CONSTITUTION OF THE DIOCESAN SYNOD OF FREDERICTON

Declaration of Principles

1 We, the Bishop, Clergy and Laity of The Diocese of Fredericton, in the Province of New Brunswick, assembled in Synod, and intending, under God's blessing and guidance, to consider and determine upon all such matters as shall appear necessary for the welfare of the Church in this Diocese, desire, in the first place, for the avoiding of all misunderstanding, to make a declaration of the principles upon which we propose to proceed, which principles shall not be altered or revoked. We desire that the Church in this Diocese shall continue to be, as it has been, in full communion with the Church of England. We hold the canon of Holy Scripture, as received by that Church, to be the Word of God. We acknowledge the Book of Common Prayer, together with the Thirty-nine Articles of Religion, to be a true and faithful declaration of the doctrines contained in Holy Scripture. And we declare our firm and unanimous resolution, in dependence on Divine aid, to preserve those doctrines, and to transmit them, unimpaired, to our posterity.

Definitions

2 In this Constitution and, unless otherwise provided, in the Canons,

"Act" means the *Anglican Church Act, 2003*;

"Archdeaconry" means an Archdeaconry of the Diocese as defined by Canon;

"Bishop" means the person holding the office of Bishop of the Diocese;

"Canon" means a formal enactment of the Synod;

"Commissary" means the person appointed Commissary pursuant to the authority of the Act and Canon Four;

"Deanery" means a Deanery of the Diocese as defined by Canon;

"Diocesan Administrator" means the person appointed under Canon Four to administer the temporal affairs of the Diocese;

"Diocese" means The Diocese of Fredericton as constituted by Letters Patent issued by Queen Victoria on 25 April 1845, under which the boundaries of the Diocese of Fredericton are coterminous with the boundaries of New Brunswick;

"Diocesan Council" means the Diocesan Council as constituted pursuant to the Act and by this Constitution;

"electoral synod" means a synod called for the purpose of filling the office of Diocesan, Coadjutor or Suffragan bishop;

"lay members" means those lay persons chosen to attend the Synod pursuant to the terms of this Constitution;

"member of the clergy" means a bishop, priest or deacon licensed in the Diocese;

"regular synod" means a synod called by the Diocesan Council;

"seal" means the seal adopted by the Synod, bearing a Cross and Circle and the motto "*Pro Ecclesia Dei*" surrounded by the words "The Seal of the Diocesan Synod of Fredericton, 1871";

"Secretary of the Synod" means the person appointed to that office pursuant to this Constitution;

"special synod" means a synod called by the Bishop or requisitioned by delegates to the Synod in accordance with this Constitution;

"Synod" means The Diocesan Synod of Fredericton as constituted and continued by the Act and by this Constitution;
"Treasurer of the Synod" means the person appointed to that office pursuant to this Constitution;
"voting member" means a baptized Christian who

i) is at least sixteen years old,
ii) worships and is a regular communicant in the parish, and
iii) has been a regular contributor, financial and otherwise, to the mission of the parish during the previous year.

Members of the Synod

3 The Synod shall consist of

(a) the Bishop,
(b) the Coadjutor Bishop,
(c) the Suffragan Bishop,
(d) the Assistant Bishop,
(d.1) the Diocesan Administrator,
(e) the Dean,
(f) members of the clergy,
(g) the Chancellor and the Vice-Chancellor,
(h) the Diocesan President of the Anglican Church Women,
(i) the Secretary of the Synod,
(j) the Treasurer of the Synod,
(k) evangelists and missioners licensed in the Diocese, and
(l) the lay members of the Synod or their substitutes chosen pursuant to this Constitution.

Lay Members of the Synod

4(1) Lay delegates to the Synod and their substitutes, if any, shall be voting members of the parish for which they are chosen.

4(1.1) A person who has attended three consecutive regular synods as a lay member or substitute lay member is ineligible to be chosen as a lay delegate or substitute lay delegate to the Synod until after a further regular synod has been held; but if a special or electoral synod is convened after any regular synod at which the lay person might have had the right to vote and before the next regular synod, and if the lay delegate or substitute has not been replaced, that person may attend and vote at that special or electoral synod.

4(1.2) For purposes of calculating the consecutive regular meetings of the Synod referred to in subsection 4(1.1), the synod at which this provision is adopted shall be counted the first such synod. [Note: this term limit became operative in 2020.]

4(2) The voting members of each parish in the Diocese may elect up to two lay delegates to the Synod but, where at least one of the persons elected is between the ages of sixteen and thirty-five years at the time of election, they may elect up to three lay delegates.

4(3) The voting members of each parish in the Diocese may elect up to three substitute lay delegates to the Synod.

4(4) The voting members of the Cathedral of Christ Church in the City of Fredericton may elect up to two lay delegates to the Synod but, where at least one of the persons elected is between the ages of sixteen and thirty-five years at the time of election, they may elect up to three lay delegates, and up to three substitutes in accordance with this section.

4(5) Lay delegates to the Synod and their substitutes, if any, shall be elected at an annual meeting of voting members of a parish and, provided they continue to hold the qualifications for election, shall continue in office until others are elected in their place.

4(6) If a vacancy occurs among the lay delegates to the Synod or their substitutes, if any, by death, resignation, refusal to act or otherwise, the parish corporation of the parish in which the election took place may fill the vacancy.

4(7) The chair of a meeting at which lay delegates to the Synod and their substitutes, if any, are elected shall promptly forward to the Secretary of the Synod a certificate of election in such form as the Diocesan Council prescribes, indicating which, if any, delegates and substitutes were, at the time of election, between the ages of sixteen and thirty-five years.

4(7.1) When a worship community is unrepresented in the Synod, the Diocesan Council may invite it to choose up to three lay delegates and substitute delegates to the Synod, subject to age and length of term considerations similar to those for parishes.

4(8) When a lay delegate to the Synod is not present at a meeting of the Synod, that delegate's place may be taken by a substitute lay delegate from the same parish, worship community or the Cathedral of Christ Church, as the case may be.

4(8.1) Notwithstanding any other provision in this section, the number of delegates from a parish, worship community or the Cathedral of Christ Church chosen by virtue of this section who attend the Synod as lay members or substitute lay members is limited to two unless one of the persons so attending was, at the time of election, between the ages of sixteen and thirty-five years.

4(9) The right to attend meetings of the Synod as a substitute lay delegate belongs to the substitute lay delegates in the order in which their names appear on the certificate of their election.

4(10) A substitute lay member shall sit and vote until the end of the meeting of the Synod, or at any adjournment thereof, at which the place of the lay member of the Synod has been taken.

4(11) A lay member of the Synod whose place has been taken by a substitute lay member may not sit or vote at the same meeting of the Synod unless the substitute lay member does not attend at some adjournment thereof.

Meetings of the Synod

5(1) The Synod shall meet at such time and place as the Diocesan Council shall determine, and shall meet not less often than once in the second year following the last regular meeting of the Synod.

5(1.1) Notwithstanding subsection (1), the Diocesan Council may, with the approval of the Bishop, extend the time for holding a meeting of Synod to the third year following the last regular meeting of the Synod.

5(2) The Bishop, or when the Bishop is absent or incapacitated or when the office of Bishop is vacant, the Coadjutor Bishop, the Suffragan Bishop, the Diocesan Administrator, the Bishop's Commissary, the Dean of the Diocese or the Diocesan Council, in that order, may summon special meetings of the Synod.

5(3) A special meeting of the Synod shall be summoned when a written request specifying the object of the meeting signed by ten clergy members and ten lay delegates to the Synod is delivered to the Secretary of the Synod, provided the object specified is one of the objects of the Synod.

5(4) Any question as to the right of a person to vote as a clerical or lay member or substitute lay member of the Synod shall be determined by the Synod, the decision of which is final.

6(1) Notice of a meeting of the Synod shall state the time and place of the meeting and such other information as the Bishop or the Diocesan Council may direct or as may be required by Canon.

6(2) The Secretary of the Synod shall give each delegate at least two weeks' notice of the meeting of a synod.

Quorum of the Synod

7(1) No business shall be transacted at a meeting of the Synod unless a quorum of the Synod is present when the meeting is called to order and proceeds to business.

7(2) One-half of the members of the clergy qualified to attend a meeting of the Synod and one-half of the lay members of the Synod whose elections have been certified to the Secretary of the Synod constitutes a quorum.

7(2.1) For the sole purpose of determining a quorum of the members of the clergy qualified to attend a meeting of the Synod under subsection (2), only those members of the clergy who are the Incumbent of a parish, or who are otherwise appointed to the charge of a parish, chaplaincy or other position of pastoral responsibility by virtue of an appointment from the Bishop, including priests and deacons who are fully engaged in the work of the ordained ministry, shall be counted for the purpose of determining a quorum.

7(3) If a quorum is not present at the time appointed for the opening of a meeting of the Synod, any lesser number of members may adjourn the meeting from time to time until a quorum is obtained.

7(4) Any number of members of the Synod may transact business at a meeting of the Synod at any time after the meeting has been called to order with a quorum present.

Validity of Resolutions

8(1) Except as otherwise provided in this Constitution or the Canons, no act or resolution of the Synod is valid without the concurrence of the Bishop, or in case of the absence or incapacity of the Bishop or when the office of Bishop is vacant, the presiding officer, together with a majority of members of the clergy and lay members present; but a presiding officer who is not the Bishop may reserve any act or resolution of the Synod for the signification of the Bishop's pleasure.

8(2) Upon any motion the votes of the whole Synod shall be taken collectively unless the Bishop, the presiding officer or any ten members of the Synod request that the votes of the members of the clergy and of the lay members be taken separately, in which case the concurrence of a majority of each of those orders is required.

8(3) When the votes of the members of the clergy and of the lay members of the Synod are taken separately, the Coadjutor Bishop and the Suffragan Bishop, unless presiding, and the Assistant Bishop shall vote with the members of the clergy.

Presiding Officer

9(1) Subject to the provisions of the Canon respecting the election of bishops, the Bishop or the presiding officer provided for in subsection (2) shall preside at meetings of the Synod but may designate a temporary presiding officer for specific business.

9(2) When the Bishop is not present at a meeting of the Synod the Coadjutor Bishop, the Suffragan Bishop, the Diocesan Administrator, the Bishop's Commissary, the Dean, or the senior Archdeacon present, in that order, shall preside; or if all these are absent, the members of the Synod present may elect a chair.

Secretary and Treasurer of the Synod

10(1) The Diocesan Council shall appoint the Secretary of the Synod, who shall

(a) issue all notices required by this Constitution and the Canons,

(b) ensure that minutes of meetings of the Synod, of its committees, and of the Diocesan Council are recorded and retained,

(c) assist in preserving all records, papers and documents relating to the Synod,

(d) certify the public acts of the Synod or of any committee thereof, and of the Diocesan Council,

(e) affix the seal of the Synod to any document when required to do so by any competent authority, and attest to the same, and

(f) deliver into the hands of a successor all property, books, records, documents and papers relating to the Synod that may be in the possession or control of the Secretary.

10(2) The Diocesan Council shall appoint the Treasurer of the Synod, who shall

(a) receive all money belonging to or collected under the authority of the Synod, and disburse the same as the Synod shall direct,

(b) keep careful accounts of all money belonging to or collected and disbursed under the authority of the Synod and present those accounts to the Synod at each regular meeting of the Synod and to the Diocesan Council as it may require,

(c) deliver into the hands of a successor or other person as the Synod may direct all property, books, records, documents and papers relating to its concerns that may be in the possession or control of the Treasurer.

10(3) The Treasurer shall give such security for the faithful discharge of the duties of the office of the Treasurer of the Synod as the Diocesan Council requires.

10(4) The Synod or the Diocesan Council may appoint an Assistant Secretary or an Assistant Treasurer or an Assistant Secretary-Treasurer, who shall hold office during the pleasure of the Synod or of the Diocesan Council.

10(5) An Assistant appointed pursuant to this section shall have the powers and perform the duties of the officer whom the Assistant has been appointed to assist in the absence or illness of the officer.

10(6) The persons holding the offices of the Secretary of the Synod and the Treasurer of the Synod respectively, once appointed, shall continue in those offices until replaced by another or others.

The Diocesan Council

11(1) There shall be a Diocesan Council of the Synod consisting of

(a) the Bishop,

(b) the Coadjutor Bishop, the Suffragan Bishop and the Assistant Bishop,

(b.1) the Diocesan Administrator,

(c) the Bishop's Commissary,

(d) the Dean,

(e) the Chancellor,

(f) the Archdeacons,

(g) one member of the clergy from each Archdeaconry, to be elected by the respective Archdeaconry Greater Chapters prior to a regular meeting of the Synod,

(h) one lay member or substitute lay member of the Synod from each Archdeaconry, to be elected by the respective Archdeaconry Greater Chapters prior to a regular meeting of the Synod,

(i) three lay members or substitute lay members of the Synod, appointed by the Diocesan Council,

(j) one lay member or substitute lay member of the Synod, being between the ages of sixteen and twenty-five years, appointed, following consultation with representative youth groups in the Diocese, by the Diocesan Council,

(k) the Secretary of the Synod,

(l) the Treasurer of the Synod,

(m) the chair of the Finance Committee of the Diocesan Council, and

(n) the President of the Anglican Church Women of the Diocese or of its successor.

11(2) The results of the elections envisaged by paragraphs (g) and (h) of subsection (1) shall be presented to the Secretary of the Synod prior to the meeting of the Synod for which the elections were held, by the Archdeacons of the areas in which they were held, for acceptance or otherwise by the Synod.

11(3) If the Synod does not accept an election by an Archdeaconry Greater Chapter, in whole or in part, the Secretary of the Synod, following the meeting of the Synod, shall require the Archdeaconry Greater Chapter to promptly hold a subsequent and similar election, the results of which shall be forwarded to the Diocesan Council and shall be final.

11(4) If a person elected pursuant to the provisions of paragraphs (g) or (h) of subsection (1) fails to complete the term for which elected, the Diocesan Council shall appoint a replacement for the remainder of that term from the appropriate order and from the Archdeaconry in which the person was elected.

11(4.1) A member of the clergy elected pursuant to paragraph (g) of subsection (1) who, following election, is licensed to a new ministry within the same archdeaconry, continues to be a member of the Diocesan Council.

11(4.2) A lay person elected pursuant to paragraph (h) of subsection (1) continues to be a member of the Diocesan Council for the duration of its term notwithstanding that s/he ceases to be a lay delegate or substitute lay delegate to the Synod from a parish or mission, provided that s/he remains a voting member of a parish or mission.

11(5) If a person appointed by the Diocesan Council pursuant to the provisions of paragraphs (i) or (j) of subsection (1) fails to complete the term for which appointed, the Diocesan Council shall appoint a replacement for the remainder of that term in accordance with the terms of paragraphs (i) or (j) of subsection (1).

11(6) When the Synod is not in session the Diocesan Council shall manage and administer the temporal affairs of the Diocese, subject to the approval of the Bishop and to any limitations provided by Canon.

11(7) The standing committees of the Diocesan Council shall be
(a) the Finance Committee, and
(b) the Constitution and Canons Committee,
both committees to be constituted pursuant to Canon and to have the duties as set out by Canon and such additional duties as the Diocesan Council may determine.

11(8) During the incapacity of the Bishop or when the office of Bishop is vacant the Coadjutor Bishop, the Suffragan Bishop, the Diocesan Administrator, and the Bishop's Commissary, in that order, shall have all of the powers of the Bishop in respect of the temporal affairs of the Diocese or of any parish or of any church in the Diocese.

11(9) Notwithstanding anything in this Constitution, where a regular meeting of the Synod is called for a time that is within 18 months of the holding of the last regular meeting of the Synod, the members of the Diocesan Council shall continue in office for a further term provided that their status is otherwise in conformity with this Constitution and provided that no such continuation occurs twice in succession.

Canons, Regulations, Directives, Guidelines

12(1) The Synod may enact such Canons as are deemed necessary for carrying out its functions.

12(2) The Synod and the Diocesan Council severally may make such regulations, directives and guidelines as are deemed necessary for carrying out their respective functions.

Amendment of this Constitution

13(1) An amendment to this Constitution may be proposed at a meeting of the Synod if notice of the proposed amendment has been given at the previous meeting of the Synod or sent to the Secretary of the Synod at least six weeks before the meeting of the Synod at which it is to be proposed.

13(2) The notice of intention to propose an amendment to this Constitution shall be included in the notice of the meeting of the Synod at which it is to be considered.

13(3) An amendment to this Constitution may be adopted by a vote of two-thirds of the clergy and two-thirds of the lay members of the Synod present and voting at the meeting at which

it is considered and by the Bishop, whose approval shall be signified to the Synod at the meeting, but if the Bishop is absent or there is a vacancy in the office of the Bishop, the amendment shall await the signification of the Bishop's pleasure.

13(4) An amendment to this Constitution enacted pursuant to this section comes into force immediately.

13(5) Notwithstanding the provisions of this section, no amendment shall be made to section 1 of this Constitution headed "Declaration of Principles".