

DIOCESE OF FREDERICTON

CONSTITUTION AND CANONS

AS ADOPTED AS OF

THE 141ST SESSION OF THE DIOCESAN SYNOD

7 November 2026

Constitution

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Canon Two – The Business of Synod (4 November 2017)

Canon Three – Election and Appointment of Bishops (5 November 2022)

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SCHEDULE A - CANON XVIII OF GENERAL SYNOD

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".

CANON ONE -- DEFINITIONS

1. In these Canons,

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

"Archdeacon" means an Archdeacon appointed by the Bishop under Canon Four;

"Archdeaconry" means a Deanery or group of Deaneries under the supervision of an Archdeacon;

"Archdeaconry Greater Chapter" means a group of persons comprising all clergy licensed for ministry within the Archdeaconry, Church Wardens and the lay delegates to the Synod and their substitutes from each parish within the Archdeaconry;

"Assistant Bishop" means a bishop who is appointed under Canon Three;

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

"Bishop's Commissary" means the priest appointed to that position under Canon Four;

"Canon", as it relates to a Diocesan officer, includes a Canon Residentiary, an Archdeacon and a Canon of the Cathedral Advisory Chapter;

"Canon", as it relates to the laws of the Church in New Brunswick, means a formal enactment of the Synod;

"Cathedral" means the Cathedral of Christ Church in the City of Fredericton;

"Cathedral Advisory Chapter" means the advisory body established under the by-laws of the Cathedral Chapter;

"Cathedral Chapter" means The Bishop and Chapter of the Cathedral of Christ Church in the City and Diocese of Fredericton;

"Church" means The Anglican Church of Canada;

"Church Warden" means a principal elected lay officer of a Parish Corporation;

"Coadjutor Bishop" means a Coadjutor Bishop elected or appointed under Canon Three;

"Constitution" means the Constitution of the Synod;

"Dean" means the Dean of the Diocese;

"Deanery" means a group of parishes defined as a Deanery under Canon Four;

"Diocesan Administrator" means the person appointed to that office under Canon Four;

"Diocese" means The Diocese of Fredericton as continued by the Act;

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

“electoral synod” means a synod called for the purpose of filling the office of Diocesan, Coadjutor or Suffragan Bishop;

“fiscal year” means the fiscal year of a corporation continued or established under the Act;

“General Synod” means the General Synod of the Church incorporated by Chapter 82 of the Statutes of Canada, 1921;

"Incumbent" means a person appointed to that position or shared position in a parish or mission and includes a member of the clergy appointed as Rector;

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

“minister” means a bishop, priest, deacon or lay person licensed for ministry within the diocese;

“mission” means a ministry authorized by the Bishop in a geographical area or a community and which is not maintained and managed by a parish corporation;

“parish” means a geographical area or a community of Church members where ministry is maintained and managed by a Parish Corporation;

“Parish Corporation” means a corporation comprising the Incumbent, Church Wardens and Vestry of a parish continued or created under the Act;

“Provincial Synod” means the Synod of the Ecclesiastical Province of Canada;

“records” means

(a) correspondence, memoranda, forms and other papers and books,

(b) maps, plans and charts,

(c) photographs, prints and drawings,

(d) motion picture films, microfilms and videotapes,

(e) sound recordings, magnetic tapes,

(f) records in electronic form,

(g) all other documentary materials regardless of physical format or characteristics, and, without limiting the generality of the foregoing, includes records

(i) prepared or received by the Diocese, the Cathedral and parishes in connection with the transaction of business,

(ii) preserved or appropriate for preservation by the Diocese, the Cathedral or a parish,

(iii) containing information on the organization, functions, procedures, policies or activities of the Diocese, the Cathedral or a parish, or other information of past, present or potential value to the Diocese, and

(h) any document, in any format including, without limiting the generality of the foregoing,

(i) the Constitution and Canons certified under the seal of the Synod by the Bishop and the Secretary of the Synod, which shall be deemed the original record thereof,

(ii) records of the election or appointment of diocesan clergy and lay officers,

(iii) the definition of the communities making up parishes, Deaneries and Archdeaconries,

(iv) copies of all grants, conveyances and wills, or all pertinent extracts therefrom, in any way relating to property granted, conveyed, bequeathed, or devised for the benefit or use of the Church in the Diocese,

(v) parish registers, minute books, records of the parish clergy, parish officers, committees and organizations and financial records,

(vi) letters of orders, licenses, induction mandates, and other similar instruments of the Bishop,

(vii) the minutes, reports, correspondence, and other records of the Synod, its officers and agencies, committees and organizations, and any reports, surveys and studies commissioned by the Synod, and

(viii) other instruments and records of historical value;

“Rector” means the priest appointed to that position in a parish;

“Regional Dean” means a member of the clergy appointed to assist the Bishop in a Deanery;

“regular synod” means a synod called by the Diocesan Council other than an electoral synod;

“special synod” means a synod called by the Bishop or requisitioned by members of the Synod in accordance with the Constitution;

“Suffragan Bishop” means a Suffragan Bishop elected or appointed under Canon Three;

“Synod” means The Diocesan Synod of Fredericton as constituted and continued by the Act and by the Constitution;

“Vestry” means the lay persons who, together with the Incumbent and Church Wardens, comprise the Parish Corporation;

"voting member" means a person who is 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.

CANON TWO -- THE BUSINESS OF THE SYNOD

PART I - RULES OF ORDER AND PROCEDURE

Definitions

1 In this Canon

"Chair" means the Bishop or other person presiding at a meeting of the Synod;

"member" means a member of the Synod.

The Chair

2(1) The Chair is responsible for preserving order and decorum at meetings of the Synod by

(a) recognizing members who wish to speak and determining the order of speakers,

(b) inviting the mover of a motion to present the opening and closing arguments on the question,

(c) facilitating discussion and enabling the members to hear and listen to each other,

(d) ensuring that all voices are heard and that none dominates,

(e) ruling, when necessary, that speeches be limited to a specified time limit,

(f) ruling whether proposed procedural motions or amendments to motions are in order, and

(g) putting the question to a vote when all views have been sufficiently expressed.

2(2) The Chair may request the advice of the Chancellor on questions of order and shall rule on such questions, stating the applicable rule or practice without argument or debate.

2(3) Any member may appeal the Chair's ruling on a question of order and the Synod shall decide the appeal without debate.

2(4) The resolution referred to in subsection 2(3) is valid without approval of the Bishop or other chair.

Sessional Committees

3(1) The Chair shall appoint for each regular meeting of the Synod a Credentials Committee, an Agenda Committee, a Nominating Committee, a Resolutions Committee and such other sessional committees as are deemed necessary.

3(2) The Chair shall appoint for any special meeting of the Synod a Credentials Committee and such other sessional committees as are deemed necessary.

3(3) The Chair shall announce the names of the members of sessional committees when the Synod convenes for business.

3(4) The Credentials Committee shall

(a) register the names of the members in attendance at the meeting,

(b) report to the Chair any question about the standing of persons claiming membership, and

(c) report to the Chair as to whether there is a quorum.

3(5) The Agenda Committee shall propose the agenda for each day of the meeting.

3(6) The Nominating Committee shall

(a) receive nominations from members for the election of representatives to the Provincial and General Synods and to any other position to which the Synod is required to elect, and

(b) supervise the election process.

3(7) Subject to the age qualification in section 12 and to any requirement that a position be filled by a member of the Order of Clergy or a member of the Order of Laity, all members of the Synod and all substitute lay members of the Synod, whether they are present at the Synod or not, are eligible to be nominated for election to the Diocesan Council, as representatives to the Provincial and General Synods, and to any other position to which the Synod is required to elect.

3(8) When two or more persons receive an equal number of votes on a ballot of the Synod for the election of representatives to the Provincial and General Synods or any other position to which the Synod is required to elect, the Diocesan Council shall resolve the tie or ties by ballot at its first meeting after the meeting of the Synod.

3(9) Neither the Nominating Committee nor the Chair shall accept a nomination unless the nominee has expressly consented to nomination.

3(10) The Resolutions Committee shall receive resolutions from members and prepare them for submission in accordance with guidelines approved by Diocesan Council.

Order and Decorum

4(1) Members are responsible for assisting debate by

(a) identifying themselves and addressing all remarks to the Chair,

(b) confining their remarks strictly to the motion being considered,

(c) stating their positions clearly, succinctly and without repetition, and

(d) maintaining an impersonal tone and avoiding personal comments.

4(2) A member wishing to speak shall rise and address the Chair.

4(3) When two or more members rise at the same time, the Chair shall determine the order in which they shall speak.

4(4) A member called to order while speaking shall sit down, unless permitted by the Chair to explain.

4(5) A member, if not interrupting a speaker, may at any time request that the motion being debated be read for clarification of the debate.

4(6) Subject to subsections (7) and (8), no member shall speak more than once on the same question.

4(7) A member who makes a motion may speak a second time to close the debate on the motion.

4(8) An address by the Bishop is in order at any time.

Courtesies of the Synod

5 The Chair may invite a person who is not a member of the Synod to sit with the Synod or to address the Synod but that person shall not participate in debate or vote.

Reports of Committees

6 Reports of the Diocesan Council, the Finance Committee, the Constitution and Canons Committee and any other committee required to report to the Synod shall be in writing and signed by the Chair of the Council or Committee.

Notices of Motion

7(1) Members may give notices of motion
- (a) during a meeting of the Synod, for consideration at the next regular meeting of the Synod and, in the absence of the member who gave such a notice, the motion may be made by any other member, and
- (b) by sending the same to the Secretary of the Synod not less than six weeks before a regular meeting of the Synod.

7(2) The Secretary shall cause notices of motion given pursuant to subsection (1) to be printed in the notice of the meeting in the order in which they were given or received.

7(3) Members may give notices of motion during a meeting of the Synod at times appointed by the Agenda Committee.

7(4) Motions of which notices are given pursuant to subsections (1) and (2) shall be considered in priority to motions of which notices are given pursuant to subsection (3).

Motions

8(1) No motion or amendment is before the Synod unless it is seconded and in writing.

8(2) No original motion, except a procedural motion, shall be received without notice unless permitted by the Synod.

8(3) No motion that would result in a new expenditure may be considered unless it identifies a proposed source of funding or is qualified as being subject to available funding.

8(4) When a motion has been read by the Chair it cannot be withdrawn without the consent of the Synod.

8(5) When a motion is being considered, no other motion shall be received except
- (a) to adjourn,
- (b) to lay it on the table,
- (c) to consider it clause by clause,
- (d) to postpone it until a certain time,
- (e) to postpone it indefinitely,
- (f) to refer it,
- (g) to amend it, or
- (h) that the question be put,

and such motions have precedence in the order named, following a motion to put the question.

8(6) No more than one amendment to a proposed amendment of a motion is in order at one time.

8(7) Motions to adjourn, to adjourn the debate, or to lay a motion on the table shall be decided without debate.

8(8) A motion that the question be put shall be decided without debate and, to be carried, requires the affirmative votes of two-thirds of the members present.

8(8.1) The motion referred to in subsection (8) is valid without approval of the Bishop or other Chair.

8(9) Debate on a motion to refer shall be restricted to the questions whether to refer and to whom.

8(10) When amendments to a motion are proposed, the amendments and the original motion shall be put in the reverse order to that in which they were made.

8(11) When the Chair declares that a question is being put, no further debate shall be allowed and no member shall rise.

Voting

9(1) When the votes of the clergy and of the lay members are required to be taken separately under subsection 8(2) of the Constitution or upon any motion to amend the Constitution or to adopt, amend, suspend or repeal a Canon, the question shall be put first to the order of the mover.

9(2) In voting, those who vote in the affirmative shall so signify first, and then those who vote in the negative.

9(2.1) Notwithstanding subsection (2), at the direction of the Chair or at the request of twenty members, voting on specified business shall be by ballot.

9(3) If there is an equality of votes, either of the Synod voting collectively or in the votes of either the clergy or the lay members taken separately, the Chair shall declare the question to have been decided in the negative.

9(4) A question, once determined, shall not again be drawn into discussion at the same meeting of the Synod without the permission of the Chair.

Suspension of the Rules of Order

10(1) A motion to suspend a Rule of Order and Procedure shall take precedence over all other motions, shall be decided without debate, and to be carried requires the affirmative votes of two-thirds of the members present.

10(2) The motion referred to in subsection (1) is valid without approval of the Bishop or other Chair.

Unprovided Cases

11 When a question of order is not covered by these Rules, the Chair may refer to Kerr and King's *Procedures for Meetings and Organizations* for guidance.

PART II - MEMBERSHIP IN THE PROVINCIAL AND GENERAL SYNODS

Election of Members

12(1) The Synod shall, at the first regular meeting following a meeting of the Provincial Synod, elect such number of delegates to the Provincial Synod as is required by the Constitution and Canons of that Synod, and may elect any number of substitutes.

12(1.1) The Synod shall, at the first regular meeting following a meeting of the General Synod, elect such number of delegates to the General Synod as is required by the Constitution and Canons of that Synod, and may elect any number of substitutes.

12(1.2) A person who has attended two consecutive regular meetings of the Provincial Synod or the General Synod as an elected or appointed member shall be ineligible for election or appointment as a delegate or substitute until after a further regular Provincial Synod or General Synod, as the case may be, has been held; but if a special or electoral synod of either body is convened after any regular synod at which the person might have had the right to vote and before the next regular synod, and if the delegate or substitute has not been replaced, that person may attend and vote at that special or electoral synod, subject to the Constitution and Canons of those Synods.

12(1.3) For purposes of calculating the consecutive regular meetings of the Synods referred to in subsections (1.1) and (1.2), the synod held next following adoption of this provision shall be counted as the first such synod.

12(2) Clergy delegates to the Provincial Synod and the General Synod shall be elected from among the priests and deacons who are members of the Synod.

12(3) Lay delegates to the Provincial Synod and the General Synod shall be elected from among the lay members of the Synod and substitute lay members.

12(4) Youth delegates to the Provincial Synod and the General Synod and substitutes shall be elected from among the members of the Synod who will be younger than 26 years when the Provincial Synod or the General Synod meets.

12(5) If there are no members of the Diocesan Synod who will be younger than 26 years when the Provincial Synod or the General Synod meets, or if both the youth delegate and the substitute are ineligible or unable to attend a session of the Provincial Synod or the General Synod, the Diocesan Council shall appoint a youth delegate, who need not be a member of the Diocesan Synod.

12(5.1) If it appears that there may be an insufficient number of clerical or lay delegates and substitutes eligible and able to attend sessions of the Provincial Synod or the General Synod, the Diocesan Council may appoint additional clerical or lay substitute delegates.

12(6) Subject to subsections (5) and (5.1), delegates to the Provincial and General Synods and substitutes shall be elected by ballot of all members of the Synod.

12(7) The nominees receiving the greatest numbers of votes shall be the delegates, and those receiving the next greater numbers of votes shall be the substitutes.

12(8) Tie votes shall be resolved as provided in subsection 3(8).

Vacancies

13 If a delegate to the Provincial Synod or the General Synod resigns as such or ceases to be a member of the Synod or a substitute member, or if a youth delegate attains the age of 26 years before the meeting of the Provincial Synod or the General Synod, the place of that person shall be taken by the substitute next in order of election.

Term of Office

14(1) Delegates to the Provincial and General Synods take office when they are elected unless the Synod by resolution fixes a later date for the taking of office.

14(2) Subject to Section 13, delegates shall remain in office until their successors are elected and take office.

PART III - ENACTING AND AMENDING CANONS

15(1) The Synod may adopt a new Canon or amend, repeal or suspend an existing Canon when a notice of intention to propose the same, containing the proposal in full, has been
- (a) given at the previous meeting of the Synod, or
- (b) sent to the Secretary of the Synod not less than six weeks before the meeting of the Synod at which it is to be considered.

15(2) A notice of intention to propose the adoption, amendment, repeal or suspension of a Canon shall contain the proposal in full.

15(3) The Secretary of the Synod shall include every notice of intention to propose the adoption, amendment, repeal or suspension of a Canon in the notice of the meeting of the Synod at which it is to be considered.

15(4) A motion to adopt, amend, repeal or suspend an existing Canon, to be carried, requires
- (a) the affirmative votes of two-thirds of the clergy members and two-thirds of the lay members of the Synod present and voting at the meeting at which it is considered, and
- (b) the Bishop's approval.

15(5) If a motion to adopt, amend, repeal or suspend a Canon does not receive the majorities required by subsection (4) but receives a simple majority of the votes of each order, it may be voted on again at the next regular meeting of the Synod, when it may be adopted by
- (a) the affirmative votes of a majority of the clergy members and a majority of the lay members of the Synod present and voting at the meeting at which it is considered, and
- (b) the Bishop's approval.

15(6) The Bishop's approval of the adoption, amendment, repeal or suspension of a Canon shall be signified at the meeting of the Synod at which it is adopted by the required majorities; but if the Bishop is absent or there is a vacancy in the office of bishop, the adoption, amendment, repeal or suspension of a canon shall await the pleasure of the Bishop.

CANON THREE -- ELECTION AND APPOINTMENT OF BISHOPS

1(1) When a vacancy occurs in the See of Fredericton, the Diocesan Council shall summon an electoral meeting of the Diocesan Synod for the election of a Bishop to be held not less than forty-five nor more than ninety days after the vacancy has occurred, at which meeting no business other than such election shall be transacted.

1(2) Notwithstanding sub-section 1(1), in exceptional circumstances the Diocesan Council may summon an electoral meeting of the Diocesan Synod for a date more than ninety days after the vacancy has occurred.

2(1) When
(a) at the request of the Bishop, the Synod by resolution, or
(b) the Synod by resolution carried by a two-thirds vote of both the clergy and lay members present, voting by orders,
declares it advisable that a Coadjutor Bishop or Suffragan Bishop should be elected, the Synod shall elect such Coadjutor Bishop or Suffragan Bishop at a subsequent regular meeting or at a special meeting called for the purpose.

2(2) The resolution referred to in clause (1)(b) is valid without the assent of the Bishop or other Chair.

3(1) The Metropolitan shall preside at the election of a Bishop, if available.

3(2) In the absence of the Metropolitan or at his or her request, the Chancellor, or in his or her absence, the Vice-Chancellor, shall preside.

3(3) If neither the Metropolitan, nor the Chancellor, nor the Vice-Chancellor is present, the Synod shall elect a chair from among the lay members of the Synod.

3(4) The Bishop may preside at the election of a Coadjutor Bishop or Suffragan Bishop.

3(5) At the request of, or in the absence of, the Bishop, the Chancellor or Vice-Chancellor shall preside.

3(6) If neither the Bishop, nor the Chancellor, nor the Vice-Chancellor is present, the Synod shall elect a chair from among the lay members of Synod.

4(1) When the date for convening a meeting of the Diocesan Synod for the election of a Bishop, Coadjutor Bishop or Suffragan Bishop has been selected pursuant to Section 1 or 2, the Secretary of Synod shall send a notice to all delegates of Synod convening the Electoral Synod.

4(2) Such notice shall designate the place, time and the date for the Electoral Synod, which shall not be earlier than thirty days from the date of the notice.

4(3) The notice shall further invite written nominations of eligible persons for the election and shall specify that any nomination must be signed by one clergy and one lay delegate or substitute lay delegate to Synod.

4(4) Nominations shall be sent to the Secretary of Synod and shall close thirty days before the time fixed for the Electoral Synod.

4(5) At least twenty-one days before the date of the Electoral Synod the Secretary of Synod shall send to all Synod delegates a list of the names received in nomination at that time,

with brief biographical information concerning each nominee, in a form approved by the Diocesan Council.

4(6) When the Diocesan Council has fixed the date for an electoral synod, it shall appoint a Nomination Review Committee charged with ensuring that nominations for episcopal office and nominee biographical and other statements conform to diocesan legislation in substance and format, and with power to reject non-conforming nominations or statements.

5(1) When the Electoral Synod convenes, the person presiding shall read, in alphabetical order, the names received in nomination.

5(2) Voting on the list of nominees shall take place in accordance with Section 6 and the agenda and procedure adopted by the Electoral Synod.

5(3) When a nominee does not receive:

(a) on any ballot, at least one vote in each order, or

(b) on any of the first four ballots, an aggregate in both orders of ten votes, or

(c) on the fifth or any subsequent ballot, an aggregate in both orders of twenty-five votes

the name of that nominee shall be deleted from the list of nominees and a further ballot shall be taken on the reduced list of nominees.

5(4) At any time after the fourth ballot, the Electoral Synod may, by motion carried by a majority of both orders voting together, direct the Chair to call for further nominations. Such nominations shall be made from the floor. Each nomination must be made jointly by one clerical member and one lay member of the Electoral Synod. A nominee whose name has been deleted pursuant to subsection (3) may be re-nominated.

5(5) When further nominations are made, the Electoral Synod shall recess until brief biographical information concerning each new nominee, in a form approved by the Diocesan Council, has been provided to the members of the Electoral Synod.

5(6) A nominee may, at any time, withdraw his or her name from the list of nominees.

6(1) The person who is chosen by the votes, taken by ballot, of two-thirds of the clergy present and voting, and two-thirds of the lay members present and voting at any such meeting or adjournment thereof, shall be declared Bishop-elect, Coadjutor Bishop-elect, or Suffragan Bishop-elect, as the case may be.

6(1.1) The Bishop-elect takes office on having satisfied the canonical requirements of the Ecclesiastical Province of Canada, consecration and seating in the Cathedral. *

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* Note that Canon Three of the Ecclesiastical Province of Canada provides as follows:

Confirmation of Elections

4.(1) If the Metropolitan is not the President of an electoral synod at which a bishop is elected, the President and Secretaries of the synod shall, within seven days after the election, certify the election to the Metropolitan.

(2) When a bishop is elected the Metropolitan shall forthwith notify the other bishops of the province.

(3) Each bishop shall, within seven days after being notified of the election, inform the Metropolitan that he or she concurs with, or objects to, the election.

(4) **A bishop may object to an election on the ground that the person elected either has not attained 30 years of age, is not a priest or bishop of the Anglican Church of Canada or of a church in full communion therewith, is deficient in learning, training or experience, has either directly or indirectly secured or attempted to secure the office by improper means, is guilty of crime or immorality,**

6(1.2) A Coadjutor Bishop-elect or Suffragan Bishop-elect takes office on having satisfied the canonical requirements of the Ecclesiastical Province of Canada and on consecration.

6(2) The Synod may, at any such meeting, by the same majority as is required to elect, request the House of Bishops of the Province of Canada to appoint a Bishop, a Coadjutor Bishop, or a Suffragan Bishop.

7 Any priest in Holy Orders of the Anglican Church of Canada or of some church in full communion therewith who is at least thirty years of age may be elected to episcopal office.

8 No election shall be vitiated by the absence of any of the persons summoned to the meeting at which the election takes place or by the failure of any parish to elect lay representatives.

9 The Chair of the meeting and the Secretary of Synod shall forthwith notify the Metropolitan of the Province of Canada of every election made under this Canon.

10 Any question as to the validity of an election shall be submitted to the Metropolitan prior to the consecration of the person elected, or, if he or she is already consecrated, prior to his or her undertaking episcopal duties in the Diocese, and the decision of the Metropolitan shall be final.

11 Every Bishop, Coadjutor Bishop, or Suffragan Bishop shall before his or her consecration, or, if already consecrated, before exercising any episcopal duties in the Diocese, make and subscribe before the Metropolitan or some other person appointed by him or her the following declaration:

I, N., chosen Bishop of the See of Fredericton (or Bishop Coadjutor, or Bishop Suffragan of the Diocese of Fredericton), promise that I will teach and maintain the doctrine and discipline of the Anglican Church of Canada: and I declare that I consent to be bound by all rules and regulations which have been made or which may be made by the Synod of the Diocese of Fredericton; and I agree immediately to resign the said office together with all the rights and emoluments appertaining thereto if sentence requiring such resignation is at any time passed upon me after due examination and trial had by the Tribunal acknowledged by the Synod of the Diocese for the trial of a Bishop, saving all rights of appeal allowed by Canon.

12 Every such declaration, or a certified copy thereof, shall be filed forthwith with the Secretary of the Synod.

13 The Coadjutor Bishop or Suffragan Bishop shall perform such diocesan duties and exercise such episcopal functions as the Bishop may assign him or her and, where the Diocesan

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or teaches or holds, or within the previous five years has taught or held, anything contrary to the doctrine or discipline of the Anglican Church of Canada.
(5) The House of Bishops of the Ecclesiastical Province of Canada shall consider and determine any objection to an election and the decision of the House of Bishops is final.

Council has declared the Bishop to be incapacitated, such duties as the Bishop himself or herself might have exercised but for such incapacity.

14 Should any difference arise between the Bishop and his or her Coadjutor or Suffragan relative to their respective rights and duties, it shall be referred to and decided by the House of Bishops of the Province of Canada.

15 The Coadjutor Bishop when duly consecrated shall have the right to succession to the See of Fredericton, shall succeed to the same immediately it becomes vacant, and shall be installed as Bishop of the See, provided that previous to his or her installation he or she makes the declaration required of a Bishop by section 11.

16(1) The Bishop may, with the approval of the Diocesan Council by a two-thirds majority of members voting, appoint a bishop of the Church or of a church in full communion with the Church to be an Assistant Bishop.

16(2) The Diocesan Council shall not adopt the resolution provided for in subsection (1) unless notice of intention to propose the resolution has been given in the notice of the meeting at which it is to be considered.

16(3) An Assistant Bishop holds office at the pleasure of the Bishop and ceases to hold office when the Bishop who appointed the Assistant Bishop ceases to be diocesan bishop.

16(4) An Assistant Bishop shall perform such diocesan duties and exercise such episcopal functions as the Bishop assigns.

16(5) Sections 11, 12 and 14 of this Canon apply to an Assistant Bishop *mutatis mutandis*.

CANON FOUR -- DIOCESAN GOVERNANCE

The Diocesan Bishop

1(1) The Bishop of the Diocese shall be elected or appointed as provided in Canon Three.

1(2) The Bishop of the Diocese has the powers, jurisdiction and authority that are inherent in the office of a bishop of the Church or that are conferred by the Act, the Constitution or by any Canon of the Synod, the Provincial Synod or the General Synod.

1(3) The Bishop is the Chair of the Synod and the Diocesan Council and, when present, may preside at a meeting of any Diocesan committee or other Diocesan body.

1(3.1) Subject to the direction of the Synod or Diocesan Council, the Bishop has responsibility for the temporal affairs of the Diocese and has the powers and duties incidental thereto.

1(4) When the office of Bishop is vacant or during the incapacity of the Bishop, 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 shall be exercised by the Coadjutor Bishop, the Suffragan Bishop, the Diocesan Administrator or the Bishop's Commissary, in that order.

1(5) The Diocesan Council may by resolution adopted by a two-thirds majority of those present and voting declare the incapacity of the Bishop from physical or mental infirmity, and where so declared the Bishop may resume the duties and functions of the office when

(a) the Bishop has given to the Bishop’s Commissary written notice of intention to do so, and

(b) the Diocesan Council by resolution adopted by a two-thirds majority of those present and voting has rescinded its resolution declaring the incapacity.

1(5.1) The Diocesan Council shall not adopt a resolution provided for in subsection (5) unless notice of intention to propose the resolution has been given in the notice of the meeting at which it is to be considered.

1(5.2) Notwithstanding any other provision in these canons, and subject to subsection (5.4), where the Diocesan Council has declared the Bishop incapacitated under subsection (5), the Diocesan Council may by resolution adopted by a two-thirds majority of those present and voting declare the office of the Bishop to be vacant.

1(5.3) The Diocesan Council shall not adopt the resolution provided for in subsection (5.2) unless notice of intention to propose the resolution has been given in the notice of the meeting at which it is to be considered.

1(5.4) Immediately following adoption of the declaration referred to in subsection (5.2), the Chair, Vice-Chair or Secretary shall transmit it to the members of the provincial house of bishops. The declaration shall take effect thirty days after such transmittal unless in the meantime a majority of members of the provincial house of bishops (excluding the Bishop) have notified the Secretary in writing of their disapproval of the declaration.

1(5.5) Diocesan Council resolutions referred to in this section are valid without the assent of the Bishop.

1(6) The Bishop may publish guidelines and directives relating to matters that are within the exclusive jurisdiction of the Bishop.

1(7) In furtherance of the Safe Church regime, the Bishop shall require persons holding the Bishop’s licence for ministry to obtain and file with the Bishop and with any relevant parish corporation, mission or the Cathedral of Christ Church a police records check

satisfactory to the Bishop that is directed at work with children, youth or vulnerable adults, and the Bishop may suspend or revoke the licence in the event of non-compliance.

1(8) Anyone holding the Bishop's licence for ministry who is charged with an offence under the Criminal Code of Canada shall notify the Bishop immediately.

The Coadjutor Bishop

2 The Synod, as provided in Canon Three, may elect a Coadjutor Bishop to assist the Bishop.

The Suffragan Bishop

3 The Synod, as provided in Canon Three, may elect a Suffragan Bishop to assist the Bishop.

The Assistant Bishop

3.1 The Diocesan Council, as provided in Canon Three, may join with the Bishop in appointing an Assistant Bishop to assist the Bishop.

The Bishop's Commissary

4(1) The Bishop may appoint a priest of not less than ten years' standing to be the Bishop's Commissary, to serve during pleasure.

4(2) The Bishop's Commissary shall assist the Bishop in administering the affairs of the Diocese, as required by the Bishop or as prescribed by regulation.

4(3) Subject to subsection 4.1(1), when the office of the Bishop is vacant or when the Diocesan Council has declared the Bishop to be incapacitated or absent, and when there is no Coadjutor Bishop and no Suffragan Bishop, the Bishop's Commissary shall administer the Diocese with all of the powers of the Bishop in respect of the temporal affairs of the Diocese or of any parish or of any church.

4(4) For purposes of subsection (3), when the Bishop has not appointed a commissary or the Bishop's Commissary resigns or becomes incapacitated, the Dean shall be Bishop's Commissary, or, if there is no Dean, the Diocesan Council may appoint a priest of not less than ten years' standing to be Bishop's Commissary.

The Diocesan Administrator

4.1(1) Notwithstanding subsections 4(1) and 4(3), when the office of the Bishop is vacant or the Diocesan Council has declared the Bishop to be incapacitated or when, in the opinion of the Diocesan Council, the Bishop has been absent from the Diocese or absent from duties for more than 45 consecutive days, and when there is no Coadjutor Bishop or Suffragan Bishop, the Diocesan Council may by resolution adopted by a two-thirds majority of those present and voting appoint the Metropolitan of the Province of Canada, another bishop or a priest of not less than ten years' standing to be the Diocesan Administrator, with all of the powers of the Bishop in respect of the temporal affairs of the Diocese or of any parish or of any church.

4.1(2) The Diocesan Council shall not adopt the resolution provided for in subsection (1) unless notice of intention to propose the resolution has been given in the notice of the meeting at which it is to be considered.

4.1(3) In appointing a Diocesan Administrator under subsection (1), the Diocesan Council may supersede an appointment of Bishop's Commissary made under subsections 4(1) or 4(3).

4.1(4) Diocesan Council resolutions referred to in this section are valid without the assent of the Bishop.

The Dean of the Diocese

5(1) The Bishop shall appoint the Dean, following consultation with the Cathedral Advisory Committee.

5(2) The Dean has precedence after the Bishop and any Coadjutor, Suffragan or Assistant Bishop, shall be assigned a seat assigned in Choir of the Cathedral marking such precedence, and has the right to use the seat at all times.

5(3) The Dean has the powers and duties set out in the by-laws of the Cathedral Chapter and, without limiting the generality of the foregoing,

(a) has the cure of souls of the Cathedral congregation,

(b) is the chief executive officer of the Cathedral,

(c) may attend ex officio all Diocesan committees and bodies, and

(d) subject to the Constitution and to any other provisions of the Canons, when the office of bishop is vacant and during the incapacity of the Bishop, is the Acting Chair of the Synod and the Diocesan Council.

The Archdeacons

6(1) The Bishop shall appoint Archdeacons to assist the Bishop's ministry of episcopal oversight by exercising territorial or Diocesan supervisory functions.

6(2) The Archdeacons have precedence after the Dean, and shall be installed in seats in the Cathedral, to which they have a right whenever present in Choir of the Cathedral.

6(2.1) Among themselves, Archdeacons have precedence by length of continuous appointment.

6(3) The Bishop may authorize an Archdeacon to assist in the supervision of an Archdeaconry.

6(4) The names and jurisdiction of each Archdeaconry shall be fixed by regulation.

6(5) The Diocesan Council may adopt regulations prescribing the duties and supervisory functions of Archdeacons.

6(6) The Bishop, with the approval of the Diocesan Council, may create additional Archdeaconries or decrease their number.

The Archdeaconry Greater Chapters

7(1) There shall be a Greater Chapter in each Archdeaconry.

7(2) The membership of each Archdeaconry Greater Chapter shall be all clergy licensed for ministry in the Archdeaconry, together with the Church Wardens, and the lay delegates to the Synod and their substitutes from each parish within the Archdeaconry.

7(2.1) The Diocesan Treasurer, the Secretary of Synod, the Chancellor and the Vice-Chancellor, if laity, shall be additional members of the Greater Chapter that includes the parish in which they are voting members.

7(3) The Diocesan Council may adopt regulations prescribing the objectives and the functions of the Archdeaconry Greater Chapters.

The Regional Deans

8(1) The Bishop may define the composition of a Deanery.

8(2) The Bishop, on nomination by the licensed clergy within a Deanery, shall appoint a Regional Dean.

8(3) The Diocesan Council may adopt regulations prescribing the duties and supervisory functions of Regional Deans.

The Canons

9(1) The Bishop may appoint Canons, who shall be installed by the Dean in seats in the canon stalls of the Cathedral.

9(2) A Canon Residentiary of the Cathedral, who is a Canon employed as a member of the Cathedral staff, shall perform such duties as the Dean assigns.

9(3) As members of the Cathedral Advisory Chapter, Canons shall perform such duties as are prescribed in the Cathedral By-laws, and any particular work the Bishop assigns to them.

The Secretary of the Synod

10 The Diocesan Council shall appoint the Secretary of the Synod**,** who shall remain in office until replaced.

The Treasurer of the Synod

11 The Diocesan Council shall appoint the Treasurer of the Synod**,** who shall remain in office until replaced.

Assistant Secretary and Assistant Treasurer

12 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.

The Chancellor and Vice-Chancellor

13(1) The Bishop shall appoint a Chancellor and a Vice-Chancellor, each of whom shall be a communicant member of the Church and either a lawyer of at least ten years' standing or a judge of a court of record, to hold office at the pleasure of the Bishop.

13(2) The Chancellor shall advise and assist the Bishop and the Synod.

13(3) The Vice-Chancellor shall assist the Chancellor, and shall act in case of the absence or incapacity of the Chancellor or when the office of Chancellor is vacant.

The Diocesan Registrar

14(1) There shall be a Registrar of the Diocese, who shall be appointed by the Diocesan Council for a renewable term of five years, who shall carry out the functions set out in Canon Five, together with such other functions as may be conferred by the Synod or the Diocesan Council.

14(2) The Registrar shall have a seal of office.

The Diocesan Archivist

15(1) There shall be an Archivist of the Diocese, who shall be appointed by the Diocesan Council for a renewable term of five years, who shall carry out the functions set out in Canon Five, together with such other functions as may be conferred by the Synod or the Diocesan Council.

15(2) Subject to section 14, the Diocesan Archivist shall be the custodian of records of official acts of or affecting the Diocese.

15(3) The Diocesan Archivist shall manage all archival records, and arrange and describe them according to commonly accepted archival principles, in accordance with Canon Five.

The Diocesan Council

16(1) The Diocesan Council shall

(a) as provided in the Constitution, manage and administer the temporal affairs of the Diocese, subject to the Bishop's approval and any limitations prescribed in the Canons,

(b) have special concern for the mission, ministry and program of the Church in the Diocese,

(c) support the work of the Church in Canada and the world,

(c.1) levy financial apportionments and assessments on the Cathedral, parish corporations, and missions in support of the Synod's work,

(d) advise the Bishop,

(e) report its actions to each regular meeting of the Synod, and

(f) adopt regulations, directives and guidelines as required by the Constitution or the Canons or as it deems necessary to fulfil its responsibilities.

16(2) A majority of the members of the Diocesan Council is a quorum.

16(3) The Diocesan Council shall elect one of its lay members to be its Vice-Chair.

16(4) The Vice-Chair shall preside in the absence, or at the request, of the Bishop or of the Bishop's Commissary.

16(5) The Diocesan Council shall meet at least three times in each year.

16(6) The Bishop shall appoint the time and place of all meetings of the Diocesan Council but where five members of the Diocesan Council give notice in writing to the Vice-Chair, or where there is no Vice-Chair to the Secretary, to call a meeting of the Council, the Vice-Chair or Secretary shall call a meeting so as to meet within one month of receipt of such notice.

16(6.1) [repealed 2026]

16(7) The Vice-Chancellor may attend meetings of the Diocesan Council, and, if the Chancellor of the Diocese is absent, has the right to vote.

16(8) The Diocesan Council may appoint such committees as it deems necessary and define their responsibilities, including their reporting to the Diocesan Council.

16(9) No member of the Diocesan Council or of its committees shall be present during discussion of any matter or motion concerning which that member or his/her immediate family or that member's parish has a direct financial or material interest.

The Executive Committee

17(1) The Diocesan Council shall appoint an Executive Committee consisting of the Bishop and not less than twelve members of the Diocesan Council, with equal numbers of clergy and lay members.

17(2) The Executive Committee

(a) shall advise the Bishop and the Diocesan Council,

(b) shall exercise such functions and authority as the Diocesan Council delegates to it, and

(c) may, when in its opinion an emergency exists, exercise any authority of the Diocesan Council.

17(3) A majority of the members of the Executive Committee is a quorum.

17(4) The Executive Committee shall report its actions to each meeting of the Diocesan Council and, through the Diocesan Council, to the Synod.

The Finance Committee

18(1) There shall be a Finance Committee of the Diocesan Council that shall carry out the functions set out in Canon Five, together with such other functions as may be conferred upon it by the Diocesan Council or by the Synod.

18(2) The Finance Committee shall consist of

(a) the Bishop,

(b) the Coadjutor Bishop,

(c) the Suffragan Bishop,

(c.1) the Diocesan Administrator,

(d) the Bishop's Commissary,

(e) the Dean,

(f) one territorial Archdeacon, as elected by the Archdeacons,

(g) the Secretary of the Synod,

(h) the Treasurer of the Synod,

(i) the Chancellor, or in his or her absence, the Vice-Chancellor, and

(j) six other members, of whom no fewer than four shall be lay persons, who shall be appointed by the Diocesan Council following each regular meeting of the Synod.

18(3) The lay members of the Finance Committee shall be persons who are voting members of a parish, mission, or the Cathedral.

18(4) Notwithstanding s.20, the appointed members of the Finance Committee shall hold office until their successors are appointed.

18(5) A majority of the Finance Committee, including at least three lay members, is a quorum.

18(6) The Finance Committee shall elect a Chair, Vice-Chair and secretary from among its members.

18(7) The Finance Committee has the duties prescribed in Canon Five.

18(8) The acts and proceedings of the Finance Committee may be reviewed at any meeting of the Synod or of the Diocesan Council but neither the Synod nor the Diocesan Council may, as against a third party, invalidate anything done pursuant to a resolution validly passed by the Finance Committee and approved by the Bishop.

18(9) The Finance Committee shall report its acts and proceedings at each regular meeting of the Diocesan Council and, if required by the Bishop, the Bishop's Commissary or the Diocesan Council, at any special meeting of the Diocesan Council.

18(10) The Finance Committee shall make a general report of its acts and proceedings at each regular meeting of the Synod.

The Constitution and Canons Committee

19(1) There shall be a Constitution and Canons Committee of the Diocesan Council that shall carry out the functions set out herein, together with such other functions as may be conferred upon it by the Diocesan Council or by the Synod.

19(2) The Diocesan Council shall appoint not fewer than ten persons, including both clergy and laity, to be members of the Constitution and Canons Committee.

19(3) Lay members of the Constitution and Canons Committee shall be qualified to be elected as members of the Synod.

19(4) The Chancellor is an ex officio member and the Chair of the Constitution and Canons Committee.

19(5) The Vice-Chancellor is an ex officio member and Vice-Chair of the Constitution and Canons Committee.

19(6) The Constitution and Canons Committee shall

(a) advise the Synod, the Bishop and the Diocesan Council with respect to legal matters related to the Church and the Diocese, and

(b) make recommendations to the Synod and to the Diocesan Council with respect to the adoption of Canons or the amendment of the Act, the Constitution and the Canons.

Limitation on Length of Service

20(1) Subject to subsection (2), no person who has been an elected or an appointed member of the Diocesan Council, the Finance Committee, the Constitution and Canons Committee or any other committee appointed by the Diocesan Council for six consecutive years is eligible for re-election or re-appointment thereto until a further year has passed.

20(2) No person who has been the chair of the Finance Committee or of any other committee, other than the Constitution and Canons Committee, for six consecutive years, is eligible for re-election or re-appointment as Chair thereof until a further year has passed.

Educational Functions

21(1) The Diocesan Council shall exercise and support the educational functions of the Diocese and, without limiting the generality of this function, shall establish and affirm the relationship between the Diocese and the following educational institutions:

(a) University of King's College, Halifax,

(b) Atlantic School of Theology, Halifax, and

(c) Rothesay Netherwood School, Rothesay.

21(2) Where the Diocese is conferred with the authority to appoint members to the board of governors or other governing body or committee of an educational institution, the Diocesan Council is designated to perform that function.

21(3) The Diocesan Council may enter into an agreement with an educational institution to provide Christian clergy or lay assistance to the Diocese.

Safe Church

22(1) The Diocesan Council shall maintain a regime of prevention, training, and mitigation to promote a safe working, learning, and worshipping environment for:
- (a) participants in church activities, particularly children, youth, and vulnerable adults;
- (b) those interacting with church corporations and their officers, employees, and volunteers; and
- (c) those present on church property.

22(2) Subject to Canon XVIII (Discipline) of the General Synod and to the general law, safe church regulations and policies may bind the Bishop and those holding the Bishop's licence or permission for ministry or function, the Synod and its elected and appointed officers, employees, and volunteers, the Cathedral Chapter and its elected and appointed officers, employees, and volunteers, and parish corporations and missions and their elected and appointed officers, employees, and volunteers.

CANON FIVE -- DIOCESAN BUSINESS

Authority and Responsibilities of the Finance Committee

1(1) The Synod delegates its authority under the Act to the Finance Committee of the Diocesan Council

(a) to take, receive, purchase or otherwise acquire real and personal estate and use, manage, lease, sell, mortgage or otherwise dispose of the same,

(b) to receive, hold and administer real and personal estate upon trust and to sell, lease, assign, transfer and convey any real and personal estate so held if it deems it advisable for the more beneficial carrying out of the trust upon which it is held,

(c) to borrow money and give promissory notes or other evidences of debt and to assign, mortgage or pledge any of its property or assets to secure the repayment of borrowed money,

(d) to approve a lease, sale, mortgage or other disposition of real estate by the Cathedral Chapter or a Parish Corporation,

(e) to invest property, including trust property, in any kind of property, real, personal or mixed, and

(f) to consolidate property vested in or held by the Synod in trust or otherwise in a general investment fund, to be known as the Diocesan Consolidated Investment Fund, and, after deducting expenses of management, investment and administration as determined by the Synod, to distribute the income and profits therefrom to those entitled, in proportion to the respective capital of any trusts.

1(2) The Finance Committee may advise and direct the Treasurer of the Synod in the performance of his/her duties.

1(3) When the Finance Committee invests property, including trust property, in any kind of property, real, personal or mixed it shall, subject to any express provision of a will or other instrument creating a trust and to such policies and standards as the Synod adopts, exercise the judgement and care that a person of prudence, discretion and intelligence would exercise as a trustee of the property of others.

1(4) Notwithstanding subsection (3), the Finance Committee shall not invest less than forty per cent of the Synod's general investment fund or of any segregated fund in fixed income securities.

Beneficiary Funds

2(1) The Clergy Widows and Orphans Special Fund, the Fund to Assist in the Education of Children of the Clergy and The Divinity Scholarship Fund shall consist of the amounts in those funds when this Canon comes into force, together with all subsequent donations, contributions, and additions to them.

2(2) The Funds referred to in subsection (1) shall be invested in the same manner as other funds administered by the Synod and may be included in the Synod's Diocesan Consolidated Investment Fund.

2(3) The Diocesan Council shall adopt regulations respecting the payment of grants from the Funds.

Diocesan Signing Authority

3(1) The Bishop and the Secretary of the Synod shall sign all documents that are required to be executed under the seal of the Diocesan Synod but at the Bishop's direction the Bishop's Commissary may sign in place of the Bishop and the Assistant Secretary of the Synod may sign in place of the Secretary.

3(2) Cheques and other money instruments issued by the Synod shall be signed by any two of the Bishop, the Treasurer of the Synod, the Assistant Treasurer of the Synod, the Secretary of the Synod, the Assistant Secretary of the Synod, the Bishop's Commissary and a diocesan officer or member of the Synod staff designated by the Diocesan Council.

RECORD MANAGEMENT FUNCTIONS

The Diocesan Archivist

4(1) The Diocesan Archivist is the custodian of the records of the Diocese.

4(2) The Bishops, the Dean, the Archdeacons and the Incumbents of parishes and missions shall ensure that records are transferred regularly and routinely to the Diocesan Archivist.

4(3) The Diocesan Archivist shall ensure that all archival records are preserved, arranged and described according to commonly accepted archival principles.

4(4) The Diocesan Archivist shall endeavour to acquire the papers and other records of individuals related to Diocesan activities.

4(5) The Diocesan Archivist shall ensure that there is reasonable access to the Diocesan archives.

4(6) The Diocesan Council, after consultation with the Diocesan Archivist, may appoint members to the Diocesan Archives Committee to advise and assist the Diocesan Archivist.

4(7) The Synod may make an agreement with the Provincial Archives of New Brunswick to carry out any of the functions under this Canon.

4(8) The Synod shall provide a secure place for the archival records.

The Diocesan Registrar

5(1) The Diocesan Registrar shall maintain the Register of Ecclesiastical Episcopal Acts of the Bishop.

5(2) The Diocesan Registrar shall seal and certify mandates for the induction of a priest, ordination certificates and other instruments related to the Register of Ecclesiastical Episcopal Acts of the Bishop.

5(3) The Diocesan Registrar or the Diocesan Archivist may issue certified copies of any document of the Synod.

Registers

6(1) The Incumbent of each parish and mission shall keep registers of all baptisms, confirmations, marriages, funerals and burials and services held (vestry book).

6(2) A register of baptisms shall contain the name of the parish corporation, the church, the date of the baptism, the baptized person's Christian names and surname, the baptized person's address, date and place of birth, sex, the birth names and occupations of the baptized

person's parents, the church or other location where the baptism was performed, and the names of the sponsors and of the officiant.

6(3) A register of confirmations shall contain the name of the parish corporation, the church, the date of the confirmation, the candidate's Christian names and surname, sex, date and place of birth, date and place of baptism and the officiant at baptism, where confirmed and by what Bishop, and date and place of first communion (whether before or following confirmation).

6(4) A register of marriages shall contain the name of the parish corporation, the church, the date, the full Christian names and surnames, addresses, occupations, marital status, dates of birth and baptism, religious affiliation of both parties, the place and date of the marriage, names and birth places of parents, the signature of the officiant, the signatures of both parties and of witnesses, and the number and date of the license.

6(5) A register of funerals and burials shall contain the name of the parish corporation, the church, the date, the full name of the deceased person, the person's last address, sex, name of next of kin or contact person and relationship to the deceased person, date and place of birth and death, whether or not there was cremation, date and place of funeral, date and place of committal, and the name and signature of the officiant.

6(6) A register of services (vestry book) shall contain the name of the parish corporation, the church, the date, the day of the Christian year, the hour, type of service, name of the officiant and of the preacher, number in the congregation, number of communicants, the amount of collection (open, envelopes, special and e-offering), and the initials of the persons completing the count.

Parish Reports

7 The Incumbent of each parish and mission shall forward annually to the Secretary of the Synod in a form and on a date prescribed by regulation:

(a) an annual report,

(b) a copy of the financial statements, accounts and other information received at the annual meeting of voting members of the parish or mission pursuant to clause 2(1)(d) of Canon Six,

(c) an annual statistical return, and

(d) a report of the election or appointment of wardens, lay delegates to the Synod, the Vestry Clerk and the Parish Treasurer.

CANON SIX -- PARISH GOVERNANCE

Composition of the Parish Corporation

1(1) As provided in the *Anglican Church Act, 2003*, a Parish Corporation comprises the Incumbent together with two Church Wardens and members of the Vestry chosen as provided in section 2.

1(2) The Incumbent is the person appointed to that position or shared position in a parish or mission and includes a member of the clergy appointed as Rector.

1(3) A person appointed to have charge of a parish but who is not an Incumbent is not a member of the Parish Corporation but is entitled to attend the annual meeting of parishioners and meetings of the Parish Corporation with voice but no vote and, if the meeting so decides, may preside.

1(4) Notwithstanding any other provision in this Canon, the Bishop may require an Incumbent, a non-incumbent appointed to have charge of a parish or the Church Wardens, as the case may be, to call a meeting of the Parish Corporation or of the voting members of the parish.

1(5) Notwithstanding any other provision in this Canon, when the Bishop is present at a meeting of the Parish Corporation or of the voting members of the parish, the Bishop may preside as chair but has no vote.

Parish Meetings

2(1) There shall be, not later than the third Sunday in March in each year, an annual meeting of voting members in each parish which shall

- (a) determine, before nominations are made, the number, being not fewer than six nor more than twelve, of members of the Vestry to be elected, but with the permission of the Diocesan Council the number of Vestry to be elected may be fewer than six,
- (b) elect, by a plurality of votes, two Church Wardens and members of the Vestry in the number determined pursuant to paragraph (a),
- (c) elect, by a plurality of votes, lay delegates to the Synod and their substitutes,
- (d) receive a full and detailed statement and account of the receipts and expenditures of the Parish Corporation for the past financial year, duly prepared by a chartered professional accountant, or prepared by the Parish Treasurer and reviewed by two competent persons, and any other information required by the Treasurer of the Synod or by regulation in such form as may be prescribed by regulation,
- (e) receive and approve or amend the budget proposed by the Parish Corporation for the current year, and
- (f) discuss other matters and make recommendations to the Incumbent and to the Parish Corporation.

2(2) Provided they continue to be qualified as voting members of the parish, Church Wardens and members of the Vestry hold office until their successors are elected.

2(3) When a vacancy occurs in the membership of a Parish Corporation by the death, resignation, removal from the parish or otherwise of a Church Warden or member of the Vestry, the remaining members of the Parish Corporation may elect a person to fill the

vacancy and that person shall hold office for the balance of the term of the person whose place was vacated.

2(3.1) The persons chosen as Church Wardens under subsections (1) and (3) shall not be members of the same household as any other parish financial signing authority.

2(4) No person may be nominated or elected as a Church Warden who has served as a Church Warden for five consecutive years immediately preceding the time of such election.

2(5) If both Church Wardens have served for five years, the annual meeting may elect one of them as a Church Warden for the ensuing year only.

2(6) Notwithstanding sub-sections (4) and (5), the Diocesan Council may grant for a stated time a Parish Corporation's application for continuation of a Church Warden's tenure in office. Such application is subject to prior or subsequent ratification by the parish's annual meeting or by a special meeting of parish voting members. A parish receiving such permission is free nonetheless to replace either of its wardens at an annual meeting.

2(6.1) The Incumbent may call a special meeting of the voting members in the parish at any time and shall call a special meeting upon the written request of the Church Wardens or of any three members of the Parish Corporation.

2(7) If the Incumbent fails to call an annual meeting or to call a special meeting when requested, the Church Wardens shall do so.

2(8) The Rector or incumbent shall fix the time and place for all parish meetings following consultation with the Church Wardens, unless the Parish Corporation prescribes otherwise.

2(9) The Incumbent or the Church Wardens

(a) shall post a notice of the annual or any special meeting of the voting members in the parish in a conspicuous place in each church in the parish,

(b) shall cause the notice to be read at each worship service in the parish for at least three weeks,

(c) in parishes that publish bulletins, shall cause the notice to be published in the bulletins for at least three weeks, and

(d) may post the notice on a parish web site and circulate the notice electronically to voting members in the parish.

2(10) Baptized Christians who

(a) are at least sixteen years old,

(b) worship and have been regular communicants in the parish, and

(c) are regular contributors, financial and otherwise, to the mission of the parish during the previous year

are entitled to vote at meetings of the voting members in a parish and those who are members of the laity are eligible to be elected as Church Wardens, members of the Vestry or delegates to the Synod.

2(11) No person is entitled to vote or is eligible for election to office in more than one parish.

2(12) The Incumbent shall preside at meetings of voting members in the parish or, in the absence of or at the request of the Incumbent, a Church Warden shall preside.

2(13) Where a Parish Corporation has ceased to function, any three voting members in the parish may, after consultation with the Bishop, summon a meeting, to be held at a time

and place appointed by them, for the election of Church Wardens and members of the Vestry, and immediately upon such election being made, the Incumbent, if any, the Church Wardens and members of the Vestry shall be the Parish Corporation.

Chapel Wardens

3 Where there is more than one church in a parish, the voting members who regularly worship at any church may, at the annual meeting of the voting members in the parish, choose from among their number one or two Chapel Wardens who, subject to the direction of the Incumbent and the Parish Corporation, shall have charge of the church.

The Parish Corporation

4(1) Subject to the authority of the Bishop and the Synod, a Parish Corporation shall

(a) organize and manage activities and programs in furtherance of Christian life in the parish,

(b) manage the investment of endowment and other funds of the parish and, in so doing, may engage professional assistance and pay reasonable fees therefor,

(c) purchase or dispose of real property only with the approval of the Bishop and the Finance Committee of the Diocesan Council,

(d) manage the properties, revenues and expenditures of the parish, utilizing appropriate financial controls and procedures,

(e) employ the lay employees of the parish,

(f) initiate recommendations for the appointment of assistant clergy of the parish,

(g) maintain a book of minutes of its proceedings,

(g.1) preserve all policies and certificates of liability insurance for not less than sixty years,

(h) appoint a Vestry Clerk and a Parish Treasurer, which offices may be held by one person,

(i) appoint annually, in accordance with Canon Seven, a Parish Advisory Committee, to assist the Bishop in the appointment of an Incumbent,

(j) approve or reject a decision by the Parish Advisory Committee to vest the appointment of an Incumbent solely in the Bishop,

(k) prepare and submit to the annual meeting of voting members in the parish an annual report that includes a listing of all special trusts (monies and other property received with conditions) of which the Parish Corporation is trustee and states the terms of those trusts,

(k.1) submit to the annual meeting of voting members in the parish a full and detailed statement and account of the receipts and expenditures for the past financial year, duly prepared by a chartered professional accountant, or prepared by the Parish Treasurer and reviewed by two competent persons, and

(l) prepare and submit for approval at the annual meeting of voting members in the parish a proposed detailed budget for the current year.

4(1.1) Notwithstanding any other provision in this Canon, when an incumbency is open or an Incumbent is on leave, the territorial archdeacon may call and chair meetings of the

Parish Corporation, its committees and annual or other meetings of voting members and may inspect any Parish Corporation record.

4(1.2) An archdeacon acting under subsection (1.1) does not thereby become a member of the Parish Corporation.

4(2) Regular meetings of the Parish Corporation shall be held at least six times a year at such times and places as the Corporation directs.

4(2.1) No member of the Parish Corporation, Vestry Clerk or Parish Treasurer shall be present during the Corporation's discussion of any matter or motion concerning which that person, or an immediate family member, or a member of the same household has a direct financial or material interest.

4(3) The Incumbent or the Church Wardens shall give notice of all regular and special meetings of the Parish Corporation to each member of the Corporation.

4(4) No capital expenditure involving change of design or structural changes in a parish-owned building shall be made until the plans respecting the change have been submitted to, and approved by, the Bishop.

4(5) A parish corporation shall, upon request of the Bishop or the Diocesan Council, provide full and complete information about any parochial endowments or trusts held by it or by any other person for the benefit of the parish.

The Incumbent

5 The Incumbent

(a) [repealed]

(b) has the right of possession of keys to the church or churches in the parish, together with the right to open the church for the celebration of worship services, rites or ceremonies authorized by the Church, and is bound to keep the church closed against intrusion of unauthorized ministers or ceremonies,

(c) has the right to possession and control of the vault, steel safe or strong box for the custody of vessels and registers and other valuables,

(d) is responsible for the spiritual concerns of the parish in subordination to ecclesiastical authority of the Diocese and to the Constitution and Canons of the General Synod of The Anglican Church of Canada, the Synod of the Ecclesiastical Province of Canada, and the Diocesan Synod of Fredericton,

(e) subject to the direction of the Book of Common Prayer and the Book of Alternative Services and other authorized liturgies, has exclusive control over the conduct of worship services and occasional offices,

(f) has the direction of the music ministry,

(g) has the control and direction of all church schools connected with the Church in the parish,

(h) is head and chair of the Parish Corporation,

(i) has, when chairing meetings of the Parish Corporation, the same right to vote as other members of the Parish Corporation and in addition, in case of a tie, has a casting vote,

(j) is the chair of meetings of the voting members in the parish,

(k) may, in consultation with the Church Wardens, call all meetings of the Parish Corporation, and
(l) shall meet with the Church Wardens at least once each quarter to review the state of the parish.

The Church Wardens

6(1) The Church Wardens shall
(a) make the congregation and visitors welcome to the parish,
(b) ensure that parish property and buildings are properly protected and cared for and adequately insured,
(c) collect or appoint others to collect the offerings of the people and reverently bring them to the officiating minister,
(d) count or cause to be counted all offerings received during worship services and record the same in the Register of Services before the offerings are removed from the church,
(e) keep an inventory of the parish property, and hand the same to their successors in office, who shall forthwith compare the property with the inventory and report any discrepancies to the Parish Corporation,
(f) forthwith report to the Bishop any matter of grave importance, such as heresy, immorality, disorderly conduct, gross neglect of duty, or improper conduct of worship services,
(g) during a vacancy in the parish, provide for the conduct of worship services and other ministry,
(h) in parishes receiving a grant from the Diocese, sign an agreement respecting the grant with the Synod, and undertake its performance,
(i) keep order during worship services,
(j) ensure that churches in the parish are furnished with all things necessary for the proper conduct of worship services at the expense of the Parish Corporation,
(k) certify any notices that require certification and, when a notice is required in the parish that a parishioner is a candidate for Holy Orders at an ensuing ordination, sign the certificate that the notice has been read and as to objections raised,
(l) jointly with the Incumbent remit or cause to be remitted monthly to the Treasurer of the Synod all amounts for diocesan apportionments and assessments, and
(m) meet with the Incumbent at least once each quarter to review the state of the parish.

The Incumbent and Church Wardens

7 The Incumbent and Church Wardens shall
(a) act on behalf of the Parish Corporation in the event of an emergency,
(b) ensure that decisions made by the Parish Corporation are implemented,
(c) play a leadership role in all aspects of the life of the parish,
(d) facilitate the effective operation of the parish and its committees,
(e) prepare an agenda for each meeting of the Parish Corporation and of the annual meeting of voting members in the parish, and

(f) exercise such powers and perform such functions as are delegated to them by the Parish Corporation.

The Vestry Clerk

8(1) The Parish Corporation shall annually appoint a Vestry Clerk who may, but need not be, a member of the Parish Corporation.

8(2) The Vestry Clerk shall

(a) attend all meetings of the Parish Corporation and record minutes of the proceedings,

(b) attest the public acts of the Parish Corporation and affix the seal of the Corporation to formal documents executed by the Parish Corporation,

(c) preserve all books, papers and records belonging to the Parish Corporation other than the registers required under Canon Five and ensure their orderly transfer to the Diocesan Archivist, and

(d) perform such other duties as the Parish Corporation prescribes.

The Parish Treasurer

9(1) The Parish Corporation shall annually appoint as Parish Treasurer a qualified person, who may but need not be a member of the Parish Corporation.

9(1.1) The person appointed as Parish Treasurer shall not be a Church Warden or a member of the same household as any other parish financial signing authority.

9(2) The Parish Treasurer shall

(a) receive all money belonging to or collected by authority of the Parish Corporation and disburse the same as the Parish Corporation directs,

(b) keep accurate accounts of money belonging to or disbursed by the Parish Corporation and present such accounts to the Parish Corporation at each regular meeting,

(c) deliver to a successor, or to such other person as the Parish Corporation directs, all property, books and papers relating to the affairs of the Parish Corporation,

(d) assist in the preparation and presentation of the budget, and

(e) give such security for the faithful performance of duties as is required by the Parish Corporation or by regulation.

Signing Authority

10(1) The Incumbent and the Vestry Clerk, or, if the office of Incumbent is vacant or the Incumbent is on leave, the Church Wardens and the Vestry Clerk, shall sign all documents that are required to be executed under the seal of the Parish Corporation.

10(2) Cheques and other money instruments issued by the Parish Corporation shall be signed by any two of the Parish Treasurer, the Incumbent and a Church Warden. Where this requirement is impractical, such instruments may be signed by any two of four voting members of the Parish chosen for that purpose at the Annual Meeting.

10(3) The Parish Treasurer, with the approval of the Parish Corporation, may establish electronic banking protocols with the Parish's banking institution to facilitate the automated payment of recurring bills.

Establishing, Dissolving and Adjusting Parishes

11(1) When it is proposed to establish a new parish, amalgamate two or more parishes, divide a parish, dissolve a parish or adjust the definition of the community of one or more parishes, the Bishop shall give written notice of the proposal to the Parish Corporation of each parish which would be affected by the proposal.

11(2) The Incumbent or Church Wardens of a Parish Corporation shall, forthwith upon receipt of such a proposal,

(a) post a copy thereof in a conspicuous place in each church in the parish,

(b) cause the notice to be read at each worship service in the parish for at least four weeks,

(c) in parishes that publish bulletins, cause the notice to be published in the bulletins for at least four weeks, and

(d) may post the notice on a parish web site and circulate the notice electronically to voting members in the parish.

11(3) The Parish Corporation of a parish which would be affected by a proposal or any ten voting members who worship in the parish and who are eligible to vote at meetings of the parish community may, within three months after the date of the notice given by the Bishop, notify the Bishop in writing that they object to the proposal, setting out the grounds of their objection.

11(4) When an objection is made the Bishop shall, upon expiry of three months from the date of the notice of the proposal, fix a time and place for the Diocesan Council to consider the proposal and any objections to it.

11(5) The Secretary of the Synod shall send to each Parish Corporation which would be affected by the proposal, and to each voting member who has signed an objection, notice of the time and place at which the Diocesan Council will consider the proposal and objections.

11(6) The Incumbent or Church Wardens of a Parish Corporation forthwith upon receipt of such notice,

(a) shall post the notice in a conspicuous place in each church in the parish,

(b) shall cause the notice to be read at each worship service in the parish for at least three weeks,

(c) in parishes that publish bulletins, shall cause the notice to be published in the bulletins for at least three weeks, and

(d) may post the notice on a parish web site and circulate the notice electronically to voting members in the parish.

11(7) The Diocesan Council shall, at the appointed time and place, hear such representations as any interested party wishes to make and shall, at the same meeting or at a subsequent meeting, decide whether the proposal should be effected.

11(8) The Bishop may

(a) if no objection is made to a proposal within three months after notice of the proposal is given, or

(b) if the Diocesan Council decides that the proposal should be effected,

issue an appropriate Memorial and cause it to be registered as provided in section 9 of the Act.

11(9) The authority of the Synod under the Act to apportion and allot the funds, liabilities, securities and investments held by any affected parish is delegated to the Diocesan Council.

11(10) The Diocesan Council may adopt regulations prescribing the forms of notices and Memorials to be used under this section.

11(11) The Secretary of the Synod shall establish and maintain a register of

(a) all Memorials issued by the Bishop under this Canon or under section 7 of the Act,

(b) the names of all parish corporations, and

(c) the definitions of the boundaries or communities of all parishes.

CANON SEVEN -- THE CLERGY

General Synod Canons

1(1) The licensing of clergy is governed by Canon XVII of the General Synod of The Anglican Church of Canada entitled *THE LICENSING OF CLERGY*, which Canon is set out in Schedule A to this Canon.

1(2) Relinquishment and abandonment of ordained ministry are governed by Canon XIX of the General Synod of The Anglican Church of Canada entitled *RELINQUISHMENT OR ABANDONMENT OF THE MINISTRY*, which Canon is set out in Schedule B to this Canon.

The Bishop's Authority to Appoint

2(1) The Bishop

(a) may appoint a minister to a parish or mission with such title or designation as the Bishop sees fit,

(b) [repealed]

(c) may transfer a member of the clergy from one parish to a position in another parish, and

(d) may appoint a minister to a chaplaincy or other position of pastoral responsibility.

2(2) When a vacancy arises in the stipendiary ministry the Bishop shall give all members of the clergy in the Diocese notice of intent to fill the vacancy sufficient to allow them to inform the Bishop if they are interested in being considered for appointment to the vacant position.

2(3) There shall be in each parish a Parish Advisory Committee comprising

(a) the two Church Wardens,

(b) one member of the Vestry appointed annually by the Parish Corporation, and

(c) two voting members appointed annually by the Parish Corporation, at least one of whom shall, if practicable, be between the ages of 16 and 35.

2(4) The Parish Advisory Committee shall meet within two weeks following its appointment to elect a chair and a secretary from among its members and the secretary shall forthwith inform the Bishop of the names and addresses of the chair and the secretary.

2(5) The Parish Advisory Committee shall commence its work only at the Bishop's direction.

2(6) The Bishop shall consult with the Parish Advisory Committee before appointing the Incumbent of a parish.

2(7) If, within six months after the effective date of the vacancy in the office of Incumbent, the Bishop considers that no substantial progress has been made in the consultation process, the Bishop may declare an inordinate delay and inform the Parish Corporation of intent to appoint an Incumbent without further consultation.

2(8) The Parish Advisory Committee may by unanimous vote, at any time, with the approval of a majority of all of the members of the Parish Corporation, vest the appointment of an Incumbent solely in the Bishop.

2(9) The Bishop may consult with the Parish Advisory Committee about the appointment of a minister to a position in the parish other than the office of Incumbent.

2(10) The Bishop may, after informing the Incumbent or other minister, consult with the Parish Advisory Committee about the transfer of the Incumbent or other minister to another parish.

2(11) The Bishop shall consult with an Incumbent or other minister before transferring him or her to another parish.

Resignations and Leaves of Absence

3(1) All members of the clergy are entitled in each year to four weeks' vacation, which may be taken in two or more periods, not exceeding 30 days in the aggregate, and may take an additional one week vacation between the Feast of the Epiphany and Palm Sunday.

3(2) Incumbents and other parish clergy shall consult with the Church Wardens when scheduling their vacations.

3(3) An Incumbent may resign from a parish by giving the Bishop not less than three months' notice.

3(4) Other ministers may resign their positions by giving the Bishop not less than one month's notice.

3(5) Notwithstanding subsections 3(3) and 3(4) the Bishop may accept the resignation of an Incumbent or other minister at any time.

3(6) The Bishop may refuse to accept a resignation from a minister who has not fulfilled an obligation to serve in the Diocese for a specific period of time.

3(7) No minister who has given notice of resignation shall leave his or her position before the period of notice expires.

3(8) Except when on vacation, no minister holding an appointment in a parish shall be absent from parish duties without the Bishop's permission.

3(9) The Bishop may grant leave of absence to a minister for any good cause.

3(10) When a member of the clergy is about to leave the Diocese to take or seek employment in another diocese, the Bishop shall forward Letters Bene Decessit to the bishop of the other diocese.

3(11) When the Bishop refuses to grant a leave of absence or to forward *Letters Bene Decessit,* the Bishop shall give the member of the clergy written reasons for the refusal.

Removal of an Incumbent

4(1) In this section "Court" means The Ecclesiastical Court for the Diocese of Fredericton constituted under Canon Eight.

4(2) A majority of the lay members of a Parish Corporation may submit to the Bishop

(a) a written application for the Bishop to mediate specified differences or disagreements between the Incumbent and voting members in the parish or any other specified circumstances which the applicants allege warrant removal of the Incumbent from the parish in the interests of the Church, and

(b) a deposit of $500 to cover the costs of an inquiry pursuant to this section.

4(3) If the Bishop is not able to bring about a reconciliation between the Incumbent and voting members in the parish or resolve any circumstances which the applicants allege warrant removal of the Incumbent and is of the opinion that there should be an inquiry, the Bishop shall refer the matter to the Court.

4(4) If the Bishop, after attempting mediation, is of the opinion that the differences, disagreements or circumstances alleged by the applicants do not warrant an inquiry, the Bishop shall inform the applicants and shall not remove the Incumbent from the parish.

4(5) If the matter is referred to the Court, the Court shall conduct an inquiry into the matters alleged in the written application.

4(6) The president of the Court shall, not less than 15 business days before the inquiry is to be held, send notice thereof by ordinary mail to the Incumbent, to each lay member of the Parish Corporation who signed the application, to the Church Wardens of the parish, and to the Bishop.

4(7) In conducting an inquiry the Court shall hear evidence in the following order:

(a) evidence offered by the lay members of the Parish Corporation who signed the application,

(b) evidence offered by the Incumbent,

(c) evidence offered by the Bishop, and

(d) evidence from any other person whose evidence the Court considers may be of assistance to it.

4(8) Following the inquiry the Court shall give a written decision as to whether or not it is in the best interests of the parish or of the Diocese that the Incumbent should be removed and shall include in its decision a statement of the facts on which its decision is based.

4(9) The president of the Court shall forward the decision to the Bishop, who shall send a copy thereof to the Incumbent, to each lay member of the Parish Corporation who signed the application, and to the Church Wardens of the parish.

4(10) If the Court determines that the Incumbent should be removed the Bishop shall, subject to any appeal of the Court's determination and after reasonable notice to the Incumbent, remove the Incumbent from the parish.

Declarations and Oaths Required of Clergy

5(1) Priests and deacons at their ordinations and Rectors and Incumbents at their inductions or installations shall take and subscribe the following declarations:

I, *N*, solemnly declare that

(a) *I profess the faith set forth in the Scriptures and in the Catholic Creeds and affirm my allegiance to the doctrine of the Anglican Church of Canada as set forth in the Book of Common Prayer and in the Ordinal*,

(b) *In public prayer and in the administration of the Sacraments I will use the form of the Book of Common Prayer and none other except so far as shall be ordered by lawful authority*, and

(c) *I will pay true and canonical obedience to the Canons which have been or are from time to time passed by the General Synod, the Provincial Synod and the Diocesan Synod of Fredericton*.

5(2) Priests and deacons at their ordinations and Rectors and Incumbents at their inductions or installations shall take and subscribe the following oaths:

(a) The oath of canonical obedience to the Bishop.

(b) The oath of allegiance to the Sovereign.

Reports

6 The Incumbent of each parish shall

(a) forward annually to the Secretary of the Synod the reports and other information prescribed in section 6 of Canon Five,

(b) deliver to the Bishop at each regular meeting of the Synod a report of the work done in the parish since the previous regular meeting of the Synod, and

(c) make such other reports and returns as are required by the Bishop or by regulation.

Stipends and Benefits

7 The Diocesan Council shall adopt regulations prescribing

(a) minimum stipends and employment benefits for members of the clergy,

(b) standards for the provision of housing accommodation for members of the clergy, and

(c) policies respecting moving expenses incurred by members of the clergy.

Code of Pastoral Conduct

8 The Diocesan Council may adopt regulations respecting a code of pastoral conduct of ministers.

CANON EIGHT – DISCIPLINE

Interpretation

1 In this Canon,

(a) "Canon XVIII" means Canon XVIII of the General Synod which Canon is set out in Schedule A to this Canon,

(b) "Court" means The Ecclesiastical Court for the Diocese of Fredericton;

(c) "ecclesiastical offence" means an offence defined in Part III of Canon XVIII,

(d) "member of the clergy" means a priest or deacon licensed in the Diocese,

(e) "member of the laity" means a communicant lay member of the Church residing in the Diocese,

(f) "penalty" means a penalty prescribed in Part IV of Canon XVIII.

Duty to seek Resolution of Differences

2 It is the duty of the Bishop and of every other party in a discipline matter to canvass every possibility to settle differences, in consultation and counselling, before resorting to legal procedures.

The Bishop's Initial Disciplinary Jurisdiction in respect of Lay Persons

3 The Bishop may exercise the initial jurisdiction described in section 2 of Canon XVIII in respect of the discipline of such lay persons as are described in section 4 of Canon XVIII.

Constitution of the Court

4(1) There shall be a court called The Ecclesiastical Court for the Diocese of Fredericton.

4(2) The Court shall be composed of five members.

4(3) On the trial of a priest or deacon, or on review of the Bishop's exercise of initial jurisdiction with respect to a priest or deacon, three members shall be members of the clergy, and two shall be members of the laity.

4(4) On the trial of a lay person, or on a review of the Bishop's exercise of initial jurisdiction with respect to a lay person, two members shall be members of the clergy, and three shall be members of the laity.

4(5) On an inquiry under Canon Six, three members shall be members of the clergy and two shall be members of the laity.

4(6) On a case stated under section 5 one member shall be the Bishop or another bishop holding episcopal office in the Church, two shall be members of the clergy, and two shall be members of the laity.

4(7) The Diocesan Council shall, at its first meeting following each regular meeting of the Synod, determine

(a) the names of ten members of the clergy, and

(b) ten members of the laity,

who shall be eligible for appointment to the Court.

4(8) The persons whose names are determined under subsection (7) shall continue to be eligible for appointment to the Court until the Diocesan Council determines the names of persons to replace them.

4(9) When a case is to be heard by the Court the Diocesan Council shall appoint the members of the Court from among the bishops holding episcopal office in the Church and the members of the clergy and laity determined under subsection (7).

4(10) If, for any reason, a vacancy occurs among the members of the Court before the hearing commences the vacancy shall be filled in the same way.

4(11) If a vacancy occurs after a hearing has commenced the remaining members of the Court may continue the hearing and give judgment or may direct that a new Court be appointed and the hearing be recommenced.

4(12) No one who is or has been involved, or who has an interest, in the case to come before the Court shall be a member of the Court.

4(13) The Diocesan Council shall designate one member of the Court to be the President of the Court.

Jurisdiction

5 The Court has

(a) the jurisdiction conferred on it by sections 3 and 4 of Canon XVIII,

(b) jurisdiction to conduct an inquiry under Canon [Seven], and

(c) jurisdiction upon a case stated by

(i) the Synod, or

(ii) the Diocesan Council,

to determine the validity or interpretation of any provision of the Constitution or of any Canon of the Synod.

Charges

6(1) Any person may file with the Bishop a charge in writing alleging that a person with respect to whom the Bishop and the Court have ecclesiastical jurisdiction has committed an ecclesiastical offence.

6(2) The Bishop, when a charge is filed, shall provide a copy to the person who is alleged to have committed the offence and that person may inform the Bishop whether he or she denies or admits committing the offence.

6(3) If the person admits committing the offence, the Bishop may

(a) refer determination of the penalty to the Court, or

(b) determine the penalty to be imposed if the Bishop is not involved and does not have an interest in the matter.

6(4) If the person against whom a charge is filed does not admit committing the offence and does not waive the appointment of a Committee of Inquiry the Bishop, or if the Bishop is or has been involved in the matter the Diocesan Council, shall appoint three members of the Council as a Committee of Inquiry to determine whether there is sufficient evidence to warrant a trial of the charge.

6(5) The Chancellor or Vice-Chancellor shall advise the Committee of Inquiry on matters of law and procedure.

6(6) If the Committee of Inquiry determines that there is insufficient evidence to warrant a trial, the Bishop shall dismiss the charge.

6(7) If the person against whom a charge is laid waives the appointment of a Committee of Inquiry or if the Committee of Inquiry determines that there is sufficient evidence to warrant a trial, the Bishop, if he or she is not and has not been involved in the matter,
(a) with respect to a bishop, priest or deacon who is subject to the Bishop's jurisdiction, may exercise the initial jurisdiction conferred by section 2 of Canon XVIII, or
(b) with respect to a lay person described in section 4 of Canon XVIII, may exercise the initial jurisdiction conferred by section 3 of this Canon, or
(c) in the case of a coadjutor, suffragan, assistant or retired bishop, may refer to The Court of Appeal for the Ecclesiastical Province of Canada the determination of whether an ecclesiastical offence has been committed or the determination of a penalty for the commission of the offence, or
(d) in the case of a priest, deacon or lay person, may refer to the Court the determination of whether an ecclesiastical offence has been committed or the determination of a penalty for the commission of the offence.

6(8) If the person against whom a charge is laid waives the appointment of a Committee of Inquiry or if the Committee of Inquiry determines that there is sufficient evidence to warrant a trial the Bishop, if he or she is or has been involved in the matter, shall
(a) in the case of a coadjutor, suffragan, assistant or retired bishop, refer to The Court of Appeal for the Ecclesiastical Province of Canada the determination of whether an ecclesiastical offence has been committed and the determination of a penalty for the commission of the offence, or
(b) in the case of a priest, deacon or lay person, refer to the Court the determination of whether an ecclesiastical offence has been committed and the determination of a penalty for the commission of the offence.

6(9) When exercising initial jurisdiction, the Bishop shall
(a) be advised by the Chancellor or the Vice-Chancellor, and
(b) follow the same rules and procedures as would be followed by the Court including the principles and general procedures prescribed by section 14 of Canon XVIII.

Sittings

7 The Court may sit at such place in the Diocese at such time as the President of the Court directs.

Judgment

8(1) The Court shall hear and dispose of a matter within one year from the date on which the Diocesan Council appoints the members of the Court.

8(2) Before delivering judgment on a question of doctrine the Court shall refer the question to the bishops mentioned in paragraph 1(1)(a) of the Constitution of the Provincial Synod and shall consider the opinions of the bishops who reply within two months after the question is referred to them.

8(3) Subject to any right of appeal conferred by the Canons of the Provincial Synod or the General Synod, the judgment of the Court is final and conclusive in respect of all matters in question in the proceeding.

Rules of Procedure

9(1) The Diocesan Council may make rules with respect to the appointment and duties of officers of the Court, the practice and procedure of the Court including the procedure for the hearing of interlocutory matters, and all other matters necessary to give effect to the provisions of this Canon.

9(2) Until such rules have been made the Rules of The Supreme Court of Appeal for The Anglican Church of Canada shall be followed to the extent that they are applicable.

Costs and Expenses

10(1) The Synod shall pay any expenses incurred by the Court, the Bishop, or a Committee of Inquiry or by anyone acting under their authority with respect to any proceedings under this Canon.

10(2) The Court, or the Bishop in the exercise of initial jurisdiction, may determine to whom and by whom and in what amount costs incident to any proceeding shall be paid and may, without restricting the generality of the foregoing, order costs to be paid by the Synod or by the person who files a charge that gives rise to a proceeding hereunder.