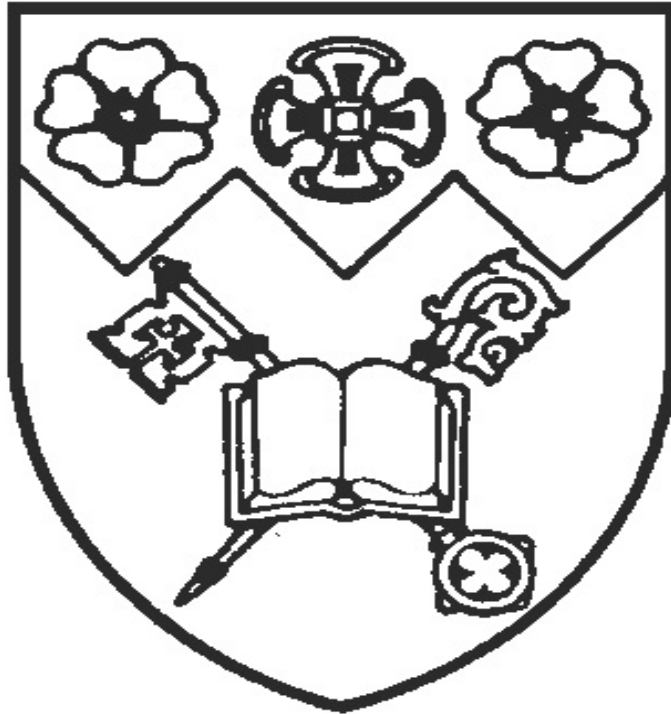


THE ANGLICAN CHURCH OF CANADA

SYNOD OF THE  
DIOCESE OF EDMONTON



ACT OF INCORPORATION  
CONSTITUTION  
and  
CANONS

Updated after 64th Synod  
April 2015

Rt. Rev. Jane Alexander  
Bishop



THE ANGLICAN CHURCH OF CANADA  
 SYNOD OF THE DIOCESE OF EDMONTON  
 ACT OF INCORPORATION, CONSTITUTION & CANONS

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## RECORD OF ENACTMENT

1. The Synod of the Diocese of Edmonton was created by ecclesiastical authority in 1913. The Synod and its constituent parishes were incorporated for civil purposes by the Legislature of Alberta in S.A. 1914, c. 48, which was subsequently amended by S.A. 1932, c. 74; S.A. 1953, c. 127; and S.A. 2002, c. 35.
2. The Constitution and Canons 1 through 8 were enacted by the 45th Synod, November 13-15, 1987, and replaced the Constitution and Canons in force prior to that date.
3. Corrections pursuant to Constitution, ss. 132 and 136 were reported to the 47th Synod, February 17-19, 1989.
4. Canon 9 and amendments to various other canons were enacted by the 49th Synod, October 25-27, 1991.
5. Canon 10 was enacted by the 51st Synod, March 26-27, 1993.
6. Amendments to the Constitution and to Canons 2, 3, 5 and 10 were enacted by 52nd Synod, October 21-23, 1994.
7. Amendments to Canon 10 were enacted by the 53rd Synod, September 27 and 28, 1996.
8. Corrections pursuant to Constitution, ss. 132 and 136, were reported to the 55th Synod, October 17-18, 1997.
9. Amendments to Canons 9 and 10 were enacted by 55th Synod, October 17-18, 1997.
10. Corrections pursuant to Constitution, ss. 132 and 136, were reported to the 56th Synod, April 16-17, 1999.
11. The 56th Synod in April 1999 amended (a) sections C27 to C47 of the Constitution, and (b) Canon 3 relating to licensing of clergy.
12. The 57th Synod in October 2000 amended (a) sections C19 and C50 of the Constitution, (b) Canons 9.1, 9.2, 10.5 and 10.5.1. Pursuant to sections C133 and C137 of the Constitution, corrections to the Canons and Constitution were reported to Synod.
13. On May 14, 2002, Royal Assent was given to Bill Pr1 which (a) changed references from “Church of England” to “Anglican”, (b) permitted the Consolidated Trust Fund to be invested in accordance with the “prudent investor rule”, and (c) adopted gender-neutral language. [S.A. 2002, c. 35]
14. The 58th Synod in October 2002 added Canon 11 (Indemnification), and amended Canon 3.26 (clergy stipends). Pursuant to sections C133 and C137 of the Constitution, corrections to the Canons and Constitution were reported to Synod.
15. The 59th Synod in October 2005 replaced Canon 10 with Canon 10A, effective on January 1, 2006; added section C48.1 to the Constitution to permit emergency meetings of Synod; and amended Canon 5.84 to change the deadline for parish annual general meetings. Pursuant to sections C133 and C137 of the Constitution, corrections to the Canons and Constitution were reported to the Synod.

16. The 61st Synod in October 2008 amended Canon 3.2 (Clergy Licenses), 3.18(b), (c) and (i) (Revocation of License with Notice), and made various other minor housekeeping amendments. Pursuant to sections C133 and C137 of the Constitution, corrections to the Canons and Constitution were reported to the Synod.
17. The 62nd Synod in October 2010 amended Canon 10A.
18. The 63<sup>rd</sup> Synod in October 2012 amended the Constitution by changing the name of the Stewardship and Financial Development Committee to the “Stewardship Committee” and by deleting two of the functions formerly assigned to the Stewardship and Financial Development Committee, and repealed Canon 4: Lay Leadership in Worship and enacted Canon 4: Lay Ministry in its place.
19. The 64<sup>th</sup> Synod in April 2015 amended the Constitution by inserting the Marks of Mission (section C1A), and by deleting obsolete provisions for the Program Committee and adding the Social Justice Committee. It also amended Canon 1: Definitions to add a definition of Social Justice; Canon 3: Clergy to remove provisions regarding clergy licensing contained in Provincial and General Synod canons, and to remove provisions for the diocesan court to a new canon 12; and amended Canon 4: Lay Ministry to add provisions for lay Evangelists.

**AN ACT TO INCORPORATE THE SYNOD OF THE DIOCESE OF EDMONTON  
AND THE PARISHES OF THE SAID DIOCESE**

**STATUTES OF ALBERTA, 1914, CHAPTER 48, as amended by  
S.A. 1932, c. 74; S.A. 1953, c. 127; and S.A. 2002, c. 35**

WHEREAS the Church of England Synod of the Diocese of Edmonton, being a Diocese of the Ecclesiastical Province of Rupert's Land, has petitioned that the said Synod and each of the duly organized parishes in the said Diocese be incorporated; and it is expedient to grant the prayer of its petition:-

Therefore His Majesty, by and with the advice and consent of the legislative Assembly of the Province of Alberta, enacts as follows:

1. In this Act the words "The Synod of the Diocese of Edmonton" shall mean the body consisting of the Bishop of the Diocese of Edmonton, of the clergy of the said Diocese licensed by the Bishop, of the Chancellor (if any), of the Registrar of the Diocese (if any), and of representatives of the laity duly elected.

2. The Synod of the Diocese of Edmonton shall be, and the same is hereby made and constituted a body politic and corporate, under the name of the Synod of the Diocese of Edmonton, hereinafter called the corporation.

3. The said corporation shall consist of the Bishop of the said Diocese and the Bishop's successors to be from time to time appointed in such a manner as is or shall be provided by the Provincial Synod of the said Ecclesiastical Province, and of such other persons as are or may become members of the corporation according to the constitution of the said diocesan synod as the same exists at the time of the passing of this Act or as the said constitution may from time to time be altered or amended.

[Amended by S.A. 2002, c. 35]

4. Such corporation shall have perpetual succession and a common seal, with power to change, alter, break and renew the same when and so often as they shall think proper, and the said corporation may, under the same name, contract

and be contracted with, sue and be sued, implead and be impleaded with, answer and defend in all courts and places whatsoever, and the said corporation shall be able and capable in law, respectively, to purchase, take, hold, give, receive, enjoy, possess, and retain all messuages, lands, tenements and immovable property, money, goods, chattels, and movable property which have been or hereafter shall be paid, given, granted, appropriated, devised or bequeathed to it or purchased by it in any manner or way whatsoever to, for or in favour of the eleemosynary, ecclesiastical, and educational uses and purposes within the limits of the said diocese, including thereby the uses and purposes of any parish, mission, institution, college, school, or hospital connected with or intended to be, or which may hereafter be connected with the Anglican Church in such diocese.

[Amended by S.A. 2002, c. 35]

5. The corporation shall in addition to the powers conferred upon it by the next preceding section of this Act and subject to the provision thereof, have power to sell, convey, exchange, alienate, mortgage, lease or demise any lands, tenements and hereditaments held by the said corporation, whether simply by way of investment for the uses and purposes set forth in the next preceding section of this Act or not, and the corporation may also, from time to time, invest all or any of its funds and moneys, and all or any funds and personal property which may be vested in or acquired by the corporation for eleemosynary, ecclesiastical or educational purposes aforesaid, in and upon any mortgage security of lands, tenements and hereditaments, and in other securities in any part or parts of the Dominion of Canada, and for the purposes of such investment may take, receive, and accept a mortgage or mortgages, or any assignment or assignments thereof in its own corporate name, and shall have and enjoy the same and as large, full and ample powers and rights of sale and foreclosure, action and suit upon and for the purposes of enforcing the covenants, stipulations, conditions and agreements,

## 2 *Act of Incorporation*

and all matters and things contained in such mortgages or any of them, and in as ample a manner as if it were a private person able and capable in law; and furthermore may sell, grant, assign and transfer such mortgages or any of them to any person, company or body capable of receiving any assignment thereof, and may release and discharge such mortgages or any of them, either wholly or partly.

[Correction reported to 57th Synod, October 2000]

5a The trust funds of the Synod of the Diocese of Edmonton shall be invested in accordance with sections 3 to 8 of the *Trustee Act* as amended from time to time.

[S.A. 2002, c. 35]

5b The Synod of the Diocese of Edmonton shall have power to consolidate the trust funds under control of the Synod as one fund to be known as the Consolidated Trust Fund, and that all separate trusts comprising such fund shall share pro-rata the return to be derived from such Consolidated Trust Fund.

[S.A. 1953, c. 127; amended by S.A. 2002, c. 35]

6. The said corporation shall, in the case of land held by it, be able to set apart a portion of such land for the purpose of making a road, or to make a free grant of a portion not exceeding one acre in extent, for the purpose of a school, hospital, or other necessary public object.

7. The said corporation may exercise all its powers by and through the executive committee as established by the constitution aforesaid, or such other boards or committees as the said corporation may from time to time appoint by resolution for the management of all or any of the affairs or property of the said corporation, but in accordance only with the trusts relating to any property to which any special trust is attached; the said synod may also appoint a treasurer or treasurers, and make such regulations for the management and administration of its property as it shall see fit. The corporation shall also have the right of appointing any officer or officers or other needful agent or agents for the management of its affairs, and shall have all other rights necessarily incident to a body corporate.

8. The “Church of England” or “Anglican Church” in all deeds, wills, instruments and documents applying to that part of the Province of

Alberta included within the territorial limits of the Diocese of Edmonton (as the same shall from time to time be constituted) shall mean, unless a different construction is to be gathered from the said deed, will, instrument or document, the corporation hereby created. (*Statutes of Alberta*, 2002, Bill Pr1)

[S.A. 2002, c. 35]

9. Any transfer of real estate or any interest therein vested in the corporation shall be deemed to be duly executed for that purpose if the same has affixed thereto the seal of the corporation verified by the signatures of the Bishop for the time being of the Diocese of Edmonton or the Bishop’s commissary duly appointed, and the secretary of the aforesaid executive committee, and a discharge of a mortgage if executed in the same way, shall be deemed to be properly and effectually executed.

[Amended by S.A. 2002, c. 35]

10. The incumbent or curate in charge and the church wardens of\* any congregation in the diocese duly organized according to the constitution of the Synod of the Diocese of Edmonton, shall be a body politic and corporate, and they and their successors, under the name the “Anglican Parish (or Mission) of .....” shall have perpetual succession and a common seal, and by such may from time to time and at all times hereafter purchase, acquire by gift, devise or bequest, hold, possess, and enjoy, and may have, take, and receive for them and their successors for ecclesiastical, educational or eleemosynary uses, any lands, tenements, hereditary property, rents, annuities and all other property whatsoever, moveable or immovable, and the same may sell, exchange, alienate, mortgage, let, lease, and dispose of and others in their stead purchase, acquire and hold for the uses and purposes aforesaid; provided that in the administration of the said property as regards selling, exchanging, alienating, mortgaging or leasing real estate, or making investments in stock, funds, debentures or other property, they shall first obtain the consent of the Diocese of Edmonton, either directly or through its executive committee.

[Correction reported to 57th Synod, October 2000]

[Amended by S.A. 2002, c. 35]

[\*Although the official copy of the Bill for Chapter 48 of 1914 contains the word "or", it probably appears by mistake. This statute was undoubtedly modelled on Ordinance 33 of 1891-92 of the North West Territories "An Ordinance to Incorporate the Synod of the Diocese



of Calgary and the Parishes of the Said Diocese". That Ordinance contains a section 10 which, with one irrelevant exception, is exactly the same as this section 10 except that where this section uses the word "or" the Ordinance section uses the word "of". In addition, Chapter 49 of 1914 was "An Act to incorporate the Synod of the Diocese of Athabasca and the Parishes of the said Diocese". That Act is almost exactly the same as Chapter 48. It includes a section 10 which is exactly the same as the above section except that where this section uses the word "or", section 10 of Chapter 49 uses the word "of". Further, some versions of Chapter 48 printed by the Queen's Printer use the word "of".]

10a. The Bishop may from time to time with the consent of the executive committee, by deed of disestablishment cancel the deed of erection of, and disestablish any parish which has ceased to have within its territorial boundaries six registered communicants and forthwith after the delivery of such deed of disestablishment the property of the parish so disestablished shall be vested in the Synod of the Diocese of Edmonton, and upon the registration of any such deed of disestablishment in a land titles office and upon payment of the proper fees the registrar shall cancel all certificates of title standing in the register in the name of the parish so disestablished and shall issue new certificates of title of the said lands in the name of the Synod of the Diocese of Edmonton. Notice of the intention to disestablish the said parish and to vest the property in the Synod shall be given in such manner as the Bishop with the approval of the executive committee shall deem sufficient to afford the remaining members of the congregation, if any, of the parish an opportunity to object, but the failure to give such notice or the insufficiency thereof shall not invalidate the deed of disestablishment.

[S.A. 1932, c. 74; amended by S.A. 2002, c. 35]

11. All questions relating to the constitution, powers, meetings and proceedings of vestries, the qualifications, term of office, powers and accounts of church wardens, and such other matters relating to the regulation and management of all or any of the temporalities of the Anglican Church in the Diocese of Edmonton shall be settled from time to time by the Synod of the Diocese of Edmonton, and the said Synod by by-law or canon may, from time to time as it may see fit, repeal, change, alter and amend any of its previous provisions.

[Amended by S.A. 2002, c. 35]

12. Any transfer, mortgage, or lease of real estate, or any interest therein, or any transfer of stock, funds, debentures or other personal property of any Anglican Parish incorporated under Section 10 of this Act, shall be deemed to be duly executed for that purpose if the same has affixed thereto the common seal of the said parish verified by the signature of the incumbent or curate in charge of such parish so named therein and of one of the churchwardens of such parish, and the consent of the synod or of its executive to such dealing by such parish shall be signified by the signatures of the president and secretary of the executive committee.

[Correction reported to 57th Synod, October 2000]  
[Amended by S.A. 2002, c. 35]

13. The corporation shall have power in addition to all other powers conferred by this Act to borrow money for the purposes of carrying out the objects of the corporation and to hypothecate, pledge or mortgage its real and personal property as security therefor; to sign bills, notes, contracts and other evidence of or securities for money borrowed or to be borrowed by it for the purposes aforesaid.

14. All lands in that part of the Province of Alberta lying north of the line dividing townships forty-two (42) and forty three (43) now standing in the register of the North Alberta Land Registration District in the name of the Synod of the Diocese of Calgary shall be and the same are hereby vested in the corporation as if the certificate or certificates of title therefor now contained the words "Synod of the Diocese of Edmonton" instead of the words "Synod of the Diocese of Calgary".

15. The Church of England Parishes or Missions created by competent authority under section 10 of the Ordinance passed in the year 1892 being entitled "An Act to Incorporate the Synod of the Diocese of Calgary and the Parishes of the Said Diocese" and being within the territorial limits of the Diocese of Edmonton shall continue and be parishes or missions as the case may be as if the same were corporations under Section 10 of this Act.

ANGLICAN CHURCH OF CANADA

DIOCESE OF EDMONTON

CONSTITUTION

WHEREAS by Statute of the Province of Alberta, given Royal Assent on October 22, 1914, the Synod of the Diocese of Edmonton was incorporated;

AND WHEREAS the said Statute contemplated the adoption of a Constitution for the governing of the Synod and its alteration or amendment from time to time;

AND WHEREAS such a Constitution was duly adopted and has been altered and amended from time to time and has now been redrawn;

NOW THEREFORE the Synod of the Diocese of Edmonton hereby declares and enacts that the Constitution of the Synod of the Diocese of Edmonton shall be as follows:

**SOLEMN DECLARATION AND MARKS OF MISSION**

C1. The Synod of the Diocese of Edmonton accepts the Solemn Declaration adopted by the General Synod of the Anglican Church of Canada on September 14, 1893 as follows:

*In the Name of Father, and of the Son, and of the Holy Ghost. Amen.*

*We, the Bishops, together with the Delegates from the Clergy and Laity of the Church of England in the Dominion of Canada, now assembled in the first General Synod, hereby make the following Solemn Declaration: We declare this Church to be, and desire that it shall continue, in full communion with the Church of England throughout the world, and as an integral portion of the One Body of Christ composed of Churches which, united under the One Divine Head and in the fellowship of the One Holy Catholic and Apostolic Church, hold the One Faith revealed in Holy Writ, and defined in the Creeds as maintained by the undivided Primitive Church in the undisputed Ecumenical Councils;*

*receive the same Canonical Scriptures of the Old and New Testaments, as containing all things necessary to salvation; teach the same Word of God; partake of the same Divinely ordained Sacraments, through the ministry of the same Apostolic Order, and worship One God and Father through the same Lord Jesus Christ by the same Holy and Divine Spirit Who is given to them that believe to guide them into all truth.*

*And we are determined by the help of God to hold and maintain the Doctrine, Sacraments, and Discipline of Christ as the Lord hath commanded in His Holy Word, and as the Church of England hath received and set forth the same in "The Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church, according to the use of the Church of England, together with the Psalter or Psalms of David pointed as they are to be sung or said in Churches; and the Form and Manner of Making, Ordaining, and Consecrating of Bishops, Priests and Deacons" and in the Thirty-nine Articles of Religion; and to transmit the same unimpaired to our posterity.*

C1A. The Synod of the Diocese of Edmonton accepts the Marks of Mission of the Anglican Communion adopted by the Anglican Consultative Council as a description, guide and framework for the pursuit of God's mission in the Diocese of Edmonton. These Marks of Mission are:

- 1. To proclaim the Good News of the Kingdom*
- 2. To teach, baptise and nurture new believers*
- 3. To respond to human need by loving service*
- 4. To seek to transform unjust structures of society, to challenge violence of every kind and to pursue peace and reconciliation*
- 5. To strive to safeguard the integrity of creation and sustain and renew the life of the earth*

[Amended at 64th Synod, April 2015]

**ORGANIZATION AND MEMBERSHIP OF SYNOD**

C2. The Synod shall be composed of:

- (a) the Bishop of the Diocese,
- (b) the Coadjutor, Assistant or Suffragan Bishops of the Diocese if there be any,
- (c) all Clergy licensed by the Bishop to an office in the Diocese,
- (d) all retired Clergy of the Diocese who are resident in the Diocese,
- (e) the Chancellor of the Diocese,
- (f) the Vice-Chancellor of the Diocese,
- (g) the Diocesan Solicitor,
- (h) the Diocesan Registrar,
- (i) other persons licensed by the Bishop to pastoral charges,
- (j) the People's Warden of each Parish in the Diocese,
- (k) Lay Members of Synod representing the Parishes of the Diocese,
- (l) 10 Lay Members appointed by the Bishop who shall be communicants and of the full age of 16 years,
- (m) 15 Lay Members appointed by the Executive Council who shall be young people,
  - i) 2 being appointed from each Region of the Diocese, by its Regional Council, and
  - ii) the balance being appointed by that subcommittee of the Program Committee responsible for Youth,
- (n) the lay members of the Executive Council of the Diocese,
- (o) the lay members of General Synod for the Diocese,
- (p) the lay members of Provincial Synod for the Diocese,
- (q) the Secretary of Synod,

- (r) the Treasurer of Synod,
- (s) the Executive Officer of the Diocese.

*Orders of Synod*

C3. There shall be two Orders of the Synod, as follows:

- (a) the Clergy who shall be the ordained persons listed in section 2 hereof, and
- (b) the Laity who shall be all other persons listed in section 2 hereof.

*Lay Members of Synod Representing the Parishes of the Diocese*

C4. Each Parish in the Diocese shall be represented by its People's Warden and by that number of Lay Members of Synod determined in accordance with the following table:

Average weekly attendance during the prior calendar year (excluding weddings and funerals)	Number of Lay Members of Synod
25 - 50	1
51 - 100	2
101 - 150	3
151 - 200	4
201 - 300	5
301 - 400	6
over 400	7

[Amended at 57th Synod, October 2000]

C5. The Lay Members of Synod representing Parishes shall be elected by the Parishioners according to the procedure set out by Canon.

C6. There shall be Alternate Lay Members of Synod for each Parish who shall be elected and shall be entitled to membership in Synod as provided by Canon.

C7. Where the People's Warden of a Parish is unable to attend a meeting of Synod an Alternate Lay Member of Synod from the same Parish may be appointed by the Vestry, or if that is impractical, by the Incumbent, to attend Synod in the place of the People's Warden provided the Bishop is first advised in writing.

## 6 *Constitution*

C8. No Lay Member of Synod may represent more than one Parish.

C9. No person shall be entitled to vote in the election of Lay Members of Synod for more than one Parish.

### *Synod Roll*

C10. The Secretary of Synod shall maintain a roll of all persons who are members of Synod and shall amend the Roll of Synod members upon receipt of such notices of appointments and of elections as are required by Canon to be forwarded to the Secretary of Synod.

## **OFFICERS OF SYNOD**

### *The Bishop*

C11. The Bishop is President of Synod and shall Chair all meetings of Synod and is an ex-officio voting member of all Diocesan Committees.

### *The Dean*

C12. The Dean shall function as Vice President of Synod and shall chair meetings of Synod when the Bishop so requests, unless otherwise provided.

### *Archdeacons*

C13. The Archdeacons of the Diocese shall function as Vice Presidents of Synod and shall chair meetings of Synod when the Bishop so requests, unless otherwise provided.

### *Chancellor*

C14. The Chancellor shall be a judge of the Court of Appeal of Alberta, the Court of Queen's Bench of Alberta, or of the Provincial Court of Alberta, or a member of the Law Society of Alberta of not less than 10 years standing.

C15. The Chancellor shall be responsible to advise the Bishop in all matters relating to the temporalities of the Diocese, the interpretation of the Canons and the procedures and Rules of Order of the Synod.

### *Vice-Chancellor*

C16. The Vice-Chancellor shall be a judge of the Court of Appeal of Alberta, the Court of Queen's Bench of Alberta, or of the Provincial Court of Alberta, or a member of the Law Society of Alberta.

C17. The Vice-Chancellor shall act in the place of the Chancellor and carry out the duties of the Office of Chancellor when the latter is not available.

### *Diocesan Solicitor*

C18. The Diocesan Solicitor shall be a member of the Law Society of Alberta in active practice as a barrister and solicitor within the Province of Alberta.

C19. The Diocesan Solicitor shall act professionally on behalf of the Diocese in all matters requiring the services of a solicitor except as may otherwise from time to time be decided by the Executive Council.

### *Diocesan Registrar*

C20. The Diocesan Registrar shall be responsible for the safe custody the Diocesan Records as established by section C128 of this Constitution.

[Correction reported to 58th Synod, October 2002]

### *Secretary of Synod*

C21. The Secretary of Synod shall be responsible for such duties as are set out in the Constitution and Canons and such other duties as may be placed upon that Officer by the Synod.

### *Treasurer of Synod*

C22. The Treasurer of Synod shall be responsible to Synod for the administration of the Diocesan budget and for the maintenance of the financial records of the Diocese and such other duties as may be placed upon that Officer by the Synod.

*Recorders*

C23. There shall be a Clerical Recorder and a Lay Recorder elected at each regular meeting of Synod to serve at the next regular meeting of Synod and at special meetings of Synod occurring between regular meetings of Synod.

C24. Vacancies occurring in the Office of Clerical Recorder or Lay Recorder of Synod shall be filled by the Executive Council.

C25. The duties of Clerical and Lay Recorders shall be to keep the Minutes of the Sessions of Synod and to prepare them for publication by the Secretary of Synod.

*Appointments and Terms of Office of Officers*

C26. The Officers of Synod (other than the Bishop, and the Lay and Clerical Recorders) shall be appointed by the Bishop, and shall hold office at the Bishop's pleasure.

[Amended at 61st Synod, October 2008]

**MEETINGS OF SYNOD**

*Regular Meeting*

C27. There are three types of meetings of Synod:

- (a) a Regular Meeting of Synod, being a meeting for which the agenda prescribed by the Canon on Rules of Order for meetings of Synod, section 7.1(b) is followed, and which shall be held not less frequently than once every 3 years;

[Correction reported to 56th Synod, April 1999]

- (b) a Special Meeting of Synod, being a meeting for which the agenda is prescribed by the Bishop in consultation with the Executive Council or a Committee thereof, which may be called by the Bishop at any time; and

- (c) an Electoral Synod for the election of a Bishop, which is governed by Provincial Canon IX.

C28. Business may be conducted at a Special Meeting of Synod, if the Bishop so directs; and business may be conducted at an

Electoral Synod, if the Bishop or Administrator so directs.

[Amended at 56th Synod, April 1999]

*Time, Place and Adjournment*

C29. The time and place of a meeting of Synod shall be fixed by the Bishop who shall also adjourn Synod as the Bishop shall see fit.

*Notice of Meeting of Synod*

C30. At least three months before the date fixed for any meeting of Synod the Bishop shall:

- (a) send written notice of the meeting to the Incumbent of each Parish, indicating the time and place of the meeting and the type of meeting of Synod.

[Amended at 56th Synod, April 1999]

- (b) require the Incumbent of each Parish to advise the People's Warden, each Lay Member of Synod, and each Alternate Lay Member of Synod of the date and place of the meeting of Synod, and,

- (c) make such other publication of the date and place of Synod as shall be considered by the Bishop appropriate to bring notice of the meeting to all members of Synod.

C31. If the meeting is a Regular Meeting of Synod, or if business is to be conducted at a Special Meeting of Synod or an Electoral Synod, the notice of meeting shall indicate the nature of the business contemplated to be brought before the meeting of Synod, and shall invite members of Synod to submit to the Synod Agenda and Resolutions Committee notices of any other motions they intend to bring before the meeting of Synod for debate.

[Amended at 56th Synod, April 1999]

*Agenda and Resolutions Committee*

C32. At least two months before the date fixed for any meeting of Synod, the Bishop shall appoint a Synod Agenda and Resolutions Committee.

[Amended at 56th Synod, April 1999]

C33. The Synod Agenda and Resolutions Committee shall

- a. act as the planning committee for the Synod,

- b. prepare an Agenda for the meeting,
- c. receive from Members of Synod notices of motion intended to be brought before the meeting of Synod for debate, and establish a deadline for receiving such notices of motion so that they can be circulated to members of Synod prior to the meeting of Synod, and
- d. act as a steering committee at the meeting of Synod.

[Amended at 56th Synod, April 1999]

#### *Nominations Committee*

C34. At least two months before the date fixed for any Regular Meeting of Synod (and any Special Meeting or Electoral Synod at which the business to be transacted includes an election for any vacant office other than Bishop), the Bishop shall appoint a Synod Nominations Committee, composed of at least one member of Synod from each Region of the Diocese.

[Amended at 56th Synod, April 1999]

- C35. The Synod Nominations Committee shall
- a. prepare a list of candidates to stand for such elections as will occur at a Regular Meeting of Synod, and
  - b. establish a deadline for receiving other nominations, so that they can be circulated in the format prescribed by the Synod Nominations Committee to members of Synod prior to the meeting of Synod.

[Amended at 56th Synod, April 1999]

#### *Committee on Credentials and Registration*

C36. In preparation for any meeting of Synod, the Bishop shall appoint a Committee on Credentials and Registration, consisting of at least one member of the Order of Clergy and one member of the Order of Laity.

C37. The Committee on Credentials and Registration shall examine the credentials of the Lay Members of Synod as they register at the meeting of Synod and shall prepare a Roll of Clergy and a Roll of Lay Members registered and

shall report to the meeting of Synod on registration and credentials.

#### *Agenda for Meeting of Synod*

C38. At least one month prior to the meeting of Synod the Synod Agenda and Resolutions Committee shall submit its proposed Agenda for the meeting of Synod to the Bishop and Executive Council for approval.

#### *Convening Circular*

C39. At least two weeks prior to the date fixed for Synod, the Synod Agenda and Resolutions Committee shall circulate to all members of Synod a Convening Circular containing the Agenda for the meeting of Synod as approved by the Bishop and Executive Council together with notice of any motions intended to be brought before the meeting of Synod for debate (if business is to be conducted at the meeting of Synod).

[Amended at 56th Synod, April 1999]

#### *Credentials*

C40. Every Lay Member of Synod representing a Parish of the Diocese and each People's Warden in the Diocese shall receive from the Incumbent of the Parish credentials in the following form:

Diocese of Edmonton  
*Name of Parish*  
*Date*

I hereby certify that at a meeting of the Parishioners of this Parish held on *date*, *name of Member of Synod* was duly elected to the Office of *People's Warden or Member of Synod* and continues to hold that Office at this date.

#### *Incumbent*

C41. Where an Alternate Lay Member of Synod has been appointed to attend a meeting of Synod the credentials shall be in the following form:

Diocese of Edmonton  
*Name of Parish*  
*Date*

I hereby certify that at a meeting of the Parishioners of this Parish held on *date*, *name of Alternate Lay Member of Synod*

was duly elected to the Office of Alternate Lay Member of Synod. The office of Lay Member of Synod in this Parish which was held by *name of Lay Member of Synod unable to attend Synod* has become vacant and *name of Alternate Lay Member of Synod* has been duly appointed to fill that vacancy.

#### *Incumbent*

C42. Each People's Warden and Lay Member or Alternate Lay Member of Synod representing a Parish shall present the said form of credentials to the Committee on Credentials and Registration on arrival at the meeting of Synod for the purpose of identification.

#### *Quorum*

C43. A quorum of the Synod shall consist of at least one-third of the members of each Order of the Synod, except where by Canon it is provided that the quorum required for any particular or special business shall be some other portion of the members of Synod.

#### *Receiving late motions and nominations*

C44. Notwithstanding the deadlines established under sections C33 and C35 for receiving notices of motion and nominations, a meeting of Synod may decide, by a majority of the members present, to accept a late notice of motion or a late nomination.

[Amended at 56th Synod, April 1999]

#### *Votes of Synod and Votes by Orders*

C45. No Act or Resolution of Synod shall be valid unless it receives a majority of the votes of members of Synod present at the meeting of Synod, such majority to be a majority of the Clergy and of the Lay Members voting collectively; unless a vote by Orders is demanded by not fewer than 5 members of each order, when such a majority shall be a majority of each Order voting separately.

#### *Assent of the Bishop*

C46. No Act or Resolution of the Synod shall be valid unless it receives the assent of the Bishop.

#### *Journal of Synod*

C47. The Secretary of Synod shall, on conclusion of Synod, prepare a journal of the meeting of Synod which shall contain:

- (a) the Minutes of the proceedings of the Synod,
- (b) copies of all documents tabled at the Meeting of Synod.

#### *Rules of Order*

C48. The Rules of Order to be used at a meeting of Synod shall be those established by Canon.

#### *Emergency Meetings of Synod*

C48.1 In exceptional circumstances, the Bishop with the consent of Executive Council may call a Special Meeting of Synod to take place sooner than would be possible by complying with the times specified in sections C30 (Notice of Synod), C32 (appointment of Agenda and Resolutions Committee), C34 (appointment of Nominations Committee), C38 (approval of agenda) and C39 (Convening Circular). In such exceptional circumstances, shorter times for these steps shall be specified by Executive Council when consenting to the calling of the Special Meeting of Synod.

[Added at 59th Synod, 2005]

## **EXECUTIVE COUNCIL**

#### *Composition of Executive Council*

C49. The Executive Council established pursuant to the Constitution of the Synod of the Diocese of Edmonton shall consist of:

- (a) the Bishop as President;
- (b) the Coadjutor, or Assistant or Suffragan Bishops, if there are any, as Vice President;
- (c) the Dean and the Archdeacons as Vice Presidents;
- (d) the Chancellor;
- (e) the Vice-Chancellor;

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- (f) the Secretary of Synod;
- (g) the Chairpersons of the Standing Committees of Executive Council;
- (h) the Executive Officer of the Diocese;
- (i) one Clerical and two Lay Members of Synod from each Region of the Diocese, such persons to be elected by the Synod in Regular Meeting;
- (j) six persons appointed by the Bishop.
- (k) such persons as may be appointed by the Bishop pursuant to section C51 of this Constitution.

[Correction reported to 55th Synod, October 1997]

### *Terms of Office*

C50. The non ex-officio members of the Executive Council shall hold office from the end of the Synod at which they are elected or appointed until the end of the next following Regular Meeting of the Synod at which elections of members of the Executive Council occur.

[Amended at 57th Synod, October 2000]

### *Relocation of Elected Member to another Region*

C51. Where a member of Executive Council elected at a Synod moves from one Region to another, the member shall continue as a member of the Executive Council notwithstanding. The Bishop shall appoint a Clerical or Lay Member of Synod from the Region from which the said member has moved to replace the said member on Executive Council.

### *Vacancies*

C52. When a vacancy occurs among the elected members of Executive Council it shall be filled by a person appointed by the Bishop.

### *Meetings*

C53. Regular meetings of the Executive Council shall be held at least 4 times a year unless for sufficient cause it shall be decided otherwise.

C54. Special meetings of Executive Council may be called at the discretion of the Bishop or the Bishop's nominee.

C55. Any 3 members of Executive Council may by requisition in writing to the Bishop request that the Bishop call a special meeting of Executive Council. Such requisition shall state the business to be brought before such meeting and the Bishop shall call a special meeting as requested within 3 weeks of receipt of the requisition.

### *Notice of Meetings*

C56. Reasonable notice shall be given to all members of Executive Council of all regular and special meetings of the Executive Council.

### *Quorum*

C57. A quorum of the Executive Council shall be 10 members.

### *Executive Officer of the Diocese*

C58. Subject to section C67 of this Constitution, the Bishop may appoint an Executive Officer of the Diocese who shall be an ex officio voting member of the Executive Council, and of all standing committees of the Synod and who shall be responsible for such duties as may be placed upon that Officer by the Bishop or the Executive Council.

### *Clerk of the Executive Council*

C59. The Bishop shall appoint a Recording Secretary of the Executive Council who shall keep the Minutes of the proceedings and Resolutions of all meetings of Executive Council.

[Amended at 61st Synod, October 2008]

### *Minutes*

C60. Minutes of proceedings and resolutions of all meetings of the Executive Council shall be recorded and preserved. The Minutes shall be approved and signed by the Clerk of the Executive Council and by the Chair of the meeting of Executive Council and shall be available for inspection by any member of the Synod at any reasonable time.

### *Duties of the Executive Council*

C61. The Executive Council shall see that the Acts and Resolutions of Synod are carried out.



C62. Between meetings of Synod the Executive Council shall in accordance with the policies established by Synod administer the affairs of the Synod in all things, and make or cause to be made for the Synod, in its name, any kind of contract that the Synod may lawfully enter into and, generally, may exercise all such powers and do all such other acts and things as the Synod is by the Act of Incorporation or its Constitution authorized to exercise and do.

C63. The Executive Council may adopt rules or by-laws for the performance of its duties provided they are not inconsistent with the Constitution and Canons of Synod.

C64. The Executive Council shall report its acts, rules, by-laws and resolutions undertaken or adopted since the last regular meeting of Synod to each Regular Meeting of Synod.

C65. The Executive Council, in administering the affairs of the Synod, shall be responsible for and co-ordinate the work of the various agents of the Synod. To this end it shall require and consider periodic reports from all such agents and all other bodies responsible to the Synod and from those elected by the Synod to represent it in other Synods and agencies of the Church.

C66. The Executive Council may establish ad hoc committees and determine their terms of reference.

C67. The Executive Council shall determine the need for staff, create the required positions, ensure that sufficient funding is available to support the said positions and define or vary terms of appointment.

## STANDING COMMITTEES

### ADMINISTRATION AND FINANCE COMMITTEE

C68. There shall be a Standing Committee of the Executive Council which shall be called the Administration and Finance Committee.

#### *Composition*

C69. The Committee shall consist of:

- (a) the Bishop as an ex-officio member,
- (b) the Executive Officer of the Diocese as an ex-officio member, and
- (c) 12 other members, at least 3 of whom shall be members of the Executive Council.

C70. Eight members of the Committee shall be appointed by the Executive Council and 4 members shall be appointed by the Bishop.

C71.(a) The 12 appointed members of the [Administration and Finance] Committee shall each hold office for a period of three years from the date of their respective appointments which shall, as far as is possible, conform to a system of staggered lapsing of terms of office.

[Amended at 61st Synod, October 2008]

(b) The terms of office of no more than 4 of the appointed members of the Committee shall expire in any year.

(c) The Executive Council or the Bishop, as the case may be, shall appoint members of the Committee to take the place of members whose term of office expires in any year no later than the 30th day of June in each year.

(d) *Spent.*

[Amended at 61st Synod, October 2008]

C72. The Bishop shall appoint a Chair for the Committee from among its members.

#### *Function and Duties*

C73. The Committee shall manage the funds and properties of the Synod, and exercise in accordance with the policies established by Executive Council and for the Executive Council the powers conveyed by the Act of Incorporation and the Canons in respect of the acquisition, mortgaging and disposal of real estate and the investment of funds, by the Synod and by Parishes in the Diocese.

C74. The Committee shall administer the business of the Synod and deal with matters referred to it by the Executive Council.

C75. The Committee shall have power to establish subcommittees comprised of members from within or without the Committee.

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C76. The Committee shall report its activities to each Regular Meeting of the Executive Council.

### *Meetings of the Committee*

C77. The Committee shall meet at least 6 times a year.

### *Quorum*

C78. A quorum of the Committee shall be 6 members.

## **SOCIAL JUSTICE COMMITTEE**

[Amended at 64th Synod, April 2015]

C79. There shall be a Standing Committee of the Executive Council which shall be called the Social Justice Committee.

### *Composition*

C80. The Committee shall consist of:

- (a) The Bishop, as an ex-officio member,
- (b) The Executive Officer of the Diocese as an ex-officio member, and
- (c) Not fewer than 12 and not more than 16 other members.

C81. The non ex-officio members of the Committee shall be appointed as follows:

- (a) not fewer than 8 and not more than 12 members by the Bishop,
- (b) such additional members, to a maximum of 4, by the Committee as may be required by it to carry out its functions.

C82.(a) The appointed members of the Committee shall each hold office for a period of three years from the date of their respective appointments.

(b) The terms of office of no more than 4 of the members of the Committee shall expire in any year.

(c) The Bishop may appoint members of the Committee to take the place of members whose

term of office expires in any year no later than the 30th day of June in each year.

(d) The Committee may, and if there are fewer than 12 appointed members shall, appoint members to take the place of members whose term of office expires if the Bishop has not done so by the 30th day of June in each year.

C83. The Bishop shall appoint a Chair for the Committee from among its members.

### *Function*

C84. The Committee shall:

- (a) plan, guide and review the social justice activities of the Synod,
- (b) review and make recommendations concerning proposed social justice activities and policies to the Synod or Executive Council,
- (c) receive reports and appraise progress and results of the social justice activities of the Synod,
- (d) evaluate social justice plans and related budgets and report in that regard to the Synod or Executive Council,
- (e) execute decisions taken by the Synod or Executive Council relating to social justice activities,
- (f) through education, encourage awareness and understanding of the theology of social justice, and of its biblical foundations,
- (g) provide assistance to Parishes in the area of social justice by offering encouragement, resource materials, and personal help,
- (h) co-ordinate Diocesan social justice activities and the activities of the Committee with the activities of similar bodies in the National Church, in other Dioceses, and in other churches and faith communities.

C85. The Committee shall have the power to establish subcommittees comprised of members within or without the Committee.

C86. The Committee shall report its activities to each Regular Meeting of the Executive Council.

*Meetings of the Committee*

C87. The Committee shall meet at least 4 times a year at the call of the Chair.

*Quorum*

C88. A quorum of the Committee shall be 6 members.

[Amended at 64th Synod, April 2015]

**STEWARDSHIP COMMITTEE**

C89. There shall be a Standing Committee of the Executive Council which shall be called the Stewardship Committee.

[Amended at 63rd Synod, October 2012]

*Composition*

C90. The Committee shall consist of:

- (a) the Bishop, as an ex-officio member,
- (b) the Executive Officer of the Diocese as an ex-officio member,
- (c) not more than 12 other members, at least 2 of whom shall be members of the Executive Council.

C90.1. The non ex-officio members of the Committee shall be appointed as follows:

- (a) 6 members by the Executive Council,
- (b) 3 members by the Bishop,
- (c) Such additional members, to a maximum of 3, by the Committee as may be required to carry out its function.

C91.(a) Subject to subsection (d) of this section, the 12 appointed members of the Committee shall each hold office for a period of three years from the date of their respective appointments.

[Amended at 61st Synod, October 2008]

(b) The terms of office of no more than 3 of the members of the Committee, appointed by the Executive Council or the Bishop, shall expire in any year.

(c) The Executive Council or the Bishop, as the case may be, shall appoint members of the Committee to take the place of members, appointed by the Executive Council or the Bishop, whose term of office expires in any year no later than the 30th day of June in each year.

(d) The Committee may appoint members to take the place of additional members appointed by the Committee whose term of office expires, if the Committee determines that such additional members are required by it to carry out its functions, and upon such appointment shall establish the term of office of such additional members which shall be no more than 3 years and which shall, as far as is possible, conform to a system of staggered lapsing of terms of office established by this section.

(e) *Spent.*

[Amended at 61st Synod, October 2008]

C92. The Bishop shall appoint a Chair for the Committee from among its members.

*Function*

C93. The Committee shall:

- (a) through stewardship education, encourage awareness and understanding of the theology of stewardship, and of its biblical foundations,
- (b) provide assistance to Parishes in the area of stewardship and financial development by offering encouragement, resource materials, and personal help,
- (c) advise the Bishop, Executive Council and other bodies within the Diocese on matters of stewardship policy or program and future planning,
- (d) co-ordinate Diocesan Stewardship Programs and the activities of the Committee with the activities of the Stewardship Office of the National Church and of similar bodies in other Dioceses.

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[Amended at 63rd Synod, October 2012]

C94. The Committee shall report its activities to each Regular Meeting of the Executive Council.

### *Meetings*

C95. The Committee shall meet at least 4 times a year at the call of the Chair.

### *Quorum*

C96. A quorum of the Committee shall be 5 members.

## **LEGISLATIVE COMMITTEE**

C97. There shall be a Standing Committee of Executive Council which shall be called the Legislative Committee.

### *Composition*

C98. The Committee shall consist of the Bishop and Executive Officer as ex-officio members and at least 5 other persons including:

- (a) the Chancellor,
- (b) the Vice-Chancellor,
- (c) at least 3 other members appointed by the Bishop.

C99. The appointment of members of the Committee shall be made at the first meeting of Executive Council following a Regular meeting of Synod at which elections of members of the Executive Council occur and the appointed members of the Committee shall hold office until the next following Regular Meeting of the Synod at which elections of members of the Executive Council occur.

C100. The Chancellor, or in the Chancellor's absence, the Vice Chancellor shall act as Chair of the Committee.

[Correction reported to 58th Synod, October 2002]

### *Function*

C101. The Committee shall:

- (a) receive and review any proposed amendment to the Act of Incorporation, the Constitution, and the Canons of the Synod of the Diocese of Edmonton,
- (b) report to Executive Council and the Synod its views on any such proposed amendment, and its recommendation as to what action should be taken on the proposal,
- (c) keep under review the Act of Incorporation, Constitution, By Laws, Canons, and recommend to Executive Council and to Synod whatever amendments may appear necessary and desirable,
- (d) undertake other duties assigned to it by Executive Council or Synod.

C102. The Committee shall make a report of its activities to each Regular Meeting of Executive Council.

### *Meetings*

C103. The Legislative Committee shall meet at least 2 times a year.

### *Quorum*

C104. A quorum of the Committee shall consist of 3 members.

## **THE COURT OF THE SYNOD OF THE DIOCESE OF EDMONTON**

C105. There shall be a Court of the Synod of the Diocese of Edmonton.

### *Composition*

C106. The Court shall be composed of:

- (a) the Bishop,
- (b) the Chancellor,
- (c) two members of the Clergy of the Diocese,

- (d) two Lay Members of the Synod, one of whom shall be a member of the Law Society of Alberta.

C107. The Clerical and Lay Members of the Court shall be elected by the Synod at each regular meeting of Synod and shall hold office until their successors have been appointed.

#### *Quorum*

C108. A quorum of the Court shall consist of any two members and either the Lay Member who is a member of the Law Society of Alberta or the Chancellor.

#### *Vacancies*

C109. The Bishop may appoint a member of the Synod of appropriate qualification to fill any vacancy which may occur on the Court between regular meetings of Synod.

#### *President*

C110. The President of the Court shall be the Bishop or some member thereof commissioned in writing by the Bishop.

#### *Registrar*

C111. The Bishop shall appoint a Registrar and such other officers as may be found necessary to assist the Court in the performance of its duties.

#### *Function*

C112. The trial of any member of the Clergy charged with any offence pursuant to the provisions of the Canons relating to discipline shall be conducted before the Court.

C113. The Bishop may refer any question to the Court for determination.

### **DIOCESAN FINANCES**

#### *Budget*

C114. The Executive Council shall annually adopt a budget for diocesan revenue and expenditure for the ensuing year.

#### *Revenues*

C115. The Synod shall establish a system by which the contribution required from each Parish in the Diocese to the annual expenses of the Diocese is equitably determined.

C116. The Executive Council shall annually, on the recommendation of the Administration and Finance Committee, implement the system established by Synod to ensure contribution by each Parish sufficient to cover the annual expenditure budget of the Diocese.

#### *Expenditure*

C117. The first charge on diocesan revenues and funds shall be the support and expenses of the Bishop and diocesan staff.

C118. The Executive Council shall adopt such procedures as are necessary to ensure that expenditures are made only upon proper authority and the Treasurer of Synod shall administer the procedures so adopted.

#### *Records*

C119. The Treasurer of Synod shall ensure that an accurate record is maintained of all revenues received by the Diocese and of all expenditures made by the Diocese.

#### *Accounts Examination*

C120. The Synod shall elect an Accountant who shall be either a chartered accountant, or a firm of chartered accountants, licensed to do business in the Province of Alberta.

C121. In the case of a vacancy in the Office of Accountant the Executive Council shall make an appointment to continue until the next Synod.

C122. The Accountant shall review the financial books, records and statements of the Diocese annually and report to the Executive Council following such review.

C123. The Executive Council or the Synod may by resolution require at any time an audit of the financial books, records and statements of the Diocese to be performed by the Accountant in addition to or instead of the annual review.

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C124. The Executive Council or Synod may require at any time an audit or review of any project or financial statement of the Diocese to be performed by the Accountant.

### *Reports*

C125. The report of the Accountant of the Diocese upon the financial records of the Diocese for each year shall be presented to the Executive Council as soon as is practical after the report is completed.

C126. The report of the Accountant of the Diocese upon the financial records of the Diocese for each year shall be presented to the Synod at the Regular Meeting of Synod next following the year to which the report relates.

C127. The Treasurer of Synod shall ensure that reports required by the Synod of the Ecclesiastical Province of Rupert's Land and the General Synod of the Anglican Church of Canada, regarding the finances of the Diocese, are provided to those bodies.

### **DIOCESAN RECORDS**

C128. It shall be the responsibility of the Registrar of the Diocese to maintain records of the following matters:

- (a) of all real property registered in the name of the Synod of the Diocese of Edmonton, or registered in the name of any Parish
- (b) in respect of each Parish, to preserve a copy of the Schedule of insurable Parish property, and all additions thereto and deletions therefrom,
- (c) a Register of Parishes, including particulars of their erection, boundaries, division or amalgamation, and changes to the same as these take place,
- (d) a Register of the proceedings of the Diocesan Court, including its membership and all decisions and sentences of the said Court,
- (e) a record of all Clergy resident within the Diocese, of all subscriptions taken by the

said Clergy, and of all licences issued to them and appointments made by the Bishop to any office within the Diocese,

- (f) the Journal of Synod,
- (g) all other documents and records required by this Constitution or by Canon to be kept by the Diocesan Registrar.

C129. The Secretary of Synod and the Treasurer of Synod shall maintain such statistics of the operation of the Diocese and such financial records of the Diocese and of the Synod as shall be required by the Synod or by the Executive Council.

### **ENACTMENT AND AMENDMENT OF CANONS**

C130. The Synod may enact and from time to time amend Canons to effect the better government of the Diocese.

[Correction reported to 55th Synod, October 1997]

C131. No proposed Canon or amendment to a Canon shall be put to a vote of Synod unless the proposed Canon or amendment has first been considered by the Legislative Committee and the report of the Legislative Committee has been received and considered by the Executive Council and presented to Synod.

C132. The enactment or amendment of a Canon shall be valid if approved by the Bishop and by a majority of the Synod members present at a meeting of Synod voting collectively unless a vote by orders is demanded by at least 2 members of Synod in which case a majority of each order voting separately shall be required.

C133. Notwithstanding any other provision of this Constitution, the Legislative Committee may make such corrections and alterations to the Canons as it considers necessary provided that such corrections and changes relate only to matters of form and not to matters of substance and provided further that any such correction or alteration shall be reported to the next following regular meeting of Synod and may be set aside by a majority of those members present and voting.

## **AMENDMENT OF THE CONSTITUTION**

C134. The Synod may amend this Constitution.

C135. No amendment to the Constitution shall be put to a vote of Synod unless the proposed amendment has first been considered by the Legislative Committee and the report of the Legislative Committee has been received and considered by the Executive Council and presented to the Synod.

C136. An amendment of this Constitution shall be valid if approved by the Bishop and by a two-thirds majority of the members of each Order of Synod present at the meeting of Synod voting by orders.

C137. Notwithstanding any other provision of this Constitution, the Legislative Committee may make such corrections and alterations to the Constitution as it considers necessary provided that such corrections and changes relate only to matters of form and not to matters of substance and provided further that any such correction or alteration shall be reported to the next following regular meeting of Synod and may be set aside by a majority of those members present and voting.

## **DEFINITIONS**

C138. Definitions of words as they are set out in the Canon on Definitions shall be applicable to those words when used in this Constitution and throughout all of the Canons of the Synod of the Diocese of Edmonton.

## CANON 1

### DEFINITIONS

In the Constitution and Canons of the Synod of the Diocese of Edmonton, the following words shall be interpreted according to the following definitions:

1.1. Church Warden: The person elected or appointed pursuant to Canon 5, section 42(a) or 43.

1.2. Clergy of the Diocese: All ordained persons licensed by the Bishop to an office in the Diocese and all retired Clergy of the Diocese.

1.3. Communicant: A baptized person who regularly receives the Sacrament of Holy Communion.

1.4. Diocesan: The Bishop of the Diocese.

1.5. Identifiable Giver: A person who has made a recorded financial donation to a Parish in the Diocese during the preceding year.

1.6. Incumbent: A Priest appointed and licensed by the Bishop to be in charge of a Parish.

1.7. Licence: The written permission of the Bishop to a person to execute any office in the Diocese.

1.8. Retired Clergy of the Diocese: All ordained persons who, for reason of age or health, have ceased to hold the Bishop's licence to an office in the Diocese.

1.9. Stipendiary Ministry: The performance of any office in the Diocese by a person receiving remuneration in respect thereof.

1.10. Parish: A portion of the Diocese established by Deed of Erection as a Parish under Canon 5.

1.11. Parishioner: A baptized person regularly attending Services of Worship in a Parish or otherwise regularly receiving administrations of the Clergy of a Parish.

1.12. Pastoral Charge: Any ministry of the Church in the Diocese for which the Bishop has issued a licence.

1.13. Young People: Parishioners who are under the age of 22 years.

1.14. Office: Any function or position established for the organization or ministry of the Diocese.

1.15. Social Justice: Any activity specifically directed toward one or more of the following objectives:

- a. To respond to human need by loving service;
- b. To seek to transform unjust structures of society;
- c. To strive to safeguard the integrity of creation and sustain and renew the life of the earth.

[Amended at 64th Synod, April 2015]



## CANON 2

### THE BISHOP

*[Note: In May, 1991 the Synod of the Ecclesiastical Province of Rupert's Land enacted constitutional and canonical amendments which established a uniform procedure for the election of a Bishop for all dioceses of the Province. The former provisions of this canon relating to the election of a Bishop were thus rendered redundant. They were formally repealed by the 52nd Synod in October, 1994.*

*Canon IX of the Ecclesiastical Province of Rupert's Land, Election of a Bishop, is printed as an appendix to the Canons and Constitution of the Diocese of Edmonton.]*

#### FUNCTIONS AND DUTIES OF THE BISHOP

2.1. The Bishop shall function as the President, Chief Pastor and Chief Administrative Officer of the Diocese.

2.2. The Bishop shall reside within the territorial limits of the Diocese and shall not be absent from the Diocese for more than 3 months consecutively without the consent of the Executive Council.

2.3. The Bishop shall visit each Parish within the Diocese at least once in 3 years, if possible.

2.4. The Bishop shall, from time to time, deliver a Charge to the clergy of the Diocese and may also, from time to time, address the people of the Diocese in Pastoral Letters on matters of Christian doctrine, worship and conduct, which letters, the Bishop can require the Clergy to read in all their congregations.

[Correction reported to 59th Synod, 2005]

2.5. At each regular meeting of Synod, the Bishop shall present a statement of the affairs of the Diocese since the last regular meeting of Synod which statement shall include:

(a) the names of the congregations which the Bishop has visited,

(b) the numbers confirmed or received,

(c) the names of those received as Candidates for Holy Orders

(d) the names of those who have been ordained,

(e) any changes in the ministry of the Diocese by death, removal, or otherwise, and

(f) any other matters pertaining to the life of the Diocese.

[Amended at 61st Synod, October 2008]

2.6. Any charge delivered by the Bishop under section 4 and the statement presented by the Bishop under section 5 shall be published in the Journal of Synod.

2.7. The Bishop shall maintain a record of all the official acts of the Bishop which record shall be the property of the Diocese.

2.8. The Bishop shall be an ex officio voting member of all standing and ad hoc committees of the Synod and of the Executive Council.

2.9. The Bishop may appoint and at the Bishop's pleasure remove the following dignitaries:

(a) A Dean,

(b) Archdeacons,

(c) Regional Deans,

(d) Canons,

(e) Chaplains.

[Correction reported to 58th Synod, October 2002]

#### EXPENSES OF THE BISHOP

2.10. It shall be the responsibility of the Synod to ensure that a stipend and all other reasonable expenses necessary for the maintenance of the

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Bishop and for the carrying out of the function and duties of the Bishop are paid and payment of such expenses shall be a first charge on the diocesan funds.

### **COMMISSARY**

2.11. In the event that the Bishop leaves the Diocese or is temporarily incapacitated for a period in excess of one month, the Bishop shall appoint a Commissary by letter under the hand and seal of the Diocese. Such an appointment shall continue in force until revoked in writing by the Bishop.

2.12. The Commissary may be the Dean, an Archdeacon or, a senior member of the Clergy of the Diocese.

### **ADMINISTRATOR**

2.13. In the event of the vacancy of the See or the Bishop being incapacitated and unable to perform the duties of the Bishop, the Executive Council shall appoint an Administrator until the See is filled or the Bishop is again able to perform the duties of the Bishop.

2.14. The Executive Council shall appoint that diocesan official hereinafter listed who ranks highest on the list and is willing and able to accept the appointment:

- (a) the Dean,
- (b) the Territorial Archdeacons in order of their appointment as archdeacons,
- (c) a senior priest of the Diocese chosen by the Executive Council.

## CANON 3

### CLERGY

#### LICENSING OF CLERGY

[Amended at 64th Synod, April 2015]

##### *Requirement of a Licence*

3.1. Every bishop, priest or deacon, before exercising in any way an ordained ministry in the Diocese shall obtain the licence or temporary permission of the Bishop to do so.

[Amended at 56th Synod, April 1999]

3.2. No licence shall be granted by the Bishop unless the proposed licensee has, in the presence of the Bishop or the Bishop's nominee, made, taken and subscribed the Declaration of Assent, the Oath of Canonical Obedience and the Declaration of Submission to the General, Provincial and Diocesan Synods set out in Canon VI of the Ecclesiastical Province of Rupert's Land. The licensee shall renew these oaths and subscriptions at such time as the Bishop may require.

[Amended at 56th Synod, April 1999]

[Amended at 61st Synod, October 2008]

[Amended at 64th Synod, April 2015]

3.3. Every bishop, priest or deacon shall exercise ordained ministry subject to the requirements of the oaths and subscriptions, and of the canons of the General, Provincial and Diocesan Synods, as well as all episcopal directives and diocesan policies which may from time to time be in effect. In particular, every bishop, priest or deacon shall be subject to the terms of the General and Provincial Synod canons on licensing, discipline and the relinquishment and abandonment of ministry.

[Amended at 64th Synod, April 2015]

3.4. No license shall be in force until the proposed licensee has declared assent to the terms thereof.

##### *Retirement*

3.5.1. The Normal Retirement Date for clergy shall be the end of the month in which the cleric becomes eligible for the payment of the Old Age Security pension, according to the eligibility rules for that pension which may from time to time be in force.

3.5.2. A licence shall not continue in force beyond the Normal Retirement Date of the licensee (notwithstanding the terms of a licence issued prior to that date), but the Bishop in the Bishop's sole discretion may in accordance with section 3.1 license a bishop, priest or deacon past the Normal Retirement Date for a period not exceeding one year, which licence may be renewed from year to year thereafter at the sole discretion of the Bishop.

[Amended at 56th Synod, April 1999]

[Amended at 64th Synod, April 2015]

##### *Continuing Effect of Licence*

3.6. A licence shall remain in effect during the time that a bishop, priest or deacon is on leave from the diocese unless expressly revoked by the Bishop or unless its term expires during the term of the leave.

[Correction reported to 57th Synod, October 2000]

3.7. A licence shall remain in effect according to its terms notwithstanding the resignation, death or removal of the Bishop who granted it, and shall be deemed to be a licence granted by the succeeding Diocesan Bishop until that Bishop amends or revokes it, or issues a new licence.

##### *Temporary Permission*

3.8. The Bishop may issue temporary permission to a bishop, priest or deacon of the Anglican Communion, in good standing, to function in the Diocese of Edmonton, upon such terms, and at such place and for such time as the Bishop may state.

3.9. Temporary permission shall be held at the Bishop's pleasure and may be revoked at any time by the Bishop.

[Amended at 56th Synod, April 1999]

##### *Inhibition of the Unlicensed*

3.10. When the Bishop has reasonable grounds to believe that a bishop, priest or deacon who does not hold a licence or temporary permission from

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the diocesan bishop is officiating or is about to officiate in the diocese, the diocesan bishop may, by notice in writing to such bishop, priest or deacon, inhibit such person from officiating in the diocese.

[Amended at 56th Synod, April 1999]

3.11. When the Bishop issues a notice pursuant to section 3.10, the Bishop shall cause the notice to be recorded in the Register and may advise such persons as the Bishop considers appropriate that such notice has been issued.

### *Requirement of Consent of Incumbent*

3.12. No bishop, priest or deacon shall have public prayers or services, or administer the Sacraments within the limits of a Parish to which such bishop, priest or deacon is not licensed, without the consent of the incumbent of the Parish provided that a member of the clergy holding a licence from the Bishop may visit pastorally any person in the habit of attending the ministrations of that member of the clergy.

[Correction reported to 55th Synod, October 1997]

3.13. Notwithstanding section 3.12, the Bishop may issue a licence or temporary permission to a bishop, priest or deacon to authorize the exercise of a specific ministry not directly related to the ministry of the bishop, priest or deacon of the Parish within the territorial boundaries of which the specific ministry may be performed.

### *Non-Ecclesiastical Employment*

3.14. The Bishop may grant permission to a member of the clergy of the Diocese to enter employment other than ecclesiastical employment without relinquishing clerical orders, where the Bishop is satisfied that the member of the clergy will have and use opportunities for the exercise of Christian ministry.

[Amended at 61st Synod, October 2008]  
[Amended at 64th Synod, April 2015]

3.15. A member of the clergy granted permission to enter non-ecclesiastical employment pursuant to section 3.14 shall report to the Bishop annually and in writing as to their Christian ministry.

3.16. A member of the clergy who fails to report as required by section 3.15 for a period of two years may be removed by the Bishop from the roll of clergy canonically resident in the Diocese and

transferred to the House of Bishops' list. The Bishop shall give written notice of intention to effect such a transfer to the member of the clergy affected.

## REMUNERATION OF CLERGY

3.17. The Executive Council shall specify the salary rates payable to Clergy licensed in the Diocese.

[Amended at 58th Synod, October 2002]  
[Amended at 64th Synod, April 2015]

3.18. Where a position held by a member of the Clergy is deemed by the Bishop to be a part-time position, the minimum salary applicable to that position shall be such portion of the minimum salary set pursuant to section 3.17 hereof as the Bishop shall establish.

[Amended at 64th Synod, April 2015]

3.19. Unless otherwise ordered by the Bishop, licensed members of the Clergy, who hold full-time secular employment shall not be entitled to receive a salary but shall be entitled to receive full compensation for expenses incurred in the exercise of their ministry as well as such honoraria as may be offered.

[Amended at 64th Synod, April 2015]

## CANON 4

### LAY MINISTRY

[Enacted at 63rd Synod, October 2012]

#### *Lay Leadership in Parish Worship and Ministry*

4.1 Subject to the direction and supervision of the Bishop and subject to this Canon, the Incumbent of a Parish may authorize lay leadership and involvement in:

- a. any aspect of Divine Worship not required by the Rubrics of the Prayer Book or other authorized liturgy or by Canon or equivalent authority to be undertaken exclusively by a member of the Clergy.
- b. any Parish ministry not required by Canon or equivalent authority to be undertaken by a member of the Clergy.

4.2 The Incumbent of a Parish shall ensure:

- a. that persons authorized pursuant to section 4.1 are properly qualified for, and instructed in the function for which they are authorized.
- b. that all lay leadership of Parish ministry complies with all applicable Diocesan policies and standards.

#### *Licensed Lay Ministry*

4.3 The Bishop may in accordance with this Canon license lay persons to minister in the capacity of:

- a. Lay Administrants
- b. Lay Readers
- c. Lay Pastoral Visitors
- d. Lay Evangelists

[Amended at 64th Synod, April 2015]

4.4 A lay person holding the license of the Bishop issued pursuant to this Canon may carry on the ministry authorized by the license only:

- a. in the Parish of which the licensee is a member, and

b. subject to the direction of the Incumbent of that Parish and such policies and guidelines as may from time to time be approved by the Bishop for the particular lay ministry authorized by the license.

#### *Lay Administrants*

4.5 The Bishop may license Lay Administrants upon nomination of the proposed licensee by the Incumbent and Vestry of the Parish of which the nominee is a member.

4.6 A license issued by the Bishop to a Lay Administrant shall authorize the licensee to administer the consecrated bread and wine to communicants during a celebration of Holy Communion, subject to the direction of the celebrant.

4.7 The licence of a Lay Administrant:

- a. shall be for a specified period,
- b. may, with the approval of the Incumbent and Vestry of the Parish, be renewed by the Bishop, for a further specified period, and
- c. may be revoked by the Bishop after consultation with the Incumbent of the Parish.

#### *Lay Readers*

4.8 The Bishop may licence Lay Readers upon nomination of the proposed licensee by the Incumbent and Vestry of the Parish of which the nominee is a member.

4.9 A license issued by the Bishop to a Lay Reader shall authorize the licensee to lead congregational worship in the Parish in accordance with guidelines for the ministry of Lay Readers in the Diocese of Edmonton approved by the Bishop.

4.10 The licence of a Lay Reader:

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- a. shall be for a specified period,
- b. may, with the approval of the Incumbent and Vestry of the Parish, be renewed by the Bishop, for a further specified period, and
- c. may be revoked by the Bishop after consultation with the Incumbent of the Parish and the Chaplain of Lay Readers.

### *Chaplain of Lay Readers*

- 4.11 The Bishop shall appoint a member of the Clergy of the Diocese as Chaplain of Lay Readers.
- 4.12 The term of office of the Chaplain of Lay Readers shall be at the pleasure of the Bishop.
- 4.13 The Chaplain of Lay Readers shall:
- a. give leadership and guidance to the Lay Readers of the Diocese,
  - b. coordinate the training and continuing education of the Lay Readers of the Diocese,
  - c. advise the Bishop, as requested, as to the suitability of a person seeking to be licensed or proposed to be nominated to be a Lay Reader.
  - d. after consultation with the Bishop, and with the approval of the Bishop, revise and update the *Manual of Lay Readers* for the Diocese of Edmonton,
  - e. maintain and administer, in cooperation with the Diocesan staff, all records concerning the Lay Readers of the Diocese including licensing records, training records, and program materials,
  - f. communicate information concerning the Lay Reader program of the Diocese to the people of the Diocese,
  - g. advise the Bishop, the Executive Council and Synod of the Diocese as to the state of the Lay Reader program of the

Diocese and activities of the Lay Readers of the Diocese.

### *Manual of Lay Readers*

4.14 There shall be a *Manual of Lay Readers* for the Diocese of Edmonton, the contents of which shall be determined and approved by the Bishop in consultation with the Chaplain of Lay Readers and shall include, at a minimum, guidelines for the ministry of Lay Readers in the Diocese of Edmonton approved by the Bishop.

### *Lay Pastoral Visitors*

4.15 The Bishop may licence Lay Pastoral Visitors upon nomination of the proposed licensee by the Incumbent and Vestry of the Parish of which the nominee is a member.

4.16 A license issued by the Bishop to a Lay Pastoral Visitor shall authorize the licensee to visit persons in the Parish in need of pastoral ministry in accordance with guidelines for the ministry of Lay Pastoral Visitors in the Diocese of Edmonton approved by the Bishop.

4.17 The licence of a Lay Pastoral Visitor

- a. shall be for a specified period,
- b. may, with the approval of the Incumbent and Vestry of the Parish, be renewed by the Bishop, for a further specified period, and
- c. may be revoked by the Bishop after consultation with the Incumbent of the Parish and the Chaplain of Lay Pastoral Visitors.

### *Chaplain of Lay Pastoral Visitors*

4.18 The Bishop shall appoint a member of the Clergy of the Diocese as Chaplain of Lay Pastoral Visitors.

4.19 The term of office of the Chaplain of Lay Pastoral Visitors shall be at the pleasure of the Bishop.

4.20 The Chaplain of Lay Pastoral Visitors shall:

- a. give leadership and guidance to the Lay Pastoral Visitors of the Diocese,
- b. coordinate the training and continuing education of the Lay Pastoral Visitors of the Diocese,
- c. advise the Bishop, as requested, as to the suitability of a person seeking to be licensed or proposed to be nominated to be a Lay Pastoral Visitor.
- d. after consultation with the Bishop, and with the approval of the Bishop, revise and update the *Manual of Lay Pastoral Visitors* for the Diocese of Edmonton,
- e. maintain and administer, in cooperation with the Diocesan staff, all records concerning the Lay Pastoral Visitors of the Diocese including licensing records, training records, and program materials,
- f. communicate information concerning the Lay Pastoral Visitors program of the Diocese to the people of the Diocese,
- g. advise the Bishop, the Executive Council and Synod of the Diocese as to the state of the Lay Pastoral Visitors program of the Diocese and activities of the Lay Pastoral Visitors of the Diocese.

*Manual of Lay Pastoral Visitors*

4.21 There shall be a *Manual of Lay Pastoral Visitors* for the Diocese of Edmonton, the contents of which shall be determined and approved by the Bishop in consultation with the Chaplain of Lay Pastoral Visitors and shall include, at a minimum, guidelines for the ministry of Lay Pastoral Visitors in the Diocese of Edmonton approved by the Bishop.

*Lay Evangelists*

4.22 The Bishop may licence Lay Evangelists upon nomination of the proposed licensee by the Warden of Lay Evangelists.

4.23 A license issued by the Bishop to a Lay Evangelist shall authorize the licensee to exercise the gift of evangelism as a recognized public

ministry of the Diocese of Edmonton in accordance with guidelines for the ministry of Lay Evangelists in the Diocese of Edmonton approved by the Bishop.

4.24 The licence of a Lay Evangelist:

- a. shall be for a specified period,
- b. may be renewed by the Bishop, for a further specified period, and
- c. may be revoked by the Bishop after consultation with the Warden of Lay Evangelists.

4.25 Licensed Lay Evangelists shall submit regular reports on their ministry as required in the Guidelines on the ministry of Lay Evangelists

*Warden of Lay Evangelists*

4.26 The Bishop shall appoint a member of the Clergy of the Diocese as Warden of Lay Evangelists.

4.27 The term of office of the Warden of Lay Evangelists shall be at the pleasure of the Bishop.

4.28 The Warden of Lay Evangelists shall:

- a. give leadership and guidance to the Lay Evangelists of the Diocese,
- b. after consultation with the Bishop, and with the approval of the Bishop, revise and update the Manual of Lay Evangelists for the Diocese of Edmonton,
- c. coordinate the training, discernment of call, and continuing education of the Lay Evangelists of the Diocese,
- d. nominate suitable candidates who have satisfactorily completed the training programme specified in the Manual of Lay Evangelists to be Lay Evangelists,
- e. maintain and administer, in cooperation with the Diocesan staff, all records concerning the Lay Evangelists of the Diocese including licensing records, training records, and program materials,

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f. communicate information concerning the Lay Evangelist program of the Diocese to the people of the Diocese,

g. advise the Bishop, the Executive Council and Synod of the Diocese as to the state of the Lay Evangelist program of the Diocese and activities of the Lay Evangelists of the Diocese.

### *Manual of Lay Evangelists*

4.29 There shall be a *Manual of Lay Evangelists* for the Diocese of Edmonton, the contents of which shall be determined and approved by the Bishop in consultation with the Warden of Lay Evangelists and shall include, at a minimum, guidelines for the ministry of Lay Evangelists in the Diocese of Edmonton approved by the Bishop.



## CANON 5

### PARISHES

#### ESTABLISHMENT AND DISESTABLISHMENT

##### *Establishment of Parishes*

5.1. The Bishop may by Deed of Election, with the concurrence of the Executive Council, and in accordance with the procedures set out in this Canon:

- (a) establish a new Parish, designate its boundaries and name,
- (b) adjust the boundaries of existing parishes,
- (c) amalgamate two or more parishes,
- (d) alter the name of a parish.

5.2. The process leading to the issuance of a Deed of Election may be commenced by either:

- (a) a proposal for change or development if the process be initiated by the Bishop,
- (b) a petition for change or development addressed to the Bishop if the process be initiated by members of the Church other than the Bishop.

5.3. A proposal or petition for change or development shall contain:

- (a) a full statement and description of the proposed change or development,
- (b) a list of all existing parishes affected by the proposal and a statement of the nature of the effect.
- (c) a statement of the rationale supporting the proposal.
- (d) any other information which the Bishop or Executive Council may request.

5.4. The Bishop may refer any such proposal or petition to Executive Council or to the appropriate

committee thereof for a report on the feasibility thereof.

5.5. If the Bishop wishes to proceed with the change or development which is the subject of a proposal or petition, the Bishop shall give notice of the proposal or petition in writing to the Parish Corporations of each parish affected.

5.6. The Parish Corporation of the parish so affected shall within 14 days of receipt of the notice of the proposal or petition call a Special Meeting of the parishioners to consider and vote on the proposed change or development.

5.7. Within 45 days of the receipt of notice of a proposal or petition affecting a parish, the Parish Corporation shall advise the Bishop in writing as to the result of the vote taken at the Special Meeting of parishioners.

5.8. When a parish to which notice of a proposal or petition for change or development has been given does not consent to the proposal the Bishop shall refer the proposal or petition to the Executive Council which shall report its approval or disapproval of the proposal to the Bishop.

5.9. Upon receipt of the consent of all parishes affected by the proposal, or if any parish does not consent, upon receipt of the approval of the Executive Council pursuant to the previous section, the Bishop may issue a Deed of Election or Deeds of Election to give effect to the proposed change or development.

5.10. The Diocesan Registrar shall enter a memorandum of each Deed of Election issued by the Bishop in the Diocesan Register.

##### *Disestablishment of Parishes*

5.11. The Bishop may issue to Executive Council a notice of intention to disestablish a parish.

5.12. Upon receipt of such notice the Executive Council shall determine whether there are persons in the Diocese likely to be interested in the proposed disestablishment and:

- (a) if there are such persons, shall determine and implement a procedure to ensure that all such persons are notified of the Bishop's intention and given opportunity to make representation either in writing or orally to the Executive Council, and after considering such representations shall advise the Bishop whether or not it consents to the disestablishment, or,
- (b) if there are no such persons, shall consider the proposed disestablishment and advise the Bishop whether or not it consents to the disestablishment.

5.13. If the Executive Council concurs with the disestablishment proposed by the Bishop, the Bishop may issue a Deed of Disestablishment of the parish.

5.14. The Diocesan Registrar shall enter a memorandum of each Deed of Disestablishment issued by the Bishop in the Diocesan Register.

5.15. Upon disestablishment all property both real and personal formerly held by the parish disestablished, shall vest in the Synod of the Diocese of Edmonton, and such portion thereof as may be determined by Executive Council shall be designated to the Diocesan Development Fund.

[Amended at 59th Synod, 2005; in effect from 1 January 2006]

## **APPOINTMENT AND MAINTENANCE OF CLERGY OF A PARISH**

### *Appointment of Incumbent to a New Parish*

5.16. Upon the establishment of a new parish the Bishop, with the concurrence of the Executive Council, may appoint and license a member of the clergy who is in priests' orders, as Incumbent of the parish.

5.17. A special meeting of the parishioners may be called to consider and make recommendations to the Bishop and Executive Council regarding the appointment of an Incumbent of a new parish.

### *Vacancy in Incumbency*

5.18. If the office of Incumbent becomes vacant, the Bishop may with the concurrence of the Parish Vestry appoint and licence an Incumbent.

5.19. Where a vacancy in the office of Incumbent of a parish has existed for a period in excess of 6 months and the concurrence of the parish Vestry cannot be obtained, the Bishop may licence and appoint an Incumbent without such concurrence.

5.20. A Special Meeting of the parishioners may be called to consider and make recommendations to the Vestry regarding the appointment of an Incumbent.

5.21. During the period of a vacancy in the office of Incumbent of a parish, the Bishop or the Bishop's delegate shall function as Incumbent.

[Correction reported to 58th Synod, October 2002]

### *Appointment of Assistant Clergy*

5.22. The Bishop may, with the concurrence of the Incumbent, Church Wardens and Vestry, appoint and licence clergy to function as assistants to the Incumbent of a Parish.

5.23. The term of office of Assistant Clergy shall expire upon the termination of the appointment of the Incumbent.

5.23.1 An Assistant Clergy appointed under section 5.22 shall give 2 months notice of resignation to the Bishop and the Incumbent.

### *Appointment of Honorary Clergy*

5.24. The Bishop may with the concurrence of the Incumbent, Church Wardens and the Vestry appoint and licence non-stipendiary clergy to function as Honorary Clergy in a parish.

[Correction reported to 58th Synod, October 2002]

5.25. The term of office of Honorary Clergy shall expire upon the termination of the appointment of the Incumbent.

[Correction reported to 58th Synod, October 2002]

*Resignation of a Clergy*

5.26. An Incumbent shall give two months notice of resignation to the Bishop.

5.27. The Bishop shall give notice of receipt and acceptance of the resignation of the Incumbent to the Church Wardens of the Parish.

5.28. Where notice of resignation has been given the Incumbent shall continue to perform the parochial duties of an Incumbent throughout the notice period unless the written permission of the Bishop to the contrary is first obtained.

*Death or Disability of Incumbent*

5.29. In the event of the death of the Incumbent or in the event the Incumbent is unable through sickness or any other cause to perform the duties of an Incumbent of a parish, the Church Wardens shall report the same to the Bishop who shall take such action for the maintenance of ministry in the Parish as shall be appropriate.

*Maintenance of the Incumbent and Assistant Clergy*

5.30. It shall be the responsibility of the parishioners to see that the stipend payable to the Incumbent and Assistant Clergy of the parish is regularly paid in full and payment of the same shall be the first charge on the parochial funds.

5.31. It shall be the responsibility of the parishioners to see that the Incumbent and Assistant Clergy of the parish are provided suitable residences or allowances in lieu of the same.

*Other Terms of Appointment*

5.32. Unless specified by these Canons the terms and conditions governing the appointment of an Incumbent of a parish and of assistant clergy of a parish shall be as determined by the Bishop and the Executive Council.

5.33. Any term and condition governing the appointment of an Incumbent or Assistant Clergy not specified by these Canons or determined by the Bishop and Executive Council, may be the subject of agreement between the Incumbent or the Assistant Clergy and the Parish Corporation.

**DUTIES OF THE INCUMBENT AND OTHER CLERGY OF THE PARISH**

*Worship and Spirituality*

5.34. The Incumbent shall be responsible for arranging for the worship and for providing guidance for the spirituality of the Parish subject to the Rubrics of the Book of Common Prayer or any other authorized rubrics, the Canons of the Church and the godly Counsel of the Bishop.

5.35. It shall be the duty of the Incumbent to ensure that the sacraments of the Church are regularly administered to the parishioners.

5.36. No member of the clergy shall be compelled to administer a sacrament to a particular individual when it is against the conscience of the member of the clergy to do so.

*Instruction*

5.37. It shall be the duty of the Incumbent to ensure the proper and careful preparation of persons seeking baptism, marriage, confirmation or admission to communion and to ensure that such persons are instructed in the significance of these acts and the teachings of the Church with regard to them.

5.38. It shall be the duty of all the Clergy of the Parish to be diligent in the instruction of the people, children and adult, in the doctrine of the Church and its teachings as contained in Holy Scripture and the Book of Common Prayer as well as the polity, history, liturgy and mission of the Church.

*Mission & Stewardship*

5.39. It shall be the duty of all the Clergy of the Parish to encourage the people to participate in the mission and stewardship of the Church.

*Use of Church Facilities*

5.40. The Incumbent in consultation with the Vestry, shall be entitled to the use and control of the Church and Parish buildings with all the furniture and appurtenances thereof.

*Other Clergy*

5.41. All assistant Clergy and Honorary Clergy, are subject to the authority of the Incumbent.

[Correction reported to 58th Synod, October 2002]

**PARISH GOVERNMENT**

**PARISH OFFICERS**

5.42. In each parish there shall be the following parish officers elected by parishioners.

- (a) a People's Warden
- (b) Lay Members of Synod of such number as is determined by the provisions of the Constitution of the Synod of the Diocese of Edmonton
- (c) Vestry members of such number as shall be determined by the parishioners
- (d) Alternate Lay Members of Synod of such number as shall be determined by the parishioners. If the parishioners so determine, the Vestry members may be the Alternate Lay Members to Synod.

5.43. In each parish there shall be an officer appointed by the Incumbent called the Rector's Warden.

5.43.1 In each parish the parishioners may establish the office or offices of assistant warden to be filled by parishioners either elected by the parishioners or appointed by the incumbent as the Parishioners may determine.

5.44. In each parish the parishioners may establish other offices to be filled by parishioners elected by the parishioners or appointed by the Incumbent.

*Eligibility*

5.45. Every parishioner shall be eligible to be elected to any parish office except that:

- (a) to be eligible for election as a Church Warden, a parishioner must be a communicant and of the full age of 18 years.

- (b) to be eligible for election as a Lay Member of Synod or as an Alternate Lay Member of Synod a parishioner must be a communicant.

*Term of Office*

5.46. The term of office of all parish officers shall be as determined:

- (a) by the parishioners for elected parish officers.
- (b) by the incumbent for appointed parish officers.

5.47. Notwithstanding section 5.46 hereof, the term of office of any parish officer:

- (a) shall not be less than one year
- (b) subject to subsection (c) hereof, shall not be greater than three years
- (c) shall continue until a successor is elected or appointed.

*Elections and Appointments*

5.48. Elections to fill the office of Parish officers whose term of office has or is about to expire shall be held at a duly called meeting of parishioners.

5.49. Appointments to fill the office of parish officers who are appointed by the Incumbent and whose term of office has or is about to expire shall be made at the Annual Meeting of Parishioners.

*Officer's Declaration*

5.50. Every parishioner elected or appointed to a parish office shall before acting in such office, sign the following declaration:

I, *name*, declare that I will faithfully and truly execute the office of *name of office* in the Parish of *name of Parish* to the best of my skill and ability.

**Vacancies**

*Church Wardens*

5.51. If the office of People's Warden becomes vacant, a Special Meeting of the Parishioners to elect an eligible parishioner to the vacant office shall be called by the Incumbent.

5.52. If the office of Rector's Warden becomes vacant, the Incumbent shall appoint an eligible parishioner to the vacant office and shall advise the Vestry Clerk in writing of the person appointed.

5.53. If either the Incumbent or the Parishioners fail to fill a vacancy in the office of Church Warden, then in the case of Rector's Warden the Vestry may appoint an eligible parishioner to fill the vacancy and the case of People's Warden the Incumbent may appoint an eligible parishioner to fill the vacancy.

5.53.1 If the Office of Assistant Warden becomes vacant, the vestry may appoint an eligible parishioner to fill the vacancy unless the parishioners have adopted some other method of filling such a vacancy.

*Lay Members of Synod*

5.54. Where a vacancy occurs in the office of Lay Member of Synod the Vestry shall appoint an Alternate Lay Member of Synod to fill the vacant office. If there be no Alternate Lay Member of Synod available for such appointment, a Special Meeting of the Parishioners to elect an eligible parishioner to the vacant office shall be called by the Incumbent.

5.55. Where a Lay Member of Synod is unable to attend a meeting of the Synod, the office of that Lay Member of Synod shall be deemed vacant for the purposes of section 5.54, but the Lay Member of Synod shall continue as a member of Vestry for the unexpired duration of his or her original term of office.

*Vestry Members*

5.56. If the office of Vestry Member becomes vacant, the Vestry may appoint a parishioner to fill the vacant office.

*General*

5.57. Upon the election or appointment of a parishioner to a vacant office, the Vestry Clerk shall post a notice in writing of the election or appointment in a place in the Church where it will come to the attention of parishioners.

5.58. A parishioner elected or appointed to fill a vacant office shall hold that office until the next annual meeting of the parishioners.

*Notification to Synod*

5.59. The Vestry Clerk shall give notice in writing of the election or appointment of each Parish Officer to the Secretary of Synod within one month after such election or appointment.

5.60. The election of Lay Members of Synod and Alternate Lay Members of Synod shall be valid only upon notification to the Secretary of Synod in accordance with section 5.59 hereof.

**Duties of Parish Officers**

*Church Wardens*

- 5.61. The duties of a Church Warden shall be:
- (a) to attend meetings of the Parish Corporation, Parish Vestry and Parishioners and to participate in the deliberations at such meetings,
  - (b) to execute the decisions taken at meetings of the Parish Corporation, Parish Vestry and Parishioners,
  - (c) To meet and consult with the Incumbent and other Parish Clergy with respect to matters affecting the work of the Church in the Parish,
  - (d) to facilitate the communication and resolution of concerns of parishioners regarding matters affecting the work of the Church in the Parish,
  - (e) to meet and consult with the Bishop or the Bishop's representative regarding matters affecting the work of the Church in the Parish and Diocese, and in particular to

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notify the Bishop in the event of the death or inability of the Incumbent to fulfil his or her duties.

[Correction reported to 58th Synod, October 2002]

5.61.1 Where a Parish has one or more assistant wardens they shall participate in the deliberations of the corporation and assist the Church Wardens in the execution of their duties, but shall not vote on any matter required to be decided by the Parish Corporation.

### *Lay Members of Synod*

5.62. It shall be the duty of Lay Members of Synod:

- (a) to attend meetings of Parish Vestry and of the Parishioners and to participate in the deliberations at such meetings,
- (b) to undertake the duties of a Vestry member as set out in section 5.63 hereof,
- (c) with regard to meetings of the Synod of the Diocese:
  - i) to ensure that prior to meetings of the Synod, matters of policy to be discussed by Synod are considered and discussed by Vestry,
  - ii) to attend meetings of the Synod and there to present both the opinions of Vestry and of the Lay Members personally on matters to be decided by Synod, clearly distinguishing between the two if they are different,
  - iii) to report to Vestry as soon as possible after a meeting of Synod.

### *Vestry Members*

5.63. It shall be the duty of a Vestry Member:

- (a) to attend the meetings of the Parish Vestry and of the Parishioners and participate in the deliberations at such meetings,
- (b) to be conversant with pastoral and financial affairs of the parish,

- (c) to represent the best interests of the parishioners and the Parish in all matters that come before Vestry for decision,
- (d) to communicate to Vestry the concerns and opinions of Parishioners on matters concerning the work of the Church in the Parish and Diocese,
- (e) to participate in the execution and implementation of decisions taken by the Vestry or the Parishioners.

## **THE PARISH CORPORATION**

### *Composition of the Parish Corporation*

5.64. In each Parish there shall be a Parish Corporation consisting of:

- (a) the Incumbent
- (b) the Rector's Warden
- (c) the People's Warden

### *Powers and Duties*

5.65. The Parish Corporation shall exercise the powers set out in Section 10 of the Act of Incorporation.

5.66. The duties of the Parish Corporation shall include:

- (a) with regard to Worship in the Parish Church:
  - i) to see that services of Worship are regularly and decently performed,
  - ii) to procure all things necessary for services of Worship,
  - iii) to take care as far as possible that all persons attending services of Worship are accommodated,
  - iv) to maintain good order and quiet in and about the church during services of Worship;

- (b) with regard to Parish finances:
- i) to have custody of Parish funds,
  - ii) to see to the collection and proper disposition of funds including the payment of salaries, assessments, apportionments, and expenses of the Parish,
  - iii) to ensure the maintenance of accounting records in a form satisfactory to Synod,
  - iv) to submit the parochial accounts to the Parish accounts examiner for purposes of annual examination,
  - v) to report and account to Vestry for the state of Parish finances at each regular meeting of Vestry,
  - vi) to report and account to the Parishioners for the state of Parish finances at the annual meeting of Parishioners or at any special meeting of Parishioners,
  - vii) to initiate, guide and complete annually the preparation of a Parish budget and to present the budget for approval to the annual meeting of Parishioners,
  - viii) to arrange and conduct an annual canvass to secure pledges of funds sufficient for the budgeted expenditures of the Parish;
- (c) with regard to the Parish property and fabric:
- i) to keep the fabric of the Church, the Rectory and other Church properties in good repair and insured at all times,
  - ii) to keep an inventory of all property belonging to the Parish and to file it with the Secretary-Treasurer of the Diocese,
- (d) with regard to the Parish in the Diocese:

- i) to meet and consult with the Bishop or the Bishop's representative on matters affecting the Parish or the Diocese when called upon to do so,
- ii) to attend on the visitation of the Bishop or the Bishop's representative.

[Correction reported to 58th Synod, October 2002]

5.66.1 The Parish Corporation shall in all matters be accountable to the Parish Vestry and all acts of the Parish Corporation shall be regularly reported to the Parish Vestry.

*Meetings of the Parish Corporation*

5.67. The Parish Corporation shall meet at the call of any of its members with reasonable notice to the other members.

**PARISH VESTRY**

*Composition of Vestry*

5.68. In every Parish there shall be a Vestry consisting of:

- (a) the Incumbent
- (b) the Assistant Clergy of the Parish
- (c) the Church Wardens
- (d) the Lay Delegates to Synod
- (e) if the Parishioners so desire, additional Vestry Members
- (f) if the Parishioners so desire, the Honorary Clergy of the Parish
- (g) if the Parishioners so desire, any of the other Parish officers elected or appointed pursuant to sections 5.43.1 and 5.44.

[Correction reported to 59th Synod, 2005]

5.69. The Vestry shall consist of not fewer than 4 and not more than 24 members in total.

*Function & Duties*

5.70. It shall be the function of the Vestry:

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(a) to advise and direct the Parish Corporation on matters relating to the temporalities of the Parish except that any matter involving extra-ordinarily large expenditure shall be referred to a meeting of the Parishioners for decision,

(b) to advise the Parish Corporation with respect to pastoral matters of concern to the Parish.

5.71. It shall be the duty of Vestry:

(a) regarding the pastoral affairs of the Church:

i) to share with the Incumbent the responsibility for the work of the Church in the Parish and Diocese,

ii) to assist the Incumbent and other Clergy in the Parish in the performance of their pastoral duties,

iii) to assist the Incumbent and other Clergy in the Parish in the planning and execution of the Parish program;

(b) regarding worship in the Church:

i) to assist in the preparation for services of Worship,

ii) to assist in accommodating all persons who attend services of Worship,

iii) to help maintain good order and quiet in and around the Church during services of Worship;

(c) regarding Parish finances:

i) to assist in the collection of funds,

ii) to be familiar with the state of Parish finances at all times,

iii) to assist in the preparation of the annual Parish budget and the presentation thereof to Parishioners for approval;

iv) to assist in the organization and conduct of the annual canvass for funds for the budgeted expenditures of the Parish.

### **Vestry Offices**

#### *Vestry Clerk*

5.72. The Vestry may appoint one of its own member or some other person as Vestry Clerk.

5.73. The duties of the Vestry Clerk shall be to record the Minutes of the meetings of Vestry and of Resolutions passed, generally to act as Secretary of meetings of Vestry or of the Parishioners, and to perform such other duties as may be prescribed by the Canons.

#### *Parish Treasurer*

5.74. The Vestry may appoint one of its own number or some suitable parishioner to be the Parish Treasurer.

5.75. The Parish Treasurer shall be at least 18 years of age.

5.76. The duties of the Parish Treasurer shall be to assist the Church Wardens in the handling of offerings and contributions and to keep the Parish accounts and to perform such other duties as are prescribed by the Canons.

### **Vestry Meetings**

#### *Regular Meetings*

5.77. A Regular Meeting of the Vestry shall be held at least once in every quarter.

#### *Special Meetings*

5.78. A Special Meeting of the Vestry may be called at any time by the Incumbent upon the giving of reasonable notice to the members of Vestry.

5.79. A Special Meeting of the Vestry shall be called by the Incumbent or by any of the Church Wardens upon receipt of a request for a special meeting of Vestry signed by three of the members of Vestry.



*Quorum*

5.80. A quorum of a meeting of Vestry shall consist of one third of the Parish officers who compose the Vestry including the Incumbent or the Incumbent's delegate, and one Church Warden.

[Correction reported to 58th Synod, October 2002]

*Conduct of Meetings*

5.81. Meetings of the Vestry shall be chaired by the Incumbent or some other member of Vestry as may be appointed by the Incumbent or the Meeting.

5.82. All meetings of Vestry shall be opened and closed with prayer.

*Minutes*

5.83. Minutes of proceedings and resolutions of all meetings of Vestry shall be correctly recorded and preserved. The Minutes shall be read, corrected and approved by the Vestry and shall be signed by the Vestry Clerk and the Chair of the Vestry meeting and shall be available for the inspection of any Parishioner at any reasonable time.

**MEETINGS OF PARISHIONERS**

*Annual Meeting of Parishioners*

5.84. There shall be an annual meeting of Parishioners held prior to the end of February in each year unless the written consent of the Bishop is obtained for such meeting to be held at some other time.

[Amended at 59th Synod, 2005]

*Agenda at Annual Meeting of Parishioners*

5.85. The Agenda at the annual meeting of Parishioners shall include at least the following items:

- (a) call to order and opening prayers,
- (b) correction and approval of the minutes of the preceding annual meeting of parishioners and any intervening special meetings of parishioners,
- (c) report of the Incumbent,

- (d) presentation of the Parish Financial Statements for the previous year with the report of the Accounts Examiner,
- (e) consideration and approval of a Parish budget for the ensuing year,
- (f) election of Parish Officers to replace elected Parish Officers whose terms have expired or are about to expire,
- (g) consideration of motions,
- (h) appointment of a Parish Accounts Examiner for the ensuing year,
- (i) closing prayers.

*Special Meeting of the Parishioners*

5.86. A special meeting of the Parishioners may be called by the Incumbent at any time and shall be called by the Incumbent or any of the Church Wardens upon the written request of five Parishioners.

*Notice of Meetings of Parishioners*

5.87. Written notice of the annual meeting of Parishioners and of any special meeting shall be affixed to the Church door or notice board for at least 10 days including two Sundays before the day on which the meeting is to be held. Notice of the annual meeting of Parishioners and of any special meeting shall be read during every service on the two Sundays preceding the meeting.

5.88. The written and verbal notice of the annual meeting of Parishioners shall be in the following form or to like effect:

NOTICE is hereby given that the Annual meeting of Parishioners will be held on the \_\_\_\_ day of \_\_\_\_\_ A.D. 2\_\_, at \_\_\_\_\_ o'clock \_\_\_\_, in the *place of meeting* at which time all baptized persons regularly attending Services of worship in this Parish or otherwise regularly receiving the administrations of the clergy of this Parish are entitled to attend.

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DATED this \_\_\_\_\_ day of \_\_\_\_\_,  
A.D. 20\_\_.

*Signature of Incumbent or Wardens*

[Correction reported to 58th Synod, October 2002]

5.89. Notice of a special meeting of the Parish shall be in a form to like effect as that set out in the previous section but shall also include a statement of the specific matter which will be the subject of the meeting.

### *Voting*

5.90. Every Parishioner of the age of 16 years shall be entitled to vote at a meeting of Parishioners provided that the Parishioner has signed the following declaration:

I SOLEMNLY declare that I am baptized and that I regularly attend Services of Worship in the Parish of *name of Parish* or otherwise receive the administrations of the Clergy of the Parish of *name of Parish* and that I have not voted at an annual meeting of the Parishioners of any other Parish this year.

5.91. No Parishioner shall vote at an annual meeting of Parishioners in more than one Parish in any one year.

5.92. No Act or Resolution of the Parishioners shall be valid unless it receives the votes of a majority of the Parishioners present at the Meeting of Parishioners.

### *Conduct of Meetings*

5.93. Meetings of the Parishioners shall be chaired by the Incumbent.

5.94. In the event of the refusal or inability of the Incumbent to chair then the Bishop or the Bishop's delegate shall chair the meeting.

[Correction reported to 58th Synod, October 2002]

5.95. All meetings of Parishioners shall be opened and closed with prayer.

### *Minutes*

5.96. Minutes of the proceedings and resolutions of all meetings of Parishioners shall be recorded and preserved by the Vestry Clerk or some other

person appointed by the Incumbent to keep the minutes. The minutes shall be read, corrected and approved by the Parishioners at a subsequent meeting and shall be signed by the Chair of the Meeting and the person who recorded them and shall be available for inspection by any Parishioner at any reasonable time.

## CO-OPERATING PARISHES

5.97. The Bishop may organize two or more Parishes into a Unit of Co-operating Parishes in accordance with the procedures set out in this Canon.

5.98. The Bishop shall give written notice to the Parish Corporation of the Bishop's intention to include the Parish in a Unit of Cooperating Parishes.

[Correction reported to 58th Synod, October 2002]

5.99. The Parish Corporation shall, within 14 days of receipt of the Bishop's notice, call a Special Meeting of the Parishioners to consider and vote on the proposed organization.

5.100. Within 45 days of the receipt of the Bishop's notice the Parish Corporation shall advise the Bishop as to the result of the vote taken at the Special Meeting of Parishioners.

5.101. If a Parish to which the Bishop's notice has been given does not consent, the Bishop may refer the matter to the Executive Council which, after full consideration, shall report its approval or disapproval to the Bishop.

5.102. Upon receipt of the concurrence of all Parishes to which the Bishop's notice was sent or if any Parish does not consent, upon the approval of the Executive Council pursuant to the previous section, the Bishop shall call a meeting of the Members of the Parish Corporations of the Parishes to be included in the Unit of Co-operating Parishes for the purpose of drafting the Agreement of Co-operating Parishes.

5.103. The Parish Corporations of the Parishes to be included in the unit of Co-operating Parishes shall draft an Agreement of Co-operating Parishes which shall provide for the establishment of a Council for the Co-operating Parishes, the membership of which shall include at least the

members of the Corporation of each Parish included in the unit.

5.104. The Agreement of Co-operating Parishes shall also provide for:

- (a) the appointment of officers of the Council,
- (b) the duties of officers of the Council,
- (c) the frequency of meetings of the Council,
- (d) the procedure for convening and conduct of meetings of the Council,
- (e) the authority and duties of the Council,
- (f) such other matters as may be considered appropriate.

5.105. The draft Agreement of the Co-operating Parishes shall be presented to the Vestries of each Parish for approval.

5.106. Where the Parish Corporations cannot agree to the terms of a draft Agreement of Co-operating Parishes or to any particular term, or where a Vestry of a Parish does not approve the draft or any particular term thereof, the matter shall be referred to the Executive Council which shall determine the terms of the Agreement of Co-operating Parishes.

5.107. In any event, the Agreement of Co-operating Parishes shall be submitted to the Executive Council for approval or alteration and approval.

5.108. After it has passed the Executive Council the Agreement shall be submitted to the Bishop for approval or alteration and approval.

5.109. Upon the adoption of an Agreement of Co-operating Parishes, the Bishop shall issue an instrument establishing the unit of Co-operating Parishes.

5.110. The Diocesan Registrar shall enter a Memorandum of the instrument establishing the unit of Co-operating Parishes and shall maintain a copy of the Agreement of the Co-operating Parishes in the Diocesan records.

## PARISH FINANCES

### *Budget*

5.111.(a) The Parishioners at the annual meeting of parishioners shall consider and adopt a budget for the revenue and expenditure of the Parish for the ensuing year.

(b) The Parish expenditure budget shall include at least the following items:

- (1) The diocesan assessment and apportionment which the Parish intends to pay in the ensuing year;  
[Correction reported to 56th Synod, April 1999]
- (2) The stipend and allowances of the incumbent and assistant clergy of the parish;
- (3) The payments required on any debt obligation owed by the Parish;
- (4) The payments required for any utilities or other physical materials required for the operation of the parish in the ensuing year.

5.112. The Incumbent shall send a copy of the budget as adopted to the Executive Officer of the Diocese within 14 days of its adoption.

### *Annual Revenue Canvass*

5.113. In each Parish there shall be annually a canvass of each parishioner for the purpose of obtaining pledges of donations in the ensuing year sufficient to cover the expenditures anticipated in that year.

5.114. The canvass shall be completed no later than the 30th day of November of the year preceding the year for which the canvass is made.

5.115. The Incumbent shall report the results of the said canvass to the Executive Officer of the Diocese within 30 days of its completion.

### *Envelopes*

5.116. The Corporation shall see that each parishioner who has pledged donations and each

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other parishioner who so desires, is provided with envelopes for the making of donations.

5.117. The Corporation shall ensure that a record of the donations made by each parishioner is kept and that receipts are issued to each parishioner for donations made.

### *Expenditures*

5.118. *Repealed, 52nd Synod*

5.119. *Repealed, 52nd Synod*

5.120. The Corporation shall adopt such procedures as are necessary to ensure that expenditures are made only upon proper authority.

### *Records & Reports*

5.121. The Corporation shall ensure that a record is maintained of revenues received by the Parish and of expenditures made by the Parish.

5.122. The Corporation shall ensure that regular report is made to the Vestry as to revenues received and expenditures made by the Parish.

5.123. The Corporation shall ensure that all returns required by government authority to maintain recognition of the Parish as a charity are completed and filed.

### *Accounts Examination*

5.124. The Corporation shall ensure that the revenue, expenditure and all other financial records of the Parish are examined annually by the Accounts Examiner.

5.125. The report of the Accounts Examiner upon the records for each year shall be presented to the Parishioners at the annual meeting of parishioners next following the year to which it relates.

5.126. The Bishop, Executive Council, Administration and Finance Committee, Incumbent, Corporation, Vestry, or Parishioners may require at any time an audit of the financial records of the Parish in addition to or instead of the annual examination.

[Correction reported to 57th Synod, October 2000]

5.127. The report of the Accounts Examiner upon the records for each year shall be sent to the Executive Officer of the Diocese within 30 days of its completion.

### *Co-operating Parishes*

5.128. The Council of Co-operating Parishes shall annually prepare a budget for the joint expenditures of the Co-operating Parishes.

5.129. The budget shall state what portion of the total budgeted expenditure is required from each of the Parishes making up the unit, according to the formula established in the Agreement of Co-operating Parishes.

5.130. The budget prepared by the Council shall be presented for consideration and adoption to the parishioners of each Parish making up the unit at the Annual Meeting of Parishioners and shall be incorporated into the budget of the Parish.

5.131. The Council of Co-operating Parishes shall adopt such procedures as are necessary to ensure that accurate records of all receipts and expenditures of the unit are maintained.

5.132. The Council of Co-operating Parishes shall ensure that regular report is made to the Vestry of each Parish of the unit as to receipts and expenditures made by the unit.

5.133. The Council of Co-operating Parishes shall ensure that the accounting records of the unit are examined annually by an Accounts Examiner appointed by the Council and that report of the Accounts Examiner is presented to the Parishioners of each of the Parishes making up the unit at the Annual Meeting of the Parishioners next following the year to which the report relates, and that the report of Accounts Examiner is sent to the Executive Officer of the Diocese within 30 days of its completion.

### *Diocesan Assistance*

5.134. The Corporation of a Parish may apply to the Diocese for financial assistance if budgeted revenue for any year is insufficient to cover budgeted expenditure for that year.

5.135. The application shall be reviewed by the Administration and Finance Committee which may make such investigation of the matter as it considers appropriate and shall report its recommendation to Executive Council.

5.136. The Executive Council upon receipt of the report of the Administration and Finance Committee shall either approve or deny the application in whole or in part.

5.137. The Administration and Finance Committee shall monitor the use made of financial assistance extended to a Parish and may require such reporting by the Parish as it considers appropriate as a condition for the payment of any part of the financial assistance approved by Executive Council.

#### **PARISH PROPERTY**

5.138. Title to all Parish real property shall be registered in the name of the Synod of the Diocese of Edmonton which shall hold such property in trust for the Parish Corporation.

5.139. Title to Parish personal property shall be held by the Parish.

5.140. Upon disestablishment of a Parish, title to all Parish property both real and personal shall vest in the Synod of the Diocese of Edmonton and any trust in favour of the Parish Corporation shall thereupon terminate.

5.141. Where, notwithstanding section 5.138, real property remains registered in the name of a Parish Corporation, the Parish Corporation shall not sell, mortgage, charge, or in any other way deal with the real property without first obtaining the consent of the Administration and Finance Committee.

5.142. No real property shall be purchased for the use of a Parish, and no debt shall be incurred therefor, without the approval in writing of the Bishop and the Executive.

[Correction reported to 57th Synod, October 2000]

5.143. No Church, Rectory, Parish Hall, or any other building for Parish use and no alteration to any such building shall be erected or undertaken, without the approval in writing of the Bishop and the Executive Council.

5.144. An inventory of all Parish property shall be prepared and maintained by the Parish Corporation.

5.145. All Parish property shall be insured adequately to the replacement value thereof.

#### **PARISH RECORDS**

5.146. Each Parish in the Diocese shall maintain the following records in a neat and legible form:

- (a) a record of services, attendances, communicants, collections taken, and such other statistical information as may be required by Synod or other lawful authority,
- (b) a record of baptisms, marriages, confirmations, burials, and other occasional offices of the Church,
- (c) a Roll of the Parishioners of the Parish.
- (d) a Roll of identifiable givers, together with such financial records in such form relating to the financial affairs of the Parish as are prescribed by these Canons or by Synod,
- (e) a schedule of all the insurable property of the Parish together with a valuation thereof,
- (f) the Minutes of all meetings of the Parishioners and of the Vestry.

5.147. Maintenance of the Parish records shall be the responsibility of the Parish Corporation.

5.148. Parish records shall be available for the inspection of the Bishop or the Bishop's nominee at all reasonable times.

#### **ORGANISTS AND CHOIR DIRECTORS**

5.149. All Organists, Musicians, Choir Directors and Music Directors shall be appointed to their offices by the Vestry, and such officers shall be responsible to and under the direction of the Incumbent in the performance of their duties, and the ordering of services, including the musical

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portion thereof which shall be under the control of the Incumbent.

[Correction reported to 59th Synod, 2005]

5.150. Organists, Musicians, Choir Directors and Music Directors shall hold office at the pleasure of the Vestry or on such terms as to tenure of office and payment of salary as shall be agreed upon.

[Correction reported to 59th Synod, 2005]

## CANON 6

### REGIONS

6.1. The Bishop may divide the Diocese into Regions and readjust the boundaries of each Region from time to time as the Bishop may consider expedient.

6.2. Each Region of the Diocese shall have the following objects:

- (a) to assist the Bishop in the Bishop's pastoral care in the Region,
- (b) to identify and express the concerns, needs and desires of the Parishes of the Regions,
- (c) to foster communication among the Parishes of the Regions,
- (d) to implement national and diocesan programs at the regional levels,
- (e) to provide a forum for the discussion of matters to be dealt with at Synod meetings,
- (f) to deal with such matters as may be referred to the Region by the Executive Council of the Diocese.

[Correction reported to 58th Synod, October 2002]

6.3. Each Region of the Diocese shall have a Regional Council consisting of the Regional Dean, the Territorial Archdeacon together with the Licensed Clergy, Church Wardens and Lay Members of Synod of each Parish in the Region.

6.4. The Regional Council shall elect a chair and vice-chair from among its members and shall hold such meetings as may be necessary to carry out the objects of the Region.

6.5. Each Regional Council shall have a standing committee, known as the Steering Committee which shall consist of the Regional Dean, Members of the Executive Council of the Diocese elected from the Region and, if no otherwise entitled to membership, the Chair and Vice-Chair of the Regional Council.

6.6. Subject to the direction of the Regional Council, the Steering Committee shall:

- (a) determine program needs and priorities within the Region and work with the Diocesan Program Committee, to meet the same,
- (b) arrange for the implementation of national and Diocesan programs, in cooperation with Diocesan staff,
- (c) arrange meetings, seminars and workshops dealing with matters of concern within the Region,
- (d) carry out the objects of the Region between meetings of the Regional Council.

## CANON 7

### RULES OF ORDER OF THE SYNOD

7.1.(a) The Bishop, as president, shall take the chair. In the absence of the Bishop, the chair shall be either the coadjutor or assistant or suffragan Bishop, if present; or the Dean, if present; or the Archdeacons in order of seniority of appointment. In all cases, the person entitled to take the chair may delegate this function to some other fit person.

(b) The order of proceedings of any Regular Meeting of the Synod shall be as fixed by the Synod Agenda and Resolutions Committee and shall include the following matters:

- i) Call to order and opening prayers
- ii) Bishop's Charge
- iii) Report of Committee on Credentials and Registration
- iv) Election of Honorary Clerical and Lay Recorders
- v) Minutes of the preceding meeting or session
- vi) Report of Nominating Committee
- vii) Nominations for elective positions of Synod
- viii) Appointment of Committees
- ix) Presentation of memorials and petitions
- x) Report of the Executive Council, Committees of Synod and Sub-Committees
- xi) Report of Secretary of Synod
- xii) Election of the Accountant
- xiii) Presentation of notices of motion
- xiv) Consideration of motions
- xv) New and unfinished business.

7.2. The chair shall preserve order and decorum, and shall decide questions of order. In the case of an appeal from a ruling of the chair on a point of order, the question shall be decided by the Synod without debate. When called upon to explain a point of order, the chair shall state the rule applicable to the case without argument or comment.

7.3. Every member of Synod before speaking shall rise and shall address the chair. When two or more members rise at the same time the chair shall name the member who is to speak first.

7.4. No member of Synod shall walk out of, or across the house when the chair is putting a question, nor pass between a member who is speaking and the chair. No member shall interrupt a member who is speaking except to raise a point of order.

7.5. In the case of an equality of votes, the chair shall have the casting vote, unless recourse is had under the Constitution to a vote by orders.

7.6.(a) No member save the mover of a resolution or amendment who, as mover, is entitled to reply, shall speak more than once on the same question except by permission of the Synod.

(b) When Synod sits as a committee of the whole, no member may speak more than twice on the same subject, except by permission of the chair.

7.7. A member may, of right, require the motion under discussion to be read at any time during the debate, but not so as to interrupt a member speaking.

7.8. A member called to order shall sit down, unless permitted to explain.

7.9.(a) Notices of motion shall be submitted in writing to the Recorders of Synod and may be given at any session.

(b) No substantive motion shall be put or debated unless it be in writing, and properly moved and seconded.

(c) A substantive motion may not be debated at the same session in which notice of it is given, unless by consent of two thirds of the members present.

(d) Votes of thanks, resolutions of condolence or congratulations, motions for the disposal or reports and motions on questions of procedure and order shall not be regarded as substantive motions,



and shall be exempt from the operation of section (c) of this rule.

(e) A motion shall be worded in affirmative terms, shall express fully and unambiguously the intent of the mover, and shall not be preceded by a preamble or other expression of opinion.

7.10.(a) A motion to adjourn shall always be in order, and shall be decided without debate.

(b) A motion to lay on the table or to divide shall be decided without debate.

7.11.(a) No more than one amendment to an amendment shall be before Synod at any one time. If a sub-amendment and/or an amendment is lost, the amendment or the main motion, as applicable, is subject to further amendment.

(b) A sub-amendment or an amendment having been adopted by vote of Synod, the amendment or the motion, as amended, is again subject to amendment; until all amendments offered have been disposed of.

7.12. A motion that has been read from the chair shall be deemed to be in the possession of the Synod, but it may be withdrawn at any time before decision or amendment, with the consent of Synod.

7.13. When a question is under debate, the chair shall receive no other motion unless it be to amend the question under debate, to postpone it to a certain day, to lay it upon the table, to refer it to a committee, to consider it clause by clause, to divide upon it, or to adjourn the session.

7.14. A question once determined may not be brought up again in the same meeting without the unanimous consent of the Synod.

7.15. If required by at least three members of Synod, the names of those who voted for and against a question shall be recorded in the minutes.

7.16. Petitions, memorials and other papers addressed to the Synod shall be presented by a member of Synod in the member's place, and the member shall be answerable to the Synod.

7.17.(a) All special committees shall be named by the chair unless otherwise ordered.

(b) The person who is named first in the appointment of a special committee shall be the convener of the committee.

(c) Special committees shall appoint one of their members to chair the committee.

(d) A majority of the members of a special committee shall be a quorum competent to transact business.

(e) The Bishop shall be ex officio a member of all special committees.

(f) The Bishop shall, by appointment, fill a vacancy on any special committee from among the members of Synod, if the Bishop deems it advisable.

7.18.(a) The report of any committee shall be in writing and signed by the chair of the committee, who shall explain to the Synod the bearing of any portion of the report if required to do so.

(b) Reports of committees shall be received and dealt with in course unless ordered to be reconsidered.

(c) Substantive motions contained in committee reports shall be taken as notices of motion, and dealt with according to rule of order number 7.9.

[Amended at 61st Synod, October 2008]

7.19.(a) A motion to suspend a rule of order shall take precedence of all other motions and shall be decided without debate.

(b) No rule of order shall be suspended except upon the affirmative vote of two-thirds of the members present.

7.20. *Repealed - 49th Synod, October 1991 [See Canon 9]*

7.21.(a) The Bishop shall, during the first session of any Regular Meeting of the Synod, appoint scrutineers and an election officer.

(b) The election officer shall:

i) Ensure that the scrutineers are accommodated and provided with

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such supplies and equipment as may be necessary in the fulfilment of their duties;

- ii) Receive and check returns from the scrutineers;
- iii) Prepare lists of the results of the balloting;
- iv) Submit a signed statement of election results to the Bishop; and
- v) Deliver the used ballot papers to the Secretary-Treasurer.

7.22. Any question of procedure not covered by these rules shall be decided by the chair in accordance with Bourinot's Rules of Order.

7.23. The final item of business shall be the reading of the Acts of Synod and the expression of assent or dissent thereto by the Bishop.

## CANON 8

### GENERAL

#### *Travel Expenses*

8.1. Any person who is required to travel in connection with the business of Synod, Executive Council or any Committee, or in the performance of duties specifically assigned by or under the Constitution or Canons, shall be entitled to be paid travel expenses. The Administration and Finance Committee shall set a uniform rate or amounts to be paid for travel expense.

#### *Pension Fund*

8.2. The Synod of the Diocese of Edmonton accepts the provisions of Canon VIII of the General Synod of the Anglican Church of Canada, entitled "The Pension Fund of the Anglican Church of Canada", and agrees:

- (a) that the annual assessments levied upon the pastoral charges in accordance with the General Synod Canon, based on the salaries of bishops and clergy on active service in the Diocese and eligible for benefits under that Canon, shall be paid by the Secretary-Treasurer to the Pension Board,
- (b) that the Secretary-Treasurer shall furnish the Pension Board with all information required respecting clergy licensed for service in this Diocese, their dependents, salaries and parochial income,
- (c) that the Bishop shall appoint a Diocesan Medical Examiner for the purpose of the General Synod Canon.

#### *Parochial Statistics*

8.3. In order to comply with requirements of General Synod the Secretary of Synod of the Diocese shall before January 7th of each year provide every Incumbent with forms for completion as a return of Parish statistics.

8.4. The Incumbent and Church Wardens of each Parish shall, not later than February 15th, provide the requested statistics to the Secretary of Synod.

8.5. The Secretary of Synod shall provide a permanent repository for the data so remitted by the Parishes and shall compile a report of the statistics provided by the Parishes and publish the said report to members of Synod.

## CANON 9

### REPRESENTATION AT THE GENERAL SYNOD AND AT THE SYNOD OF THE ECCLESIASTICAL PROVINCE OF RUPERT'S LAND

*NOTE:*

1. *Section 8(c) of the Constitution of the General Synod of the Anglican Church of Canada provides:*

*The Order of Clergy shall consist of clerical members of The Anglican Church of Canada or of a church in full communion with The Anglican Church of Canada elected by the several diocesan synods according to such rules as they may adopt, subject to the provisions of subsection (f). In a diocese that has no synodical organization such appointments shall be made by the bishop.*

2. *Section 8(d) of the Constitution of the General Synod of the Anglican Church of Canada provides:*

*The Order of Laity shall consist of communicant lay members of The Anglican Church of Canada, elected by the several diocesan synods according to such rules as they may adopt, subject to the provisions of subsection (f). In a diocese which has no synodical organization such appointments shall be made by the bishop.*

3. *Section 8(h) of the Constitution of the General Synod of the Anglican Church of Canada provides:*

*In addition to the persons elected or appointed under sub-sections (c) and (d), each diocese shall be entitled to elect or appoint one representative who will be at least sixteen years of age upon the opening of General Synod and under the age of twenty-six years upon the prorogation of General Synod, who shall be a communicant member of The Anglican Church of Canada.*

4. *Section 2.04 of the Constitution of the Ecclesiastical Province of Rupert's Land provides:*

*The delegates and their substitutes shall be chosen by the several dioceses according to such rules as they respectively adopt.*

\* \* \*

9.1. The clergy, lay, and youth members of the General Synod from the Diocese of Edmonton shall be elected at the meeting of the Synod preceding the next regular session of the General Synod and shall hold office from the date of their election until the next election of members of the General Synod from the Diocese of Edmonton.

[Amended at 57th Synod, October 2000]

9.2. The elected clergy, lay, and youth members of the Synod of the Ecclesiastical Province of Rupert's Land from the Diocese of Edmonton shall be elected at the meeting of the Synod preceding the next regular session of the Synod of the Ecclesiastical Province of Rupert's Land and shall hold office from the date of their election until the next election of members of the Synod of the Ecclesiastical Province of Rupert's Land from the Diocese of Edmonton.

[Amended at 55th Synod, October 1997; 57th Synod, October 2000]

9.3. No person shall be elected a member of the General Synod or of the Synod of the Ecclesiastical Province of Rupert's Land from the Diocese of Edmonton for more than 3 consecutive terms.

9.4. Nominations for the various classes of members of the General Synod or Provincial Synod shall be received according to the procedure established by the Election Officer of the Synod at which the election is to be held.

9.5. Members of the Synod of the Diocese of Edmonton shall be eligible for nomination for election as a member of the General Synod or Provincial Synod from the Diocese of Edmonton.

9.6. The Elections Officer shall ensure that all those persons nominated have consented to their nomination and are eligible according to the requirements of this Canon and the relevant rules of the Synod for membership in which they have been nominated.

9.7.(a) Voting for the members of the General and Provincial Synods shall be by ballot after accepted nomination.

(b) The marking of ballots and the balloting shall take place during a regular meeting of the Synod.

(c) The manner of balloting shall be as follows:

i) The Clerical and Lay Recorders shall provide the scrutineers with the roll of the members of the Synod;

ii) The roll of the members of the Synod and a ballot box shall be kept at a table in a convenient place by at least two scrutineers;

iii) There shall be one ballot for each class of member of the General or Provincial Synod for which elections are being held.

iv) Ballots shall be distributed to the members of the Synod at the times appointed for balloting.

v) Members of the Synod, having marked their ballots, shall present themselves at the table, and after having had their names checked off the roll by the scrutineers, shall deposit their ballots in the ballot box.

(d) Any member of the Synod shall be entitled to vote for as many persons as there are persons to be chosen for every position for which any vote is taken.

(e) The seniority of the nominees for each position for which a vote is taken shall be determined according to the number of votes cast for each nominee.

(f) The required number of nominees having the greatest seniority shall be the members of the General or Provincial Synods and the remaining nominees shall be the substitute members.

9.8. In the event of any person originally elected a delegate to the General or Provincial Synod being

for any reason unable to act as such, the senior substitute shall become a delegate in the original delegate's place, and shall be entitled to the rights and privileges to which the person originally elected would have been entitled, save the right of seniority which shall continue to be governed by section 9.7(e).

9.9. In the event that an originally elected member is unable to attend the General or Provincial Synod for any reason and there is no substitute willing or able to attend in the place of the originally elected member, the bishop shall appoint a member of the Synod of the Diocese of Edmonton, who would have been eligible for election to the relevant position, to attend in the original delegate's place, and that member shall be entitled to the rights and privileges to which the person originally elected would have been entitled, save the right of seniority which shall continue to be governed by section 9.7.(e).

9.10. It shall be the duty of each member of the General Synod of the Anglican Church of Canada and each member of the Provincial Synod of the Ecclesiastical Province of Rupert's Land from the Diocese of Edmonton to:

(a) Make all reasonable efforts to participate in the deliberations and sessions of the Synod to which he or she has been elected a member;

(b) Take reasonable steps to determine the views of members of the Synod of the Diocese of Edmonton and the people of the diocese on issues to be discussed and decided by the Synod of which he or she has been elected a member;

(c) Ensure that the Diocese of Edmonton is fairly represented on the various Committees of the Synod of which he or she has been elected a member;

(d) Report to the Synod of the Diocese of Edmonton or the Executive Council, as is appropriate, on the proceedings of the Synod of which he or she has been elected a member and on the proceedings of any committees of that Synod of which he or she is a member.

**CANON 10**

**CHURCH DEVELOPMENT TRUST**

(Repealed by 59th Synod, 2005  
and replaced by Canon 10A, effective January 1, 2006)

## CANON 10A

### DIOCESAN DEVELOPMENT FUND<sup>1</sup>

(Added at 59th Synod, 2005; in effect from January 1, 2006;  
with amendments made at the 62nd Synod in October 2010)

#### Definitions:

10.1. In this canon, the following terms have the following meanings:

(a) Allocation for a capital purpose: A disbursement of a portion of the Fund to a parish in connection with the capital purpose of the Fund.

[Amended at 62nd Synod, October 2010]

(a.1) Allocation for a ministry purpose: A disbursement of a portion of the fund in connection with the ministry purpose of the Fund.

[Added at 62nd Synod, October 2010]

(b) Allocation agreement: The agreement between the Fund and a parish to which an allocation for capital purposes is made governing the terms of that allocation.

[Amended at 62nd Synod, October 2010]

(c) Canon: This canon.

(d) Church building: Any building required by a parish for the work of the church in that parish including a building in which worship is conducted, a church hall, a rectory or other accommodation for clergy or parish staff, or the land for such a building.

(e) Fund: The Diocesan Development Fund.

(f) Investment: An investment of an unallocated portion of the Fund.

(g) Parish: A duly established parish of the Diocese of Edmonton.

(h) Sub-Committee: The Diocesan Development Sub-Committee of the

diocesan Administration and Finance Committee.

[Amended at 62nd Synod, October 2010]

(i) Synod: The Synod sitting in regular, special or electoral session.

(j) Unallocated Fund: The portion of the Fund which has not been allocated.

#### *The Diocesan Development Fund:*

10.2. There shall be a fund in the Diocese of Edmonton called the Diocesan Development Fund for the purpose of providing financial assistance for the development, growth and extension of the work of the Anglican Church of Canada in the Diocese of Edmonton through (a) capital projects and (b) ministry.

[Amended at 62nd Synod, October 2010]

10.3. The Fund shall comprise:

(a) the assets of the Church Development Trust immediately before the coming into effect of this Canon;

(b) funds received through gifts, donations, or bequests;

(c) funds contributed to the Fund as part of the annual diocesan operating budget;

(d) income on investments;

(e) such portion of the proceeds of the disposition of real or personal property upon the disestablishment of a parish, as may be determined by Executive Council;

(f) the indebtedness of parishes to the Fund pursuant to allocation agreements.

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<sup>1</sup>Typographical error in title corrected April 2006.

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### *Contributions to the Fund*

10.4. As part of its annual budgeting process, Executive Council shall allocate to the Fund an amount equal to not less than one percent of the aggregate income of all parishes reported for the purposes of apportionment and assessment.

### *Investment of the Unallocated Fund*

10.5. The Unallocated Fund shall be invested through the Consolidated Trust Fund of the Diocese of Edmonton.

### *Signing Officers of the Fund*

10.6. The signing officers of the Fund are the Bishop, the Executive Officer of the Diocese, the Treasurer of the Synod, and any other persons so designated by the Executive Council; and any two of them are authorized and empowered to sign any document for and on behalf of the Fund.

### *The Sub-Committee*

10.7. The Sub-Committee is responsible for making decisions about and administering allocations from the Fund.

10.8. The Bishop, the Executive Officer of the Diocese and the Treasurer of Synod are *ex officio* members of the Sub-Committee. The Administration and Finance Committee shall in its discretion appoint other members of the Sub-Committee with a view to making its membership reasonably representative of the different areas and constituencies in the Diocese, if possible with overlapping terms to ensure continuity in the Sub-Committee's work.

10.9. The Administration and Finance Committee may at any time and without prior notice remove any non-*ex officio* member of the Sub-Committee.

10.10. The Treasurer of Synod shall ensure that:

- (i) the financial records of the Fund required by this canon are properly maintained,
- (ii) the required financial reports are prepared when required,

(iii) all of the transactions into which the Fund enters are properly documented, and

(iv) documentation relating to transactions by the Fund are kept safe.

(v) the Unallocated Fund is invested through the Consolidated Trust Fund of the Diocese of Edmonton.

10.11. The Administration and Finance Committee shall designate the following additional officers of the Sub-Committee, who shall have the following duties:

(a) Chairperson

The Chairperson shall preside at all meetings of the Sub-Committee and shall present or arrange for the presentation of all reports from the Sub-Committee to the Administration and Finance Committee, the Executive Council and the Synod.

(b) Vice Chairperson

The Vice Chairperson shall preside in the absence or at the request of the Chairperson at meetings of the Sub-Committee unless otherwise decided by the Sub-Committee.

(c) Secretary

The Secretary of the Sub-Committee shall ensure that accurate and complete records are maintained of the deliberations and operations of the Sub-Committee except those records which are within the responsibility of the Treasurer.

### *Meetings of the Sub-Committee*

#### *Frequency*

10.12. The Sub-Committee shall meet at the call of the Chairperson as frequently as required but in any event at least twice in each calendar year.

#### *Quorum*

10.13. A quorum of the Sub-Committee shall consist of 50% of the members of the Sub-Committee.



*Decisions*

10.14. Decisions of the Sub-Committee shall be made by resolution approved by a majority of the members of the Sub-Committee present at a meeting of the Sub-Committee at which a quorum exists.

10.15. Where a member of a parish which makes application for an allocation for a capital purpose is a member of the Sub-Committee, that person if present for the meeting of the Sub-Committee shall be counted as part of the quorum for the meeting but shall not be present, participate, vote or attempt in any way to influence the decision of the Sub-Committee in respect of the application.

[Amended at 62nd Synod, October 2010]

*Functions of the Sub-Committee*

10.16. The Sub-Committee shall, in accordance with this canon and any policies established by the Sub-Committee:

- (a) Receive, consider and approve or reject applications for allocations from the Fund.  
[Amended at 62nd Synod, October 2010]
- (b) Determine the terms of and enter into allocation agreements with parishes to which allocations for a capital purpose are made.  
[Amended at 62nd Synod, October 2010]
- (c) Monitor and enforce the performance by parishes of their obligations to the Fund.
- (c.1) Determine the terms of allocations for ministry purposes.  
[Added at 62nd Synod, October 2010]
- (d) Annually review the structures, policies and operations of the Fund and propose such changes and improvements as appear desirable.
- (e) Report to the Administration and Finance Committee and Executive Council:
  - (i) at least once in each calendar year on the allocations and other operations of the Fund;

- (ii) on any other matter as requested by the Administration and Finance Committee or Executive Council.

- (f) Report to the Synod at each Regular Meeting, or as requested, on the allocations and other operations of the Fund or any other matter requested by the Synod or the Executive Council.
- (g) Propose amendments to this canon as may appear to the Sub-Committee to be desirable.

*Working Groups of the Sub-Committee*

10.17. The Sub-Committee may create any working groups and stipulate their functions. However the Sub-Committee may not delegate to such working groups the authority to make a decision required by this canon to be made by the Sub-Committee.

*Expert Assistance*

10.18. The Sub-Committee may retain legal, financial, or other expert assistance necessary for the proper performance of its functions and the cost thereof shall be an expense of the Fund.

*Compensation of Members of the Sub-Committee*

10.19. The members of the Sub-Committee shall not be compensated for their services, but are entitled to be reimbursed for their reasonable expenses in accordance with Diocesan policies.

*Allocations from the Fund for Capital Purposes*

10.20. Subject to section 10.21, allocations from the Fund for a capital purpose:

[Amended at 62nd Synod, October 2010]

- (a) shall be made only to parishes of the Diocese of Edmonton upon approval by the Sub-Committee of written application for allocation.
- (b) shall be by way of loan repayable on terms established at the time of the allocation and set out in the allocation agreement.
- (c) may be made only for the following purposes:

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- (i) to retire some or all of existing indebtedness relating to past parish capital projects;
- (ii) to pay some or all of the cost of purchase or construction of a church building, furnishings or tenant improvements required for a church building, by a parish (or by the diocese to be used by a parish);
- (iii) to pay some or all of the cost of any major repair to any real property owned by a parish (or owned by the diocese and used by a parish).

10.21. With the prior approval of the Sub-Committee, Executive Council may by resolution approve an allocation for a capital purpose not within the restrictions of section 10.20.

[Amended at 62nd Synod, October 2010]

### *Allocations from the Fund for Ministry Purposes*

10.21A Upon the recommendation of the Bishop, and provided that the amount of the Unallocated Fund at the previous year end was at least three-quarters of a million dollars (\$750,000), allocations from the excess may be made from the Fund for ministry purposes.

[Added at 62nd Synod, October 2010]

### *All required approvals*

10.22. An allocation shall be made only if all of the other required diocesan approvals:

- (a) have been obtained, or
- (b) are conditional only upon the approval of the allocation.

### *Terms Governing Repayment of Allocations for a Capital Purpose*

10.23. The Sub-Committee shall enter into an allocation agreement with each parish to which an allocation for a capital purpose is made setting out the terms upon which the allocation shall be repaid to the Fund by the parish.

[Amended at 62nd Synod, October 2010]

10.24. On application from the parish, the Sub-Committee may in its discretion agree to vary the terms of an allocation agreement.

### *Policies*

10.25. The Sub-Committee may from time to time adopt or amend policies or procedures, not inconsistent with this canon, for the operation of the Fund, including:

- (a) The procedure to be used by parishes applying for allocations;
- (b) The criteria and procedures which the Sub-Committee will use to decide whether to grant or decline allocations;
- (c) The standard terms of an allocation agreement;
- (d) The proportion of the Fund which may be allocated in any period, consistent with the policy of the Diocese requiring a portion of the annual income of the Fund to be capitalized so as to retain the real value of the Fund over time;

### *Interpretation*

10.26. This canon shall be interpreted in such a way as to promote the purposes for which the Fund is established and where any question arises for which no provision is made in this canon or the regulations, such question shall be decided by the Executive Council whose decision shall be final.

### *Conformity to Civil Law*

10.27.(a) Notwithstanding any provision in this canon, the Executive Council may by resolution alter the Fund as may be necessary to make it conform to any requirement of the laws of Canada or the Province of Alberta.

(b) The Executive Council shall report any alteration to the Fund made pursuant to this section to the next meeting of the Synod and the Synod shall by resolution either ratify the alteration and amend this canon accordingly or rescind the alteration.

(c) An alteration to the Fund made pursuant to this section shall be valid and remain in force until rescinded by the Synod.

*Transitional provisions*

10.28. As of the effective date of this Canon:

- (i) The assets of the Church Development Trust shall be transferred into the name of the Synod, and shall thereafter be governed by this Canon.
- (ii) Existing allocation agreements between the Church Development Trust and a parish shall continue in effect according to the terms thereof, but shall be deemed to be between the Synod (in place of the Church Development Trust) and the parish.

## CANON 11

### INDEMNIFICATION

1. Subject to the provisions of any applicable legislation, Synod shall indemnify every person (and his or her respective heirs or legal representatives) who is or was

- (a) a bishop, officer, dignitary or employee of Synod,
- (b) elected or appointed to any committee or sub-committee of Synod, or
- (c) a trustee for Synod or for any members of Synod in their capacity as such,

from and against all reasonable costs, charges and expenses (including any amount paid to settle an action with the prior written approval of Executive Council) or to satisfy a judgment with respect to any civil, criminal or administrative action or proceeding to which he or she is made a party by reason of being or having been a bishop, officer, dignitary or employee of Synod, committee or sub-committee member or trustee if:

- (1) he or she acted honestly and in good faith with a view to the best interests of the Synod, its Clergy and laity and the advancement of the Kingdom of God; and
- (2) in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, that he or she had reasonable grounds for believing that his or her conduct was lawful in the circumstances.

2. Synod shall also indemnify any such person in such other circumstances as the law permits or requires.

3. Nothing in this Canon shall limit the right of any person entitled to indemnity hereunder to claim indemnity apart from the provisions of this Canon to the extent permitted by law.

4. Synod may purchase insurance for the benefit of all persons intended to be indemnified hereunder.

5. Parish and mission corporations shall provide an indemnity on the same terms as set out in paragraphs 11.1 to 11.3, with the substitution of “clergy” for “bishop”, and “parish corporation” or “mission corporation” (as the case may be) for “Synod”. Parish and mission corporations may also purchase insurance for the benefit of all persons intended to be indemnified hereunder.

[Canon 11 added at 58th Synod, October 2002]

## CANON 12

### DISCIPLINE AND THE COURT

[Enacted at 64th Synod, April 2015]

12.1. Every member of the Clergy, licensed by the Bishop of the Diocese or holding any charge under or being in any sense subject to the Bishop's jurisdiction or receiving any allowance from or discharging any duties for the Synod of the Diocese, and every lay person holding any office within the Diocese of Edmonton, shall be liable to trial and subject to punishment if charged and found guilty of any of the offenses mentioned in the Canon on Discipline of the General Synod of the Anglican Church of Canada or with offenses against the provisions of the Constitution or Canons of the Diocese of Edmonton or the Provincial Synod of Rupert's Land.

[Correction reported to 58th Synod, October 2002]  
[Amended at 64th Synod, April 2015]

12.2. The Bishop may exercise initial jurisdiction with respect to any charge, or may refer the matter to the Court of the Synod of the Diocese of Edmonton.

[Amended at 64th Synod, April 2015]

12.3. A charge of any such offence shall be preferred in writing by the Bishop or by any member of the Clergy or by at least three communicants of at least one year's standing provided that if any member of the Court shall prefer a charge he shall not sit as a member in the event of the charge being heard by the Court, and provided that if the Bishop prefers a charge the Bishop shall not exercise initial jurisdiction but shall refer the matter to the Court.

[Amended at 64th Synod, April 2015]

12.4. A charge shall be submitted to the Synod office and shall contain a clear statement of the offence alleged to have been committed by the accused with particulars where appropriate; and the names and addresses of the person or persons preferring the said charge.

12.5. Upon the preferment of the charge, the Bishop shall forthwith transmit a copy of the charge to the accused with a request for explanation and if no explanation is forthcoming within seven days from the date of the transmittal of the said copy to

the accused or if the Bishop deems the explanation given to be unsatisfactory, then the Bishop shall forthwith serve notice of the place where and the time when the accused shall appear before the Bishop or member of the Court commissioned in writing by the Bishop to enter a plea of guilty or not guilty and elect whether the charge shall be dealt with by the Bishop or Court member presiding in a summary way or by the Court. The said notice shall be transmitted at least fourteen days and no more than twenty-one days before the date set for the appearance of the accused.

12.6. At the time the charge is transmitted to the accused, notice shall also be given to the accused that at all stages of the proceedings instituted against the accused, the accused is entitled to be represented by a barrister duly admitted to practice in the Court of Queen's Bench of Alberta.

12.7. The Bishop shall appoint a prosecutor to present the case against the member of the Clergy, such prosecutor to be a member of the Law Society of Alberta.

12.8. If the accused admits the charge and requests the Bishop or member of the Court presiding to deal with the same in a summary way, the Bishop or member of the Court presiding shall pronounce sentence without any further proceedings provided that any sentence pronounced by the member of the Court presiding shall be confirmed by the Bishop and that any sentence pronounced hereunder shall be subject to appeal to the Court.

12.9. If the accused does not admit the charge but the accused and the person or persons preferring the charge state in writing that they are willing to submit to the discretion of the Bishop, or the member of the Court presiding, the Bishop or the member in such manner and at such time as the Bishop or the member shall think fit, provided that the Bishop or the member of the Court presiding shall hear the matter within fourteen days from the date of the accused's first appearance unless either

the accused or the person or persons preferring the charge request and the Bishop consents to a hearing at a later date. The decision of the Bishop or member of the Court presiding and any sentence imposed shall be subject to appeal to the Court.

12.10. If the accused does not admit the charge and either the accused or the person or persons preferring the charge do not consent to the charge being dealt with by the Bishop or the member of the Court presiding in a summary manner, the Bishop or the member of the Court presiding shall proceed to hold a preliminary inquiry *in camera* wherein the prosecutor shall present the case against the accused who may reserve defence if the accused thinks fit. If the Bishop or the member of the Court presiding considers that there is a sufficient *prima facie* case against the accused, a date shall be forthwith set for the appearance of the accused before the Court for trial. At the trial the person who presided over the preliminary inquiry shall not sit as a member of the Court. The trial shall not be held more than fourteen days from the date of the preliminary inquiry unless either the accused or the person or persons preferring the charge request and the Bishop consents to a later date.

12.11. At the trial, the Court shall pronounce judgment and if the accused is found guilty shall determine sentence according to the Canon on Discipline of the General Synod of the Anglican Church of Canada and the decision and sentence shall be in writing and shall be entered in a book to be kept by the Registrar for such purpose.

12.12. A record of all proceedings held under this Canon shall be kept and made available to the accused. All expenses incurred in connection with proceedings held under this Canon with the exception of expenses incurred by the accused shall be borne by the Diocese of Edmonton provided that if the accused is found not guilty or the charge is withdrawn or not proceeded with for any reason,

- (a) the accused shall be reimbursed by the Diocese of Edmonton for all reasonable expenses incurred by the accused, and
- (b) the Bishop or the Court shall have the right to require the person or persons preferring the charge to pay such portion of the total

expenses as the Bishop or the Court may deem reasonable.

12.13. The witnesses at any trial shall be examined *viva voce* before the Court by the party calling them and shall be subject to cross-examination and re-examination and further examination by the Court. The evidence shall be recorded in writing and the witness shall be required to sign a declaration in the form prescribed by the Canada Evidence Act to the following effect:

*I, A.B., do solemnly declare that all answers made to questions asked me before the Courts and all statements made by me to the Court are true and correct and contain the truth, the whole truth and nothing but the truth, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.*

12.14. The decision of the Court and the sentence imposed, if any, shall be subject to appeal to the Court of the Metropolitan of the Province of Rupert's Land or to the Supreme Court of Appeal of the Anglican Church of Canada in accordance with the Canons of the Provincial and General Synods constituting the said Courts.

12.15. This Canon is subject to the provisions of the Canons on Discipline of the Provincial Synod of Rupert's Land and of the General Synod of the Anglican Church of Canada.

**NOTE A:  
THE DIFFERENT MEANINGS OF “MISSION”**

The word “mission” is used in several different ways in the Diocese of Edmonton.

1. Historically, the Church had missions in several areas of the Diocese. Without being a comprehensive list, the missions included:
  - The Edmonton Mission was one of three missions founded by the Archbishops’ Western Canada Fund in 1910 (the others were at Regina and Lethbridge/Cardston), which had a base in north Edmonton and did missionary work in the countryside particularly with the workers building the railroads. A number of parishes grew out of this mission, including: St. Faith’s, St. Michael and All Angels, the Church of the Good Shepherd, and St. Catherine’s Edson.
  - The Battenburg Mission around Bon Accord, Gibbons, and Redwater.
2. Canonically, the Act of Incorporation incorporates the Synod as well as each Parish and Mission located within the Diocese as separate legal corporations. The canons do not differentiate between parishes and missions, do not contain any provisions dealing specifically with missions or the transition from a mission to a parish, and generally contemplate that the local unit of church organization is a parish. Accordingly, those missions which are geographic in nature are treated as parishes for the purposes of the canons—they have an incumbent priest (or a priest in charge), wardens, and a vestry, and are represented in Synod just like any other parish would be. In other words, there is no canonical significance in being called a “Mission” rather than a “Parish”.

If for some reason one wished to change the name of a particular mission to “Parish” (or vice versa), the Deed of Erection would need to be amended by the Bishop with the concurrence of Executive Council pursuant to Canons 5.1 to 5.10.
3. Financially, people in the church sometimes refer to parishes which are subsidized or not self-sufficient financially as “missions”. However, the canons of our Diocese do not make this distinction—the status of a parish is not changed into a mission merely because it is not self-sufficient financially or receives financial assistance from the Diocese (under Canons 5.134 to 5.137).
4. Church planting may be referred to as a “mission” in the area where the new congregation is started. There may be a protocol or covenant between the Diocese or the established parish providing assistance to the new church. However, the new church will usually have its own organizational structure as a parish.
5. A particular ministry may be identified as a “mission”. For example, the ministry to the inner city through St. Faith’s is referred to as a “diocesan mission”.

### **Multi-Point, Multi-Congregation, and Co-operating Parishes**

6. The Diocese is divided into parishes. Under Canon 1, a parish is defined as being a portion of the Diocese—thus having a geographic extent. Although parishes have a geographic dimension, membership may be drawn from a wider area; there is no requirement that persons resident in a particular parish must attend that parish.
7. Many parishes have one church building, in one geographic location. Even if such a parish has multiple services (which might loosely be described as separate congregations), it will have only one set of wardens, one vestry, one annual meeting of parishioners, and one set of lay members of Synod (including the one People’s Warden).
8. Other parishes have more than one church building, at different geographic locations, with different congregations. Nevertheless, such a parish is still one parish, with one set of wardens, one vestry, one annual meeting of parishioners, and one set of lay members of Synod (including the one People’s Warden). Care will be taken to ensure that each congregation has appropriate representation in the parish and diocesan decision-making bodies (such as having one warden from one congregation, the other warden from the other congregation, and members of vestry from each congregation).
9. “A Unit of Co-operating Parishes” consists of two or more parishes which have been organized in accordance with Canons 5.97 to 5.110. The Agreement of the Co-operating Parishes must address establishment, membership and authority of the Unit’s Council.



**NOTE B:  
PARISH CORPORATIONS AND VESTRIES**

Every Parish has (a) an Incumbent (or a Priest-in-Charge), (b) a Corporation, and (c) a Vestry.

**(a) The Corporation**

The Corporation consists of the Incumbent, the People's Warden and the Rector's Warden. (If the parish has Assistant Wardens, they have the right to attend and speak at meetings of the Corporation, but do not have a vote.) The Corporation is the legal entity of the parish. It is the legal owner of the parish's property (to the extent the property is not held by the Synod as trustee for the parish), enters into contracts on behalf of the parish, is the employer of parish employees, and is the entity which would sue or be sued in the name of the parish. In addition to the powers and duties set out in Section 10 of the Act of Incorporation, the Corporation has the duties set out in Canon 5.66:

5.66 The duties of the Parish Corporation shall include:

(a) with regard to Worship in the Parish Church:

- i) to see that services of Worship are regularly and decently performed,
- ii) to procure all things necessary for services of Worship,
- iii) to take care as far as possible that all persons attending services of Worship are accommodated,
- iv) to maintain good order and quiet in and about the church during services of Worship;

(b) with regard to Parish finances:

- i) to have custody of Parish funds,
- ii) to see to the collection and proper disposition of funds including the payment of salaries, assessments, apportionments, and expenses of the Parish,
- iii) to ensure the maintenance of accounting records in a form satisfactory to Synod,
- iv) to submit the parochial accounts to the Parish accounts examiner for purposes of annual examination,
- v) to report and account to Vestry for the state of Parish finances at each regular meeting of Vestry,
- vi) to report and account to the Parishioners for the state of Parish finances at the annual meeting of Parishioners or at any special meeting of Parishioners,

60 *Note B: Parish Corporations and Vestries*

- vii) to initiate, guide and complete annually the preparation of a Parish budget and to present the budget for approval to the annual meeting of Parishioners,
  - viii) to arrange and conduct an annual canvass to secure pledges of funds sufficient for the budgeted expenditures of the Parish;
- (c) with regard to the Parish property and fabric:
- i) to keep the fabric of the Church, the Rectory and other Church properties in good repair and insured at all times,
  - ii) to keep an inventory of all property belonging to the Parish and to file it with the Secretary-Treasurer of the Diocese,
- (d) with regard to the Parish in the Diocese:
- i) to meet and consult with the Bishop or the Bishop's representative on matters affecting the Parish or the Diocese when called upon to do so,
  - ii) to attend on the visitation of the Bishop or the Bishop's representative.

**(b) The Vestry**

The Vestry is a larger group, which includes at least the Incumbent and the Wardens as well as the parish's Lay Delegates to Synod.

Because the Incumbent and Wardens constitute the Corporation, it follows that the Corporation will always be part of Vestry.

It is important to remember that the parish's Lay Delegates to Synod are members of the Vestry. Although the People's Warden is automatically a Lay Delegate to Synod (regardless of the size of the parish), the Parish may be entitled to additional Lay Delegates to Synod, depending upon the average weekly attendance during the prior calendar year (excluding weddings and funerals): Section C4 of the Constitution. A parish may decide to designate the Rector's Warden as one of the Lay Delegates to Synod.

A parish may also decide that the Vestry will include other persons. The Vestry cannot be smaller than 4 (so it must include one more person than the Corporation), nor larger than 24: Canon 5.69.

Canons 5.70 and 5.71 set out the duties of Vestry:

*Function & Duties*

5.70 It shall be the function of the Vestry:

- (a) to advise and direct the Parish Corporation on matters relating to the temporalities of the Parish except that any matter involving extra-ordinarily large expenditure shall be referred to a meeting of the Parishioners for decision,

- (b) to advise the Parish Corporation with respect to pastoral matters of concern to the Parish.

5.71 It shall be the duty of Vestry:

(a) regarding the pastoral affairs of the Church:

- i) to share with the Incumbent the responsibility for the work of the Church in the Parish and Diocese,
- ii) to assist the Incumbent and other Clergy in the Parish in the performance of their pastoral duties,
- iii) to assist the Incumbent and other Clergy in the Parish in the planning and execution of the Parish program;

(b) regarding worship in the Church:

- i) to assist in the preparation for services of Worship,
- ii) to assist in accommodating all persons who attend services of Worship,
- iii) to help maintain good order and quiet in and around the Church during services of Worship;

(c) regarding Parish finances:

- i) to assist in the collection of funds,
- ii) to be familiar with the state of Parish finances at all times,
- iii) to assist in the preparation of the annual Parish budget and the presentation thereof to Parishioners for approval;
- iv) to assist in the organization and conduct of the annual canvass for funds for the budgeted expenditures of the Parish.

**(c) The relationship between the Corporation and the Vestry**

As can be seen from the above, there is substantial overlap between the functions of the Vestry and the Corporation(which is part of Vestry).

In our Diocese, the Corporation is responsible to the Vestry (and not the other way around):

5.66.1 The Parish Corporation shall in all matters be accountable to the Parish Vestry and all acts of the Parish Corporation shall be regularly reported to the Parish Vestry.

On the other hand, the expectation is that Vestry will be a consultative and representative body, which should be concerned with broader policy issues. It is not intended that Vestry will be involved in the day-

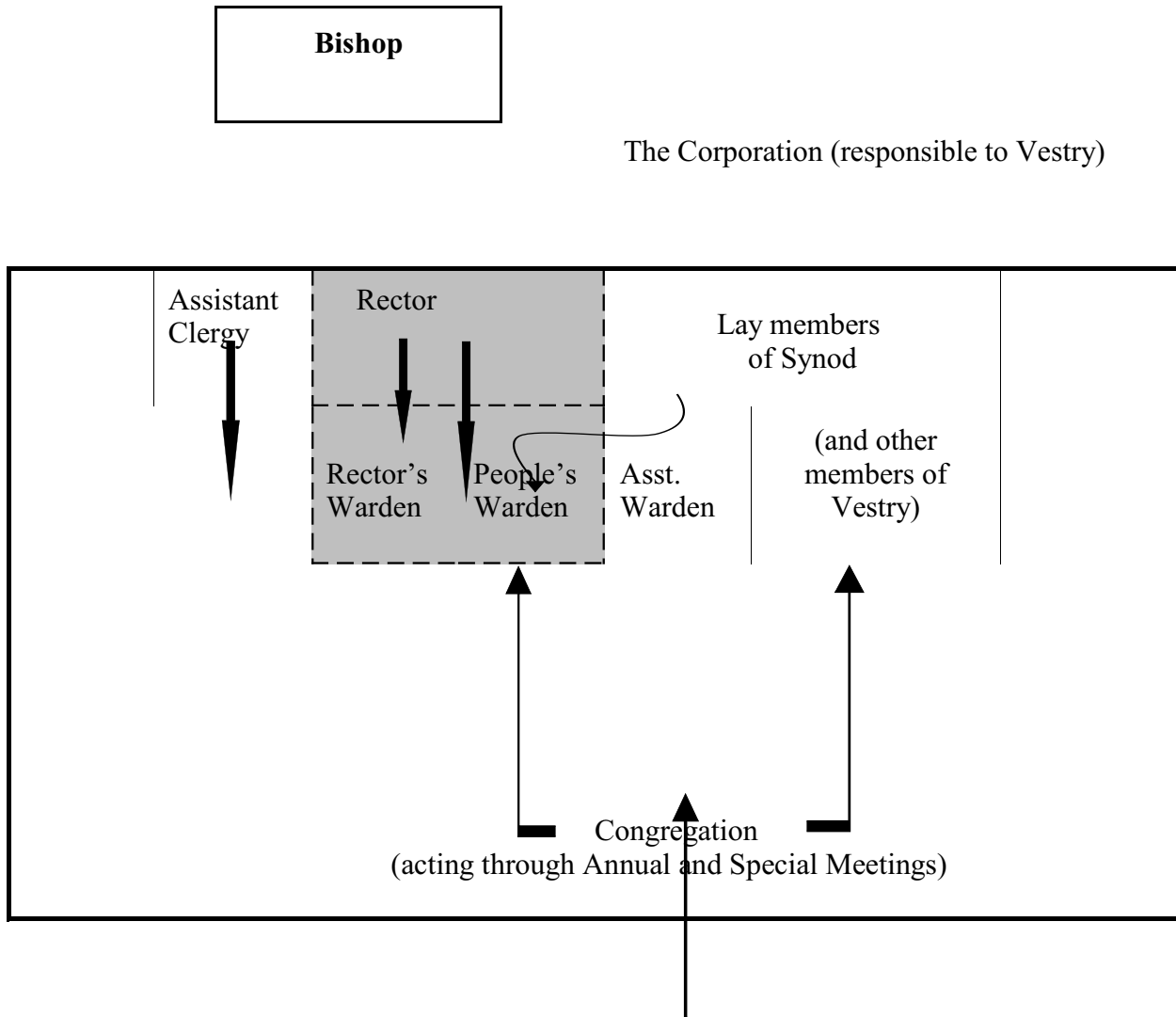
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to-day management of the parish, or will give micro-instructions to Corporation about how the latter will carry out its duties.

In the secular world, the Board of Directors of a corporation (analogous to the Vestry) leaves matters of management to the Management (analogous to the Parish Corporation).

The following diagram illustrates the relationships between the Congregation, Vestry, Wardens, the Incumbent, the Corporation, and the Bishop:

**Structure of a Parish**



**Province of Rupert's Land Canons on Licensing and Oaths**

**CANON IV**

**C4.00 LICENSING AND INHIBITION OF CLERGY**

*Licensing*

C4.01 The Bishop of a diocese may, in his discretion, issue a licence to any ordained person within his Diocese.

C4.02 The Bishop, in his discretion, may give special permission to clergy not fully employed by the Church in the Diocese to officiate.

*Right to Inhibit*

C4.03 Where a bishop of a diocese has reasonable grounds to believe that a clergyman not licensed in his Diocese is officiating or is about to officiate in his Diocese, the Bishop may, by notice in writing addressed to such clergyman and to the clergy of his diocese, inhibit such clergyman from officiating in his diocese.

C4.04 Where a bishop of a diocese has reasonable ground to believe

- (a) that doubts exist regarding the orthodoxy, canonical ordination or good morals of a clergyman in his diocese, or
- (b) that the conduct or teaching of such clergyman is such as to affect adversely the welfare of a parish, mission, or chapel,

the Bishop may, by notice in writing addressed to such clergyman and to the clergy of his diocese, inhibit such clergyman from officiating in his diocese.

C4.05 The license of any clergyman who has been inhibited pursuant to section C4.03 or C4.04 is deemed to have been withdrawn.

C4.06 No clergyman shall permit an inhibited clergyman to officiate in his church, mission or chapel.

C4.07 The Bishop of a diocese may proceed against a clergyman violating section C4.06 for a breach of canonical obedience.

C4.08 A clergyman who has been inhibited may appeal the inhibition in accordance with established ecclesiastical procedures.

**CANON VI**

**C6.00 OATHS AND SUBSCRIPTIONS**

C6.01 The following oaths and subscriptions shall be taken at the ordination of a priest or deacon and on such other occasions as may be required by a diocese:

(a) Declaration of Assent

I, A.B. do solemnly make the following declaration: I assent to the Solemn Declaration adopted by the first General Synod in 1893 (as printed in the Book of Common Prayer), and to the Book of Common Prayer, and of the ordering of Bishops, Priests, and Deacons; I believe the doctrine of the Anglican Church of Canada as therein set forth to be agreeable to the Word of God; and in Public Prayer and Administration of the Sacraments, I will use the form in the said book prescribed and none other, except so far as shall be ordered by lawful authority.

(b) Oath of Canonical Obedience

I, A.B. do swear that I will pay true and canonical obedience to the Bishop of ... in all things lawful and honest. So Help Me God.

(c) The Declaration of Submission to Synods

I, A.B. do willingly subscribe to and declare that I assent to and abide by the Constitution and Canons of the General Synod, Provincial Synod and the Synod of the Diocese of ... that are lawfully in force from time to time.

C6.02 The following oaths and subscriptions shall be taken by a bishop-elect before his consecration:

(a) The Declaration of Submission to the Synods, as set out in paragraph C6.01 (c) hereof; and

(b) the Oath of Due Obedience to the Metropolitan, as follows:

In the name of God, Amen. I, A.B. chosen Bishop of the Church and See of ..., do profess and promise all due reverence and obedience to the Metropolitan of Rupert's Land and his successors. So Help Me God, through Jesus Christ Our Lord.

**Province of Rupert’s Land Canon on the Election of a Bishop**

**CANON IX**

**9.00 ELECTION OF A BISHOP**

9.01 Whenever a vacancy in the Episcopate of a diocese in the Province has occurred, or an event has occurred that will result in such a vacancy, the provisions of this Canon shall apply to that diocese.

9.01A On the application of the jurisdiction(s) seeking the election of a bishop having shown good cause, Provincial Executive Council may, with the concurrence of the Metropolitan, alter or dispense with any part of this Canon IX with respect to that particular episcopal election.

Definitions

9.02 In this Canon, unless the context otherwise requires:

- (a) “Administrator” means the Administrator of the diocese, or the person who under the constitution and canons of the diocese would become the Administrator when the vacancy in the Episcopate of the diocese occurs, and, if the said constitution or canons do not provide for such an Administrator, or if the Administrator shall fail to act in accordance with this Canon, means the senior clerical dignitary in the diocese;
- (b) “Chair” means the person presiding, or entitled to preside, at a meeting;
- (c) “Council” means the body of the diocese, by whatever name it may be designated, constituted by the diocesan synod under its constitution and canons to exercise the powers of the diocesan synod between meetings of that synod, and, where an executive committee of the Council has been constituted, and has been given the powers of the Council, includes that executive committee;
- (d) “diocese” means a diocese referred to in section 9.01 in which an election of a bishop is to take, or is taking, place;
- (e) “diocesan synod” means the governing body of a diocese, by whatever name it may be designated, constituted under the constitution of a diocese;
- (f) “vacancy” shall extend to the situation where the election of a coadjutor bishop or suffragan bishop has been approved under section 6.34 of the Constitution of the Province.

Consultations Concerning Episcopal Election

9.03 In the event that the resignation of a bishop is submitted pursuant to section 6.44 or 6.45 of the Constitution, or that notification has been given to the Metropolitan that a vacancy in the Episcopate of a diocese has occurred, or is about to occur, as provided for in the Constitution of the Province, the Administrator shall promptly consult with the Metropolitan and the Council with respect to the calling of an election to fill that vacancy, and the day and place of the election.

Notice of Meeting of Synod and Appointment of Diocesan Search Committee

9.04 No earlier than 30 days prior to the date upon which a vacancy in the Episcopate of a diocese shall occur nor later than 30 days after the occurrence of the vacancy, the Council shall

- (a) cause to be issued a notice calling a meeting of the members of the Synod of the diocese to elect a bishop to fill the vacancy; such meeting to be held on the day, and at the time and place, determined by the Council after the consultation provided for in section 9.03 has taken place, and
- (b) elect or appoint the members from the diocese of the Diocesan Search Committee provided for in section 9.08.

Election by an Electoral College

9.05 If the constitution or canons of a diocese provide for the election of a bishop by an electoral college, by whatever name it may be designated, and not by the Synod of that diocese at a meeting, the provisions of this Canon relating to a meeting of the members of the Synod of a diocese and to its procedures shall apply, with necessary changes in matters of detail, to that electoral college, and to its meetings and procedures, and, in such case, unless the context otherwise requires the word “Synod” used in this Canon shall be deemed to mean that electoral college.

Day and Time of Meeting

- 9.06 The meeting referred to in section 9.04 shall
- (a) not be held until the occurrence of the vacancy, unless the Metropolitan, on the application of the Council shall otherwise determine; and
  - (b) be held on a day not less than 84 days, nor more than 112 days, from the date of issue of the notice; provided that the Metropolitan, on the application of the Council, may approve a day for the holding of the meeting that is in excess of 112 days, but not more than 182 days from the day of the issue of the notice.

Content of Notice of Meeting of Synod

9.07(1) The notice calling the meeting of Synod to elect a bishop shall

- (a) be in writing;
- (b) designate the day, time and place thereof;
- (c) be given to the members of Synod;
- (d) state the purpose of the meeting;
- (e) state that any member of Synod may submit in writing to the Secretary of the Diocesan Search Committee (whose name and address shall be designated) the name or names of any person or persons proposed by that member to fill the vacancy, such submission to be made not later than 42 days before the date of the meeting, or such shorter or longer period as the Administrator and the Metropolitan may determine;

(2) The notice referred to in subsection (1) may, in addition, give notice of any business, not related to the election, that the Council may desire to bring before the members of Synod.

Diocesan Search Committee

9.08(1) A Diocesan Search Committee (the Committee) shall be established consisting of the following members:

- (a) From the diocese, three members of the Order of Clergy (clerical members) and three members of the Order of Laity (lay members) appointed by the Council, as provided in section 9.04; and
- (b) From the Provincial Panel, constituted under section 6.11, of the Constitution of the Province, one bishop, one clerical member and one lay member, appointed by the Metropolitan from among such members of the Provincial Panel as are not from the diocese; and
- (c) In the case of an election of a bishop coadjutor or bishop suffragan, the bishop who holds the See of the diocese.

(2) The appointments required pursuant to subsection 9.08(1) shall be made within 28 days after the resignation or notification of a vacancy referred to in section 9.03 has been received by or given to the Metropolitan.

(3) Upon a vacancy occurring in the membership of the Committee by reason of the death, resignation or inability to act of a member, a successor to that member shall be appointed by the Metropolitan, if the member was appointed by the Metropolitan, and by the Council, if the member was appointed by the Council.

First Meeting of Diocesan Search Committee

9.09 The Administrator shall convene the first meeting of the Committee within 72 days after the resignation, or notification of a vacancy referred to in section 9.03 has been received or given to the Metropolitan, as the case may be, and at that meeting the Committee shall elect a Chair, appoint a secretary, (who may, but need not, be a member of the Committee), and determine its procedures.

Functions of Diocesan Search Committee

9.10 The Committee at its first or subsequent meetings shall

- (a) determine, and set out in memorandum form, the general qualifications and requirements that relate to the Episcopal vacancy and also any specific qualifications that might be required or desirable with respect to the person to fill the vacancy;
- (b) deliver to the Administrator, at least 65 days prior to the day of the meeting of Synod, the memorandum referred to in clause (a);
- (c) receive in writing from members of the Synod of the diocese and from members of the Provincial House of Bishops the names of any persons proposed by them as nominees for election, together with information as to the clerical position or office, address and telephone number of each person so proposed and a statement that the consent of that person to being so proposed has been obtained;
- (d) determine which of the persons proposed pursuant to clause (c), in the opinion of the Committee meet
  - (i) the canonical requirements for election;
  - (ii) the requirements determined pursuant to clause (a);
- (e) inform the proposer of any person proposed as a nominee for election pursuant to clause (c) whom the Committee does not intend to propose to nominate for election, of that fact;
- (f) consider persons, additional to those identified pursuant to clause (d), who in the opinion of the Committee meet
  - (i) the canonical requirements for election;
  - (ii) the requirements determined pursuant to clause (a);
- (g) enquire of the persons identified pursuant to clauses (d) and (f) whether or not they consent to being nominated for election, and obtain from those persons who do so consent signed written confirmation of such consent.

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- (h) prepare a list, arranged alphabetically, of those persons identified pursuant to clauses (d) and (f) who have consented to being nominated for election;
- (i) determine what information about each person to be nominated they consider appropriate for communication to the members of Synod and the form in which such information should be communicated, subject only to the following limitations:
  - (i) as a minimum there shall be a brief *curriculum vitae* prepared for each person to be nominated,
  - (ii) the Committee shall ensure that the format in which the information is communicated to the members of Synod is standardized and that the quality of the production of the communication regarding each person to be nominated is uniform,
  - (iii) the Committee shall be governed by any cost limitations established by the Council or other diocesan financial authority in respect of the production of such materials,
  - (iv) the identity of the person or persons who proposed any person to the Committee for nomination either under this section or under section 9.11 shall not be communicated to the members of the Synod.
- (j) obtain from the proposer of each person listed in clause (h) and, if desired by the Committee in any case, directly from any person to be nominated, at least 28 days prior to the day of the meeting of Synod called pursuant to section 9.04, such of the information determined to be appropriate under clause (i) which is not already in the possession of the Committee, and put the information in the form determined appropriate under clause (i);
- (k) deliver to the Administrator at least 21 days prior to the day of the meeting of Synod called pursuant to section 9.04, the list referred to in clause (h) and the material referred to in clause (j);
- (l) at the meeting of Synod referred to in clause (k)
  - (i) present the report of the Committee, and
  - (ii) cause the persons listed pursuant to clause (h) to be nominated for election.

### Further Nominations

9.11(1) Any two members of Synod, at the meeting of Synod, may nominate for election as bishop any person who meets the canonical requirements for election and

who has previously consented in writing to being nominated, if, at least seventy-two hours prior to the commencement of the meeting of Synod, such members have provided to the Secretary of the Committee

- (a) a written notice of their intention to so nominate,
  - (b) a signed written consent of the intended nominee to being nominated, and
  - (c) a brief *curriculum vitae* of the person intended to be nominated, in the form approved by the Committee.
- (2) The diocesan members of the Committee shall
- (a) review each notice of intention to nominate received pursuant to, and within the time limited by, subsection (1) and determine whether or not the intended nominee meets the canonical requirements for nomination,
  - (b) review each *curriculum vitae* received pursuant to, and within the time limited by, subsection (1) and determine whether or not it is in satisfactory form,
  - (c) advise the members of Synod, intending to make the nomination, of the conclusions reached by them pursuant to clauses (a) and (b), and
  - (d) report their conclusions to the meeting of Synod after the nomination has been made,

but shall not make any recommendation in their report with respect to the nominee or nominees.

(3) After the report described in subsection (2) has been made, the Chair of the meeting of Synod shall rule as to the validity of any nomination made pursuant to subsection (1).

### Providing Material to Members

9.12(1) At least 14 days prior to the meeting of Synod, the Administrator shall cause to be given to each member of Synod and to each person on the list prepared pursuant to section 9.10(h):

- (a) a list of the persons proposed by the Committee who will be nominated pursuant to clause (l) of section 9.10,
- (b) a copy of each *curriculum vitae* prepared by the Committee pursuant to clause (j) of section 9.10,
- (c) a notice describing the procedure for further nominations set out in section 9.11, and
- (d) a notice describing the election procedure to be followed at the meeting of Synod set out in section 9.22.



(2) At least 7 days prior to the commencement of the meeting of Synod, the Administrator shall appoint a Credentials Committee, the membership of which shall comprise not fewer than one clerical member and one lay member, and that committee, amongst other functions, shall determine the persons eligible to vote at the meeting, and the credentials of those persons attending the meeting, and report thereon to the meeting.

(3) Immediately prior to the commencement of the meeting of Synod, the Administrator shall cause to be distributed to the members of Synod

- (a) a list of those persons as to whom a notice of intention to nominate, a written consent and a *curriculum vitae* have been received pursuant to section 9.11(1), and
- (b) a copy of the *curriculum vitae* provided in respect of each such person if it has been approved as to form by the diocesan members of the Committee pursuant to section 9.11(2).

#### Notice to Members of Synod

9.13 A notice required by this Canon to be given to members of the Synod of the diocese shall be given in the manner provided for in the constitution or canons of the diocese for the giving of notice to its members of a meeting of Synod.

#### Quorum of Members

9.14 The number of members of Synod necessary to be present at a meeting of Synod held pursuant to this Canon to constitute a quorum for the transaction of its business shall be at least sixty percent of the clerical members eligible to vote and at least sixty percent of the lay members eligible to vote.

#### Raising of Non-Related Matters

9.15 Unless otherwise directed by the Metropolitan, matters shall not be raised at the meeting that are not directly related to the election, excepting, however, non-related matters concerning which notice has been given in the notice calling the meeting of Synod, and, in the latter case, such matters shall be dealt with only after the completing of the election.

#### Points of Order

9.16 Any point of order desired to be raised by a member during the meeting of Synod shall be submitted in writing to the Chair and determined by the Chair without discussion or debate.

#### Observers

9.17 Unless otherwise ordered by the Metropolitan and subject to any limitations which the Metropolitan shall establish, persons who are not members of Synod shall be

permitted to observe the meeting of Synod held pursuant to this Canon.

#### Procedural Advisor

9.18 The Metropolitan may appoint any person to sit with the Metropolitan at the meeting of Synod to advise the Metropolitan with regard to the procedure for the meeting and the person appointed shall have the right to address the Synod in the capacity of a procedural advisor.

#### Pre-Election Proceedings at Meeting

9.19 At the meeting of Synod:

- (1) The Metropolitan, or a person delegated by the Metropolitan, shall act as Chair;
- (2) The Secretary of Synod, if there be one, otherwise a person appointed by the Metropolitan, shall act as secretary of the meeting;
- (3) On the nomination of the Administrator, the Chair shall appoint a Clerical Secretary and a Lay Secretary of the meeting;
- (4) The Chair shall announce the names of the members of the Credentials Committee;
- (5) On the nomination of the Administrator, the chair shall appoint Scrutineers from among members of the Synod as follows:

For the clerical voting—two from the clerical members, one from the lay members.

For the lay voting—two from the lay members, one from the clerical members;

- (6) The Credentials Committee shall provide to the Secretaries and the Scrutineers a list of the members of Synod entitled to be present and to vote at the meeting in accordance with the constitution and canons of the diocese.
- (7) The Clerical Secretary shall call the roll of the clerical members of Synod, and ascertain and report on those present;
- (8) The Lay Secretary shall call the roll of the lay members of Synod, and ascertain and report on those present;
- (9) A motion for acceptance of the clerical and lay rolls shall be received and put to the vote of the meeting;
- (10) The Credentials Committee shall report to the Chair, who shall announce to the meeting whether or not a quorum of each order is present at the meeting;
- (11) If a quorum is present the meeting shall proceed;

(12) If a quorum of either or both orders is not present within three hours from the time set for the opening of the meeting, the Chair shall adjourn the meeting to convene one day later at the same time and place as the meeting being adjourned. If at the adjourned meeting a quorum of each order is present, the meeting shall then proceed;

(13) If at the adjourned meeting referred to in clause (12) a quorum of each order is not present within one hour from the time set for the adjourned meeting, the Chair shall further adjourn the meeting to such day, within three months of the day of the adjourned meeting, and at such time and place, in each case as the Metropolitan shall determine, and due notice of such reconvened meeting shall be given to the members of Synod;

(14) The procedures to be followed at the adjourned meeting referred to in clause (12) and at the reconvened meeting referred to in clause (13) in each case shall be the same, with necessary changes in matters of detail, as those to be followed had the meeting not been adjourned.

(15) If the meeting proceeds, the Chair shall provide an opportunity for members to ask questions concerning meeting and election procedures;

(16) The Diocesan Search Committee shall

- (a) present its report and the list and material provided for in section 9.10, and
- (b) shall cause to be nominated for election as bishop the persons listed by it for nomination as bishop;

(17) If notice of further nominations has been given to the Secretary of the Committee, together with written consents and *curricula vitae* in the manner and within the time provided for in section 9.11(1), the Chair shall permit those nominations to be made;

(18) After any such further nominations have been made pursuant to clause (17) the diocesan members of the Committee shall report to the meeting as provided for in section 9.11(2);

(19) The Chair shall rule on the validity of further nominations made pursuant to clause (17).

#### The Eucharist

9.20 After completing of nominations the meeting of Synod shall adjourn for the celebration of the Eucharist, with the Metropolitan, or a delegate of the Metropolitan, as celebrant.

#### Reconvening of Meeting

9.21 The meeting of Synod shall reconvene following the celebration of the Eucharist. The Metropolitan, or a delegate of the Metropolitan, shall resume the Chair.

#### Voting Procedure

9.22 The procedure for voting at the election shall be as follows:

(1) The Credentials Committee shall report, by orders, any additions to or deletions from the previous approved rolls of members present;

(2) A motion for acceptance of the revised clerical and lay rolls shall be received and put to the vote of the meeting;

(3) The Scrutineers shall provide to each member of Synod a package of ballot forms, which shall be numbered for successive balloting, and of a different colour for each balloting;

(4) Two ballot boxes shall be provided, one to receive the clerical ballots and a separate one to receive the lay ballots;

(5) Subject to section 9.24, a majority of votes of the clerical members and of the votes of the lay members, present and voting, shall be necessary to constitute an election;

(6) Voting shall be by the member depositing in the appropriate ballot box a secret ballot marked by the member with the name of not more than one of the persons in nomination at the time of the balloting;

(7) The Clerical Secretary shall call the roll of clerical members entitled to vote, each of whom as called shall deposit in the clerical ballot box the ballot intended for that balloting;

(8) The Lay Secretary shall call the roll of lay members entitled to vote, each of whom as called shall deposit in the lay ballot box the ballot intended for the balloting;

(9) On the conclusion of each balloting the Chair shall declare the voting on that balloting closed;

(10) The Scrutineers shall retire and count the ballots, and shall then report to the Chair in writing

(a) the number of spoiled or unmarked ballots in the balloting, which ballots shall not be counted in determining the number of votes required for an election;

(b) the number of votes of each order required for an election;

(c) the results, by order, of the voting.

(11) Upon receipt of the report of the Scrutineers, the Chair shall announce:

(a) the number of ballots cast in each order,

(b) the number of spoiled or unmarked ballots excluded from the count,

- (c) the number of votes in each order required for an election,
- (d) the number of votes cast in each order for each candidate,
- (e) whether or not there has been an election.
- (12) If there has been an election,
  - (a) the Chair shall declare the elected person to be the Bishop Elect, and
  - (b) the Chair, or the delegate of the Chair, shall inform the Bishop Elect of the election and request consent to the election and to the formal submission of his or her name to the Metropolitan, and, if such consent shall have been given,
  - (c) the Chair shall order the destruction of the ballots, and
  - (d) terminate the meeting, unless notice of matters not directly related to the election has been given pursuant to section 9.15, in which event the Chair shall declare that the election has been completed and the electoral proceedings at the meeting are terminated;
- (13) If within a short period of time (determined by the Chair) the Bishop Elect is not available, or able to give consent, the Chair shall adjourn the meeting, to be reconvened, if consent is not given within such period of time, not exceeding seven days, as the Metropolitan determines to be reasonable, on the giving of fifteen days notice to the members of Synod;
- (14) If, prior to the termination of the meeting, the Chair, or the delegate of the Chair, is advised by the Bishop Elect that he or she does not consent to the election, the voting shall continue from the stage where it ceased but the name of the person who had been elected but had not consented shall be removed from the list of nominees for election;
- (15) If the announcement by the Chair pursuant to clause (11) is that there has not been an election, voting shall continue;
- (16) Following each balloting the names of the following nominees shall be removed from the list of nominees for election:
  - (a) any nominee who received no votes,
  - (b) the nominee who has (or in the case of a tie, the nominees who have) received the lowest number of lay and clerical votes in aggregate, unless the number of votes received, although the lowest of all nominees, is at least one-fifth of the votes in either order, and

- (c) any nominee who has given or caused to be given signed written notice to the Metropolitan stating that the nominee wishes to withdraw from the election.

(17) Voting by successive balloting shall continue in respect of the nominees remaining from time to time on the list of nominees for election until:

- (a) an election results, or
- (b) the Synod adopts a resolution pursuant to section 9.23,

and the procedures set forth in clauses (6) to (8) inclusive shall be followed in the case of each balloting, except that the Chair may dispense with a calling of rolls under clauses (7) and (8);

#### Procedure If No Election

9.23 If the balloting pursuant to section 9.22 or this section does not result in an election, the meeting of Synod, by resolution passed by majority vote of the members, present and voting, may determine to:

- (1) continue with the election proceedings, after first restoring to the list of nominees for election the names of all those persons who were validly nominated pursuant to clauses (16) and (17) of section 9.19 who do not withdraw, and who give their consent to being re-nominated for election, and proceed with balloting in the manner provided in section 9.22, either forthwith or at an adjournment of the meeting, the day, time and place of which shall be determined by the Chair; or
- (2) discontinue the election proceedings then in progress and commence new election proceedings, and in such event section 9.03 and the subsequent sections of this Canon, with necessary changes in matters of detail, shall be followed; or
- (3) designate the Electoral College of the Province as the body to elect the bishop from between or among the nominees on the last ballot conducted pursuant to section 9.22 which election shall be held in accordance with the procedure set out in section 9.26 to 9.37.

9.24(1) If the Synod does not determine to adopt one of the alternatives set out in section 9.23, when 5 or more successive ballots have been concluded with only two nominees on the list of nominees and the balloting has not resulted in an election, on the next ballot, the percentage of votes received by each nominee in each order shall be added together and the nominee with the greater total of percentages shall be elected.

(2) If no election results on the ballot conducted under section 9.24(1), unless the Synod adopts one of the other alternatives set out in s. 9.23, the procedure described in section 9.24(1) shall be employed on successive ballots until on a subsequent ballot the total of percentages in

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relation to one nominee is greater than the total of percentages in relation to the other, in which case the nominee with the greater total of percentages shall be elected.

Post Election Procedures

9.25 When the Bishop-Elect has consented to the election and to the formal submission of his or her name to the Metropolitan:

(1) the Chair shall ensure that, immediately following the election and consent of the Bishop Elect, all persons nominated in the election are made aware that the Bishop-Elect has been elected and has consented to the election and the submission of his or her name to the Metropolitan:

(2) the Chair, the Secretary of the Diocese, and the Clerical and Lay secretaries of the meeting, shall prepare and each sign a certificate in the following form, or like effect, and shall forward the certificate, forthwith, to the Metropolitan.

CERTIFICATE

To: Metropolitan of the Ecclesiastical Province of Rupert's Land

We hereby certify that at a duly called meeting of the Synod of the Diocese of \_\_\_\_\_ held on \_\_\_\_\_, \_\_\_\_\_, for the election of a bishop (coadjutor) (suffragan) of the said Diocese, \_\_\_\_\_ was duly elected Bishop (coadjutor) (suffragan) and has consented to the election and the formal submission to you as Metropolitan of (his) (her) name.

On behalf of the Synod we request confirmation of the election.

Dated at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary of the Diocese

\_\_\_\_\_  
Clerical Secretary of the Meeting

\_\_\_\_\_  
Lay Secretary of the Meeting

Election by the Electoral College

9.26 Where the meeting of Synod has by resolution pursuant to s. 9.23(3) determined to designate the Electoral College as the body to elect the bishops, the following provisions shall apply.

9.27 On the day appointed for the election, the Electoral College shall meet in Church for the celebration of the Holy Communion immediately prior to the election.

9.28 The Metropolitan shall chair the Electoral College.

9.29 The Electoral College shall appoint a secretary who shall keep minutes of its proceedings of which two copies shall be made and signed by the Metropolitan and the Secretary, one copy to be retained by the Chairman and the other deposited with the Provincial Secretary.

9.30 The Metropolitan shall designate a committee of three to act as a credentials committee to examine and report upon the credentials of the members present and the existence of a quorum, and also shall designate two scrutineers, one clerical and one lay.

9.31 The material prepared by the Search Committee with respect to the nominees on the last ballot voted upon in the Diocesan Synod shall be presented to the Electoral College.

9.32 The members of the College shall act and vote together.

9.33 The Metropolitan shall have a vote but no tie-breaking vote.

9.34 Every election shall be by ballot.

9.35 An election will require the majority of votes cast in the Electoral College be for the same person.

9.36 If after the casting of ballots, there is no election, voting shall continue by successive ballots with the name of the nominee receiving the lowest number of votes being withdrawn from the ballot until there are only two nominees on the ballot.

9.37 When a bishop has been elected the Metropolitan shall comply with section 6.06 of the Constitution.

## **CANON XVII**

### **The Licensing of Clergy**

#### **I. The Issue of Licenses; Registers, Inhibitions and Transfers**

##### **1. Definitions**

In this Canon:

- a) “chaplain” means a bishop, priest or deacon holding a commission requiring fulltime service in the Canadian Forces;
- b) “temporary permission” means written or oral authority to exercise ordained ministry within a diocese for a limited time, granted by a diocesan bishop to a bishop, priest or deacon who is not licensed by that diocesan bishop;
- c) “license” means written authority from the bishop of a diocese to a bishop, priest or deacon of the diocese to exercise ordained ministry in the diocese, or written authority from the Bishop Ordinary to a chaplain permitting the chaplain to exercise ordained ministry as a chaplain, but does not include “temporary permission”;
- d) “receiving bishop” means the bishop of a diocese to which a bishop, priest or deacon licensed in another diocese wishes to be transferred;
- e) “transferring bishop” means the bishop of a diocese from which a bishop, priest or deacon licensed in that diocese wishes to be transferred.

##### **2. Structure of Episcopal Jurisdiction**

- a) Subject to paragraphs c), d) and e), every coadjutor, suffragan, assistant and retired bishop and every priest and deacon in The Anglican Church of Canada is subject to the jurisdiction of a diocesan bishop.
- b) Bishops, priests and deacons who are engaged in specialized ministries in Canada outside the diocese where they are registered, except chaplains, are subject to the general supervision of the bishop of the diocese in which the specialized ministry is exercised.
- c) Members of the clergy employed in Canada by the General Synod are subject to the episcopal jurisdiction of the Primate without prejudice to their status in the dioceses from which they are on leave.
- d) Bishops, priests and deacons serving outside Canada, under the auspices of The Anglican Church of Canada, are, without prejudice to their status in the dioceses from which they are on leave, subject to the episcopal authority of the diocese in which they serve unless otherwise provided by the canons in that diocese or the terms of the licenses granted to them.
- e) Chaplains are deemed to be on leave of absence from the dioceses from which they transferred to the chaplaincy and are subject to the episcopal jurisdiction of the Bishop Ordinary to the Canadian Forces during their terms of service as chaplains.

### 3. The Registers

Each diocesan bishop shall keep a register of the bishops, priests and deacons ordained within or for the diocese and those received from other jurisdictions. The Bishop Ordinary to the Canadian Forces shall keep a register of chaplains. Such registers shall include the following information for each individual:

- i) dates and places of ordination as deacon, priest or bishop and in each case the name of the ordaining bishop or bishops;
- ii) the date of entering the diocese or the chaplaincy;
- iii) a record of appointments held and of licenses issued;
- iv) a record of any leaves of absence granted;
- v) a record of any transfer to another ecclesiastical jurisdiction;
- vi) a notation of any relinquishment or abandonment of ministry pursuant to Canon XIX.

### 4. The Primate's List

- a) The Primate shall maintain a list of bishops, priests and deacons who have relinquished or abandoned the exercise of their ministry or against whom a sentence of deposition has been imposed.
- b) Every diocesan bishop shall forward to the Primate all information required for the maintenance of such list.

### 5. Licensing

- a) No bishop, priest or deacon shall exercise an ordained ministry within a diocese without a license or temporary permission from the diocesan bishop.
- b) A license shall specify:
  - i) the position to which the licensee has been appointed;
  - ii) the parish or territory or community in which the ministry is to be exercised;
  - iii) the person or persons, if any, under whose supervision the licensed ministry is to be exercised;
  - iv) the party responsible for payment of any stipend or other compensation payable to the licensee in respect of the licensed ministry, and
  - v) any other matter or limitation which the diocesan or provincial canons require,and may specify:
  - vi) a term, at the end of which the license shall expire;
  - vii) the time after which the licensed ministry may be reviewed or assessed, and
  - viii) any other matter the diocesan bishop deems appropriate.
- c) Unless otherwise provided by diocesan canon or the terms of a license, a license shall remain in force according to its terms notwithstanding the resignation, death or removal of the bishop who granted it, and shall be deemed to be a license granted by the succeeding diocesan bishop until that bishop amends or revokes it, or issues a new license.

### 6. Licensing by Bishop Ordinary

- a) The Bishop Ordinary, on receipt of *Letters Testimonial* with respect to a chaplain, may issue a license to that chaplain upon the chaplain taking such oaths and subscriptions as the Bishop Ordinary may require, and in accordance with any other procedures the Bishop Ordinary may require.

- b) A license issued to a chaplain by the Bishop Ordinary shall permit the chaplain to exercise ordained ministry to members of the Canadian Forces and their families.

## **7. Inhibition of the Unlicensed**

- a) When a diocesan bishop has reasonable grounds to believe that a bishop, priest or deacon who does not hold a license or temporary permission from the diocesan bishop is officiating or is about to officiate in the diocesan bishop's diocese, the diocesan bishop may, by notice in writing to such bishop, priest or deacon, inhibit such person from officiating in the diocese.
- b) A diocesan bishop who issues a notice pursuant to section 7 a) shall cause the notice to be recorded in the Register and may advise such other persons as the bishop considers appropriate that such notice has been issued.

## **8. Transfers**

- a) When a bishop, priest or deacon in good standing, including a bishop, priest or deacon on leave of absence as a chaplain, is to be transferred from the jurisdiction of one bishop to the jurisdiction of another bishop:
- i) the transferring bishop shall forward *Letters Bene Decessit* to the receiving bishop, and
  - ii) episcopal jurisdiction over the bishop, priest or deacon intended to be transferred shall not be effective until the *Letters Bene Decessit* are accepted and acknowledged by the receiving bishop.
- b) When a bishop, priest or deacon in good standing undertakes service outside of Canada under the auspices of The Anglican Church of Canada, the Primate and the appropriate diocesan bishop may give to any such bishop, priest or deacon *Letters Bene Decessit* or such other form of commendation, as is appropriate and as may be required by the authority in the place where the bishop, priest or deacon is to serve.

## **9. Forms**

The forms of *Letters Testimonial*, *Letters Bene Decessit*, and *Acceptance of Episcopal Jurisdiction* set out in the Schedules are prescribed for use.

## **II. Revocation**

### **10. Deemed Revocation or Suspension**

- a) When a penalty of deprivation of ministry or deposition from ministry is imposed against a licensee following a conviction for an ecclesiastical offense under Canon XVIII, the license of that person is deemed to be revoked.
- b) When a penalty of suspension from the exercise of ministry is imposed against a licensee following a conviction for an ecclesiastical offense under Canon XVIII, the license of that person is deemed to be suspended for the duration of the penalty of suspension.

### **11. Revocation with Notice**

- a) The bishop having jurisdiction may, in accordance with this section, revoke a license in any circumstances other than those mentioned in section 10.

- b) Although it is not possible to set out all the circumstances in which the bishop might make such a decision, they include financial difficulties in a parish, decline in parish membership, redeployment of human resources, and the licensee's inability to carry out his or her ministry.
- c) Where the bishop is aware of circumstances that may establish that a licensee has committed an ecclesiastical offense under Canon XVIII, the bishop may not revoke a license instead of making, or referring to the court having jurisdiction, a determination of whether an ecclesiastical offense has been committed.
- d) Before revoking a license under this section, the bishop shall confer with the licensee
  - i) to review the reasons for the proposed revocation, and
  - ii) to consider possible alternatives to revocation, or
  - iii) to agree on terms, including the length of reasonable notice or the amount of pay and benefits in lieu of notice, upon which the license may be revoked.
- e) Where, as a result of the conference between the bishop and the licensee, terms of revocation are agreed to, paragraphs f) to j) of this section do not apply.
- f) If the bishop, after conferring with the licensee, intends to proceed with the proposed revocation, the bishop shall appoint a Commission of one or more persons to consider the circumstances surrounding the proposed revocation and to advise the bishop. Within 30 days of its appointment the Commission shall confer with the bishop and the licensee and provide both with its advice.
- g) If the bishop is not in a position to provide the licensee with another appointment, the bishop shall offer the licensee reasonable notice of the revocation or reasonable pay and benefits in lieu of notice.
- h) If the licensee is not satisfied with the length of notice or the amount of pay and benefits offered by the bishop, the licensee may notify the bishop in writing of his or her desire to submit the matter to arbitration and the notice shall contain the name of the licensee's appointee to the arbitration board. The bishop shall, within seven days, appoint a person to the arbitration board and inform the licensee of that arbitrator's name. The two arbitrators so selected shall, within seven days after the bishop's appointee has been named, appoint a third person who shall be the chair of the arbitration board. If the bishop fails to appoint an arbitrator, or if the two arbitrators fail to agree upon a chair, the appointment shall be made by the Metropolitan of the ecclesiastical province, or, if the bishop is the Metropolitan, by the diocesan bishop in the province senior by consecration.
- i) The arbitration board shall provide an opportunity to the licensee and the bishop to make submissions in writing and orally and to respond to the submissions of the other party. It shall determine the length of notice or the amount of pay and benefits in lieu of notice to be given to the licensee including, where appropriate, financial and vocational counselling, and shall take into account prevailing practices in the secular community. The decision of the arbitration board shall be in writing and is final and binding on the licensee and the bishop.
- j) The arbitration board has no authority to review or to change the bishop's decision to revoke the license.

## **12. Further Appointments**

When a license is revoked under section 11, the bishop shall endeavour to assist the licensee to obtain employment.



## **CANON XVIII Discipline**

### **I. Episcopal Jurisdiction**

#### **1. Preservation of Episcopal Jurisdiction Regarding Discipline**

- a) It is hereby acknowledged that the bishop of a diocese of The Anglican Church of Canada has by virtue of the office of bishop, ecclesiastical jurisdiction, authority and power of discipline over bishops, priests, deacons and lay members of The Anglican Church of Canada within the diocese or otherwise under the jurisdiction of the bishop.
- b) Nothing in this Canon shall be interpreted as impairing, diminishing or affecting in any way the pastoral or disciplinary aspects of the authority and jurisdiction of:
  - i) a metropolitan who has jurisdiction with respect to a bishop
  - ii) a bishop who has jurisdiction with respect to a bishop, priest or deacon, or a lay person who is a member of The Anglican Church of Canada;

**except only in relation to:**

- iii) the determination of whether the bishop, priest or deacon has committed an ecclesiastical offense established by this Canon,
- iv) the determination of whether a lay person who has been appointed, elected or commissioned to an office, appointment or responsibility in a parish, a diocesan synod, a provincial synod, or the General Synod, has committed an ecclesiastical offense established by this Canon, and
- v) the determination of the penalty appropriate for the commission of an ecclesiastical offense established by this Canon.

#### **2. Initial Disciplinary Jurisdiction**

- a) Where it has been alleged that a bishop, priest or deacon subject to the jurisdiction of a bishop, or a bishop subject to the jurisdiction of a metropolitan, has committed an ecclesiastical offense established by this Canon, the bishop or metropolitan, as the case may be, shall have initial jurisdiction with respect to the determination of whether an ecclesiastical offense has been committed and the penalty for the commission of the offense.
- b) The bishop or metropolitan may refer the determination of whether an ecclesiastical offense has been committed or the determination of a penalty to the court having jurisdiction with respect to the discipline of the person charged with the commission of an ecclesiastical offense without exercising the initial jurisdiction described in section 2 a).
- c) The procedures to be used in the exercise by the bishop or metropolitan of the initial jurisdiction described in this section shall be those established by the synod of which the bishop or metropolitan is the president; however, such procedures shall be subject to the principles set out in part V of this Canon.
- d) A diocesan synod may provide for the exercise of the initial jurisdiction of the bishop described in this section in respect of the discipline of such lay persons as are described in section 4 of this Canon.

### **3. Review by the Court**

- a) A person convicted of an ecclesiastical offense by a bishop or metropolitan may require the determination of the bishop or metropolitan that an ecclesiastical offense was committed by the person, or the penalty imposed by a bishop or metropolitan, to be reviewed by the court having jurisdiction with respect to the discipline of the accused person, which court may either confirm or overturn the determination of the bishop or metropolitan.
- b) The Executive Council of the diocese, on its own motion or on the petition of the person or persons who made the allegation of an ecclesiastical offense which was tried by the bishop or metropolitan, may require the determination of the bishop or metropolitan that an ecclesiastical offense was committed, or the penalty imposed by the bishop or metropolitan, to be reviewed by the court having jurisdiction with respect to the discipline of the accused person, which court may either confirm or overturn the determination of the bishop or metropolitan.
- c) Where a review by the court pursuant to this section is of a determination by a bishop or metropolitan that an ecclesiastical offense has been committed, the review shall be conducted as if it were an original trial held in the court.
- d) Where a review by the court pursuant to this section is of a determination by a bishop or metropolitan of the penalty appropriate for the commission of an ecclesiastical offense, only evidence relevant to the question of the appropriate penalty shall be considered by the court.

## **II. Court Jurisdiction**

### **4. Diocesan Courts**

The diocesan court of a diocese shall have ecclesiastical jurisdiction with respect to the discipline of:

- i) priests and deacons who carry out their ministry in the diocese and who are registered on the register of the diocese, for any ecclesiastical offense, wherever committed,
- ii) subject to section 16, priests and deacons of The Anglican Church of Canada not registered on the register of the diocese, in respect of any ecclesiastical offense committed in the diocese,
- iii) lay persons who have been appointed, elected or commissioned to an office, appointment or responsibility in a parish of the diocese or the diocesan synod, for any ecclesiastical offense which they may commit in the diocese,
- iv) lay persons who have been appointed, elected or commissioned to an office, appointment or responsibility in a provincial synod, or the General Synod, for any ecclesiastical offense which they may commit in the diocese, and
- v) priests, deacons and lay persons of any other diocese when a direction is made pursuant to section 17 of this Canon.

### **5. Provincial Courts of Appeal**

The provincial court of appeal of a province shall have ecclesiastical jurisdiction with respect to the discipline of:

- i) the bishops of the province,
- ii) the bishops residing in the province, and
- iii) the bishops of any other province of The Anglican Church of Canada when a direction is made pursuant to section 17 of this Canon, for any ecclesiastical offense which they may commit.

## **6. Supreme Court of Appeal of The Anglican Church of Canada**

The Supreme Court of Appeal of The Anglican Church of Canada shall have ecclesiastical jurisdiction with respect to the discipline of:

- i) the Primate, and
- ii) the Bishop Ordinary,

for any ecclesiastical offense which they may commit.

## **III. Ecclesiastical Offenses**

### **7. Disciplinary Action Regarding Offenses**

All persons who are subject to ecclesiastical jurisdiction in the Church shall be liable to discipline for any of the following offenses:

- i) conviction of an indictable offense;
- ii) immorality;
- iii) disobedience to the bishop to whom such person has sworn canonical obedience;
- iv) violation of any lawful Constitution or Canon of the Church, whether of a diocese, province or the General Synod by which the person is bound;
- v) wilful or habitual neglect of the exercise of the ministry of the person without cause;
- vi) wilful or habitual neglect of the duties of any office or position of trust to which the person has been appointed or elected;
- vii) teaching or advocating doctrines contrary to those accepted by The Anglican Church of Canada;
- viii) contemptuous or disrespectful conduct towards the bishop of the diocese in matters pertaining to the administration of the affairs of the diocese or a parish.

## **IV. Penalties for Ecclesiastical Offenses**

### **8. Penalties Generally**

Where it has been determined that a person has committed an ecclesiastical offense, the following penalties may be imposed against the person:

- i) admonition;
- ii) suspension from the exercise of ministry or office;
- iii) deprivation of office or ministry;
- iv) deposition from the exercise of ministry if the person is ordained.

## **9. Admonition**

- a) Admonition shall be delivered by the bishop, metropolitan or the president of the Court which shall have determined the penalty, as the case may be.
- b) Admonition may be in public or private as the bishop, metropolitan or president delivering it may determine.

## **10. Suspension**

- a) When a penalty of suspension is imposed, the bishop, metropolitan or court imposing it shall fix the duration of the suspension and may impose such other conditions on the suspension as are considered appropriate.
- b) During the term of a suspension, the person suspended from the exercise of ministry or office shall not exercise the function of his or her ministry anywhere in Canada.
- c) If a person suspended from the exercise of ministry exercises his or her ministry contrary to section 10 b) hereof, or otherwise violates the conditions of the suspension, the bishop, metropolitan or court which imposed the penalty may, after a further hearing, impose the penalty of deprivation of office.
- d) During the term of a suspension, the bishop may deprive the suspended person of the whole or part of any stipend, income or emoluments associated with the ministry or office from which the person stands suspended and may authorize the application of the whole or part of such stipend, income or emoluments to the payment of a substitute.
- e) During the term of a suspension of a bishop, the metropolitan, or the executive council of the synod of the diocese in which the bishop serves, may deprive the bishop of the whole or part of any stipend, income or emoluments associated with the office of the bishop and may authorize the application of the whole or part of such stipend, income or emoluments to the payment of the person performing the duties of the bishop during the term of the suspension.

## **11. Deprivation**

- a) Upon the penalty of deprivation of office or ministry being pronounced, the connection between the person deprived and his or her parish, mission, congregation, diocese or office is severed and all revenues to which the person was entitled by virtue of the office or ministry shall wholly cease and determine.
- b) A person who has been deprived of office or ministry shall be incapable of holding any office or performing any function in any diocese in The Anglican Church of Canada until restored pursuant to subsections c), d) or e) hereof.
- c) Any person so deprived shall be and remain deprived until restored by the bishop of the diocese in which the office from which the person was deprived is located.
- d) Any bishop so deprived shall be and remain deprived until restored by the metropolitan of the province of which the deprived bishop's diocese is part, or by the Primate in the case of the Bishop Ordinary.

- e) Any metropolitan so deprived shall be and remain deprived until restored by the House of Bishops of the Province, in the case of a provincial metropolitan, or by the House of Bishops of The Anglican Church of Canada, in the case of the Primate.
- f) Restoration pursuant to subsections c), d) or e) may be to any office or ministry in the diocese whether or not it be the specific office from which the person was deprived.

## **12. Deposition**

The penalty of deposition shall include all of the consequences of deprivation and at the same time will have the same effect as if the person had relinquished the exercise of the ordained ministry pursuant to Canon XIX.

## **13. Notices**

- a) Where the penalty of suspension is imposed, the court shall cause notice thereof to be given to all the clergy of the diocese and all bishops of The Anglican Church of Canada.
- b) Where a penalty of deprivation of office or ministry or of deposition is imposed, the court shall cause notice thereof to be given to all the clergy of the diocese, all bishops of The Anglican Church of Canada and all metropolitans of the Anglican Communion.

# **V. Principles and General Procedures to be Observed in Discipline Proceedings in The Anglican Church of Canada**

## **14. Fundamental Principles of Natural Justice**

- a) All trials of persons charged with offenses under this Canon shall be conducted according to the principles of natural justice.
- b) Without limiting the generality of the foregoing section, all persons tried for offenses under this Canon are entitled to be:
  - i) given full and complete written notice of the charge against them and the particulars of the charge,
  - ii) presumed innocent until the commission of the offense by them is proved beyond a reasonable doubt,
  - iii) heard in their own defense,
  - iv) represented in their defense by counsel of their own choice,
  - v) present, accompanied by their counsel, when any evidence or argument concerning the allegations against them is received by the bishop, metropolitan or court inquiring into the charges,
  - vi) given opportunity to cross.examine, or have their counsel cross.examine under oath, witnesses who have given evidence against them,
  - vii) tried by persons who are not biased against them, and
  - viii) tried within a reasonable time.
- c) No person tried for an offense under this Canon is required to give evidence in the proceedings.
- d) Disciplinary proceedings arising out of the alleged commission of an offense under this Canon shall be commenced within:

- i) 12 months from date of the alleged offense in the case of offenses under section 7 i), iii), vii), and viii), and
- ii) 12 months from the time when the facts giving rise to the charge became publicly known in the case of an offense under section 7 ii).
  
- e) No proceedings shall be taken in respect of an alleged offense under section 7 v) or vi) unless six months' notice of intent to take proceedings have been given to the bishop, priest or deacon against whom it is intended proceedings will be taken.
  
- f) Disciplinary proceedings arising out of the alleged commission of an offense under section 7 v) or vi) shall be commenced within 12 months of the date of the notice of intent given, pursuant to section 14 e).
  
- g) All persons found to have committed an offense under this Canon are entitled to have the penalty imposed against them within 30 days of the determination that they committed an offense, subject to a stay of the imposition of a penalty in the event of an appeal.
  
- h) No person who has been acquitted of an offense under this Canon may be tried for the same offense a second time.
  
- i) No person who has been found guilty of and punished for an offense under this Canon may be tried or punished for the same offense again.

## **15. Inhibition**

- a) If it appears to the bishop that great scandal is likely to arise if a priest, deacon or lay person continues to perform the duties of his or her office while a charge is under investigation or trial and that the person's ministry will be seriously impaired while a charge is pending, the bishop may inhibit the person charged from performing any of the duties of his or her office, either in the diocese of that bishop or elsewhere, pending such investigation or until the bishop withdraws the inhibition, or until the end of the trial.
  
- b) During such inhibition the person inhibited shall not be deprived of the stipend, income or emoluments associated with the person's office.
  
- c) Where it is alleged that a bishop has committed an ecclesiastical offense, inhibition may be ordered or withdrawn by the metropolitan in consultation with the executive council of the diocese.
  
- d) Where it is alleged that the Bishop Ordinary has committed an ecclesiastical offense, inhibition may be ordered or withdrawn by the Primate in consultation with the Officers of the General Synod.
  
- e) Where it is alleged that a metropolitan other than the Primate has committed an ecclesiastical offense, inhibition may be ordered or withdrawn by the provincial house of bishops in consultation with the executive council of the metropolitan's diocese.
  
- f) Where it is alleged that the Primate has committed an ecclesiastical offense, inhibition may be ordered or withdrawn by the provincial metropolitans in consultation with the Officers of the General Synod.

## **16. Priest or Deacon from another Diocese**

- a) In the event of an offense being alleged against a bishop, priest or deacon who is not on the register of the diocese, but who is on the register of another diocese, for an offense alleged to have been committed in the diocese, proceedings with respect to such an offense shall not be instituted until notice of the allegation has been given to the bishop of the diocese in which the priest or deacon is registered and that bishop has given consent for proceedings to be instituted by the bishop of the diocese in which the offense is alleged to have been committed.
- b) A bishop who receives a notice under subsection a) shall forthwith respond either by consenting or refusing consent to the institution of proceedings in the diocese from which notice was received.
- c) Where a bishop consents, proceedings shall be taken in the diocese where the allegation has been made.
- d) A bishop who refuses consent shall, within six months of receipt of notice pursuant to subsection a) hereof, institute proceedings with respect to the alleged offense in accordance with the canons of the diocese in which the priest or deacon is registered.

## **17. Transfer of Jurisdiction**

- a) On the application of a person charged with an offense under this Canon to the president of the court having ecclesiastical jurisdiction over that person, that ecclesiastical jurisdiction may be transferred to another court, where it appears to the president of the court to which the application is made, that such transfer is necessary to ensure that the fundamental principles of natural justice are respected and where the court to which the transfer is to be made consents to the transfer.
- b) Where an application under subsection a) is made to the president of a diocesan court, the transfer may be made to another diocesan court of the same ecclesiastical province.
- c) Where an application under subsection a) is made to the president of a provincial court of appeal, the transfer may be made to another provincial court of appeal.
- d) Where an application under subsection a) is made to the president of the Supreme Court of Appeal of The Anglican Church of Canada, the transfer may be made to a provincial court of appeal.

## **VI. Rights of Appeal in Disciplinary Proceedings**

- 1. An appeal to the provincial court of appeal may be taken from any judgment or order of a diocesan court or the president thereof.
- 2. An appeal to the Supreme Court of Appeal of The Anglican Church of Canada may be taken from a judgment or order of a diocesan court or the president thereof, or a provincial court of appeal or the president thereof, in the circumstances and pursuant to the procedures established by Canon XX.
- 3. All appeals shall be commenced according to the procedure of the court to which the appeal is to be made within 30 days of the date of pronouncement of the judgment or order appealed from.

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4. No limit or restriction on the rights of appeal granted by this Canon, imposed by a bishop or diocesan or provincial synod shall be of any effect.



## **CANON XIX**

### **Relinquishment or Abandonment of the Ministry**

#### **1. Relinquishment**

- a) Any priest or deacon wishing to relinquish the exercise of the ordained ministry, may so declare in writing, according to the form prescribed in Schedule A. The form of relinquishment duly signed and witnessed, shall be delivered to the bishop of the diocese in which the said priest or deacon is registered.
- b) The bishop, having consulted personally where possible with the priest or deacon, shall communicate in writing to the person so declaring acceptance of the relinquishment. c) The bishop shall give notice of the relinquishment to the Primate and all diocesan bishops of The Anglican Church of Canada according to the form prescribed in Schedule B.
- d) Relinquishment of the exercise of the ordained ministry removes from the priest or deacon the right to exercise that office, including spiritual authority as a minister of Word and Sacraments conferred in ordination. Any license held for which it is an indispensable qualification for such person to have such ministry shall be null and void.
- e) The bishop or successor in the See may terminate such relinquishment and reinstate the priest or deacon in the exercise of the ordained ministry. Notice thereof shall be communicated to the Primate and all diocesan bishops of The Anglican Church of Canada.
- f) If, following consultation and due enquiry, reinstatement is declined, the priest or deacon may appeal to the metropolitan of the ecclesiastical province. The metropolitan shall attempt to mediate between the parties and, if unsuccessful in resolving the matter, shall refer the request to the provincial court. If the bishop refusing such appeal shall be the metropolitan the appeal shall be made to the other diocesan bishop of the province senior by the rule of the province.

#### **2. Abandonment**

- a) Any priest or deacon, who has not relinquished the exercise of the ordained ministry and has:
  - i) abandoned The Anglican Church of Canada either by public renunciation of its doctrine or discipline, or by formal admission into another religious body, or in any other manner;
  - ii) abandoned the practice of the ordained ministry of word and sacraments for a period of two years, unless prevented from doing so by illness or other reasonable cause (including retirement);
  - iii) engaged in secular employment without the written consent of the bishop of the diocese where registered to the substantial detriment of the ordained ministry;shall be presumed to have abandoned the exercise of ordained ministry. Notice to this effect shall be sent to the priest or deacon according to the form of declaration prescribed in Schedule C, along with a copy of this Canon.
- b) It shall be the right of the priest or deacon to submit to the bishop within 60 days either:
  - i) a statutory declaration that the facts alleged in the notice are untrue, or

- ii) a retraction of the acts and declarations which constitute a renunciation of the doctrine and discipline of The Anglican Church of Canada, or which led to admission into another religious body, or other act of abandonment, or
  - iii) an undertaking to cease secular employment.
- c) The bishop shall then make due enquiry into the matter. If then of the opinion that the circumstances set forth in the notice are true, or that the retraction or undertaking, if any, is unacceptable, the bishop shall affirm in writing that the priest or deacon has abandoned the exercise of the ministry. If the bishop is of the opinion that the circumstances set forth in the notice are not true, or if the retraction or undertaking is acceptable, then the notice of abandonment shall be revoked in writing.
  - d) Should the priest or deacon not oppose the notice in writing within 60 days from the date thereof, the bishop shall then affirm that the priest or deacon has abandoned the exercise of the ordained ministry and shall notify the person in writing of this decision.
  - e) The bishop's affirmation of abandonment of the exercise of ordained ministry removes from the priest or deacon the right to exercise the office, including the spiritual authority as a minister of Word and Sacraments conferred in ordination. Any licence held for which it is an indispensable qualification for him or her to have such a ministry shall be null and void.
  - f) The bishop shall give notice of the abandonment of the exercise of the ordained ministry to all metropolitans and diocesan bishops of The Anglican Church of Canada according to the form prescribed in Schedule D.
  - g) On application of the priest or deacon the bishop or a successor in the See may restore such priest or deacon to the exercise of the ordained ministry. Notice thereof shall be communicated to all metropolitans and diocesan bishops of The Anglican Church of Canada.
  - h) A priest or deacon may appeal an affirmation of abandonment of the exercise of the ordained ministry or a refusal of reinstatement to the metropolitan of the ecclesiastical province. The metropolitan shall attempt to mediate between the parties, and, if unsuccessful in resolving the matter, shall refer the request to the provincial court. If the bishop affirming the abandonment of the ordained ministry shall be the metropolitan the appeal shall be made to the diocesan bishop of the province senior by the rule of the province.

### **3. Bishops**

- a) The provisions of parts 1 and 2 of this Canon shall also apply to bishops of The Anglican Church of Canada. In such cases the metropolitan of the province in which the bishop resides shall perform the functions assigned by these sections to the bishop in the case of members of the clergy. In the case of a provincial metropolitan, the Primate shall perform the functions assigned by these sections to the bishop in the case of clergy. In the case of the Primate, the metropolitan senior by election shall perform the functions assigned by these sections to the bishop in the case of members of the clergy.
- b) The right of appeal defined in sections 1 f) and 2 h) of this Canon shall lie in the case of a bishop with the provincial House of Bishops, and in the case of a metropolitan, to the provincial metropolitans not involved in the case.