10 The following provides an outline of how Ngā Whaea Atawhai o Aotearoa Sisters of Mercy New Zealand Trust (the Congregation) was previously organised and how structure looks after the ministries have transferred since the Ministerial Public Juridic Person (“MPJP”) was created and approved by the Holy See.

Prior structure

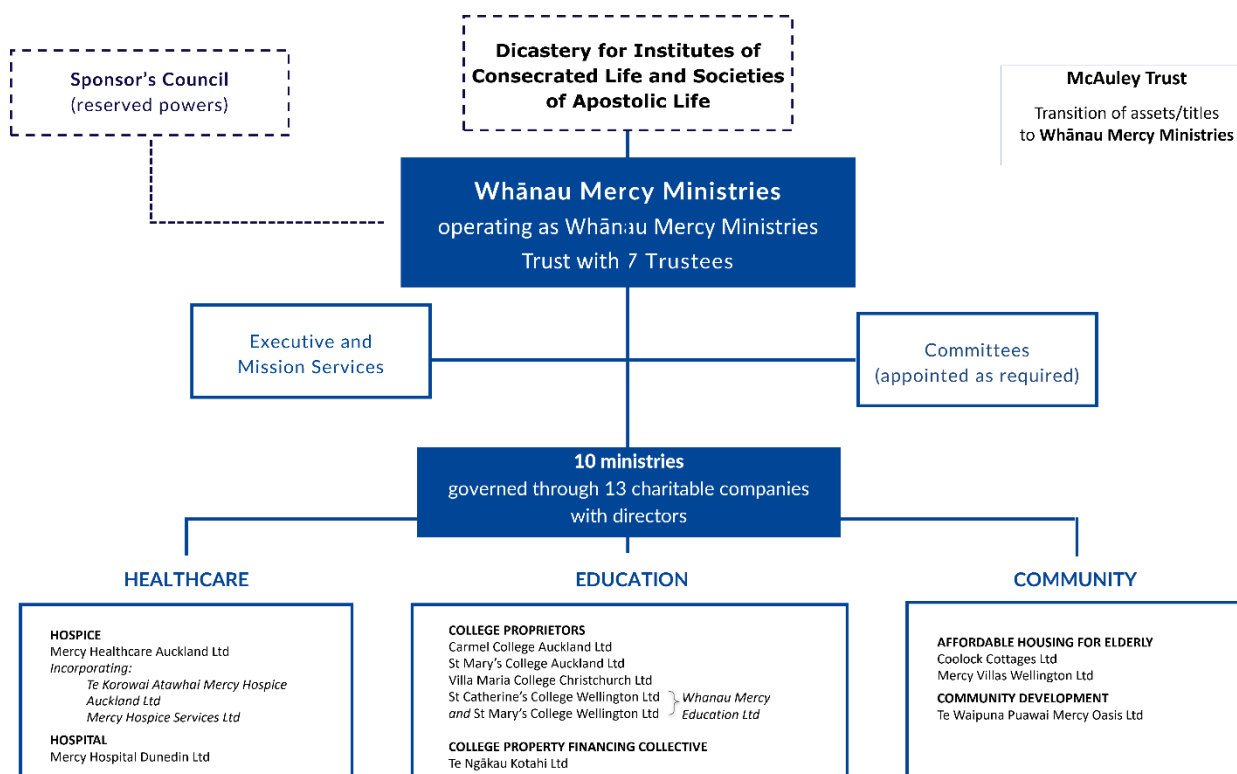
- 11 According to its Constitutions approved by the Vatican in 2015, the Congregation is an apostolic religious institute of pontifical right, dedicated to the works of mercy. In simple terms, this means that the Sisters of Mercy in New Zealand, Samoa and Tonga are recognised by and accountable to the Holy See, unlike some Congregations which are diocesan entities authorised by the local bishop.
- 12 The Congregation has a direct link to the Holy See through the Vatican’s Dicastery for Institutes of Consecrated Life and Societies of Apostolic Life, and it is to the dicastery that the Congregation reports, usually in conjunction with its five-yearly Chapter. As noted above, it was the dicastery which handled the application from the Congregation to approve its creation of the Ministerial PJP – Whānau Mercy Ministries.
- 13 Prior to the establishment of Whānau Mercy Ministries, and since 2008, the overall care of the larger ministries of the Congregation has come from the Sisters of Mercy Ministries New Zealand Trust (Tiaki Manatū). This was set up by the Sisters of Mercy in NZ to provide oversight, guidance and support for their incorporated ministries. There were ministries involved in health, education and community development.
- 14 The following diagram illustrates the previous structural organisation:



- 15 The structure of governance of the Congregation reflected the gradual process which has occurred over many years, as more lay partners have become involved in the staffing and management of Mercy’s ministries. The larger of these have become incorporated companies with governance provided by boards.
- 16 The ministries of Tiaki Manatū were limited liability companies owned by the Congregation. They have now transferred to the MPJP – Whānau Mercy Ministries.

Current state

- 17 With the establishment of Whānau Mercy Ministries as a Ministerial Public Juridic Person (“MPJP”), ownership of the ministries at previously administered by Tiaki Manatū has passed from the Congregation to Whānau Mercy Ministries Trust.
- 18 The following diagram is aimed to illustrate the current structural organization, expanded with some detail:



- 19 Whānau Mercy Ministries will report each year directly to Rome on its health, education and community development ministries. Its relationship with the Congregation will be maintained through the Sponsor's Council, whose members will be appointed by the Congregation's Leadership Team. The annual report to Rome will be received by the Sponsor's Council before it is sent to the Vatican's Dicastery in Rome.
- 20 The Congregation will maintain its own relationship to the Holy See through the same Vatican Congregation and will report on its affairs as it presently does, usually at the time of its Chapter.
- 21 Critical to the success of the structure is Mercy mission and the development of a sense of whānau, drawn from the Congregation's commitment to Te Tiriti o Waitangi and reflected in its adoption of Tikanga Mercy as a way of living Mercy's charism within the context of Aotearoa New Zealand and the Pacific. Three core values are seen as key to Mercy mission: whanaungatanga (enabling oneness and inclusion), aroha (experiencing love and compassion, both given and received) and kaitiakitanga (guarding and enhancing the wellbeing of Earth and its peoples).

Whānau Mercy Ministries Trust

- 22 With the establishment of Whānau Mercy Ministries Trust, the healthcare, education and community development ministries have transferred from Tiaki Manatū to Whānau Mercy Ministries Trust.
- 23 The founding trustees signed the Trust deed at their inaugural meeting after approval from Rome was obtained, and applied for and received charitable status.
- 24 The constitutions of the healthcare, education, and community ministries have been amended to reflect the change of shareholder and tidied up to ensure consistency across the group.

- 25 The Congregation, through McAuley Trust, has started to transfer land to Whanau Mercy Ministries Trust and buildings to each Ministry company. This process will continue as land is subdivided (where required).
- 26 The Trustees appoint directors to its ministries and appoint the Chair.
- 27 Attached to this fact sheet is the statement of purpose of Whānau Mercy Ministries. Its success and that of its ministries will be its fulfilment of its statement of purpose.

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Whānau Mercy Ministries


M.P.J
Statement of Purpose
April 2020

**“Atawhai ki uta, atawhai ki tai, kia horahorahia –
ki te rito o te ao marama.”**


We are committed to the Gospel of Jesus Christ, the tradition of Catherine McAuley, Te Tiriti o Waitangi and the sacredness of all creation.

Out of God's mercy we respond willingly and walk compassionately with those who are seeking:


Healing
and
Wholeness


Relief
from
Suffering


Restoration
of Human
Dignity


Knowledge,
Understanding
and Wisdom


Care for our
Common
Home

We do this through our education, healthcare and community ministries in the name of the Catholic Church.

**“May Mercy be felt inland, may Mercy be felt on the
shore, may Mercy be widespread, living in the heart
of our world today.”**

