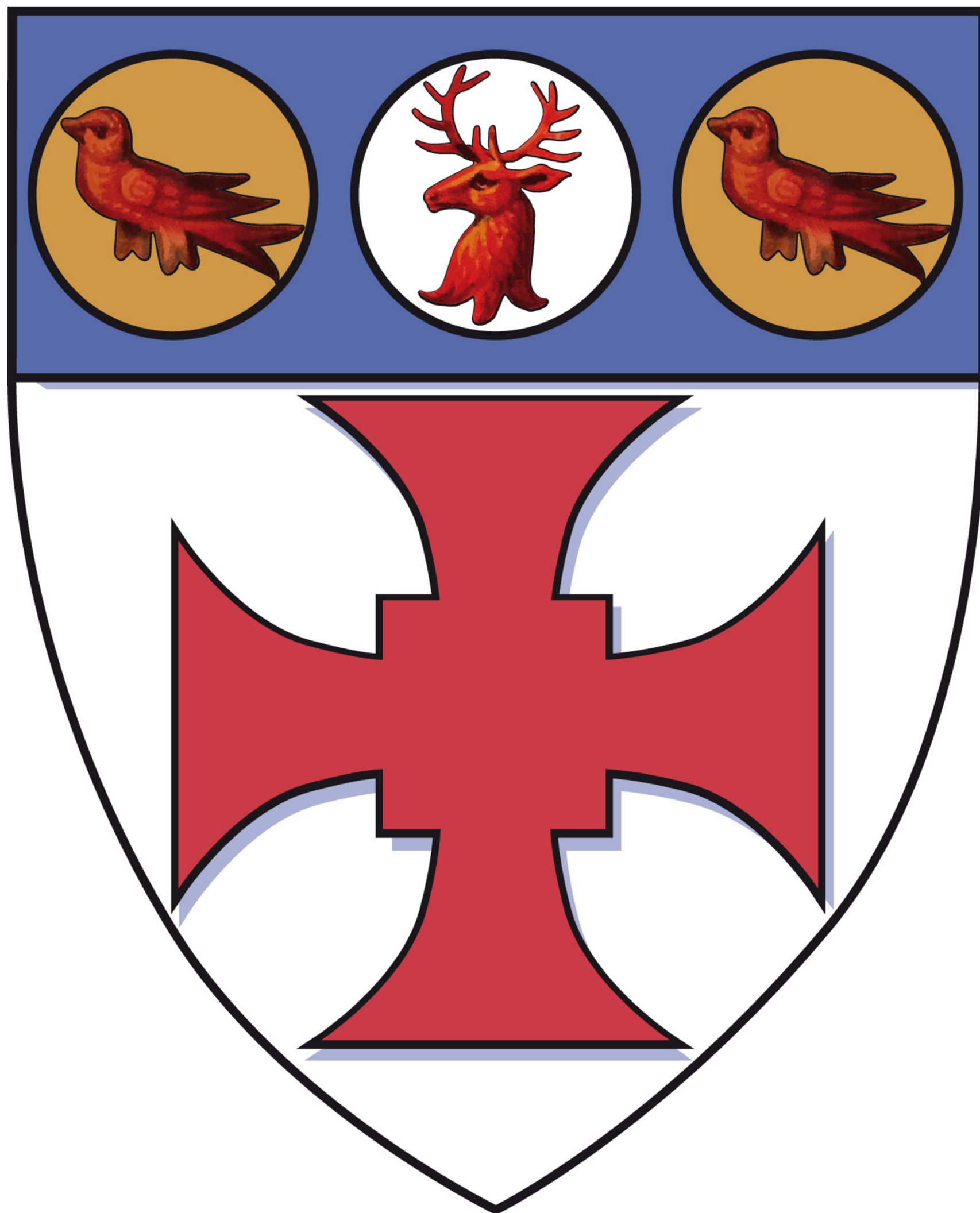


The Anglican Synod

of the

Diocese of British Columbia



Constitution, Canons and Regulations of the
Anglican Synod of the Diocese of British Columbia
November 2024

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DECLARATION OF PRINCIPLES

First Made December 16, 1875

We, the Bishop, Clergy and Laity of the Diocese of British Columbia, assembled in Synod, and intending, under God's blessing and guidance, to consider and determine upon such matters as shall appear necessary for the welfare of the Church in this Diocese, desire in the first place to make a Declaration of Principles upon which we propose to proceed.

1. We desire that the Church in this Diocese shall continue as heretofore in full communion with the Church of England.
2. We recognize and accept the Canon of Holy Scripture as received by the Church of England as the Rule and Standard of our Christian Faith. We acknowledge "The Book of Common Prayer and Administration of the Sacraments" together with the Thirty-nine Articles of Religion of the Church of England to be a true and faithful declaration of the doctrines contained in the Holy Scripture. We maintain the three-fold order of the Christian Ministry, as set forth in the "Form and Manner of Making, Ordaining, and Consecrating of Bishops, Priests and Deacons", to be Scriptural and Apostolical, and we declare our firm and unanimous resolution, in dependence on Divine aid, to preserve those doctrines and that form of Church Order, and to transmit them unimpaired to our posterity.
3. Provided that nothing herein contained shall prevent the Synod, so far as the Synod may see fit, from accepting any alteration in "The Book of Common Prayer and Administration of the Sacraments", or of the Thirty-nine Articles of Religion, or in the Authorized Version of the Bible, that may from time to time be adopted by the Church of England in Canada, or any prayer or Thanksgiving to be prepared by the Bishop, which any special purposes may render desirable.

THE ANGLICAN BISHOPS' CORPORATION ACT

(44 Viced.)

(Cap. 2)

A.D.1881

An Act to constitute the Bishops of British Columbia, Caledonia, and New Westminster Corporations Sole

(25th March, 1881)

Whereas, the Bishop of British Columbia has been constituted a Corporation sole by Royal Letters Patent, and has in that capacity received, held and conveyed real estate.

And whereas, the Diocese of British Columbia has been divided into three Sees, the Bishopric of British Columbia, the Bishopric of Caledonia, and the Bishopric of New Westminster:

Therefore, Her Majesty, by and with the consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

1. The present Bishop of British Columbia is, and he and his successors in office duly elected or acknowledged by the Synod of his Diocese, or otherwise duly appointed and consecrated, by lawful authority Bishops of British Columbia, shall be a Corporation sole with perpetual succession, retaining the name of the Lord Bishop of British Columbia as heretofore used, with the power to acquire and hold lands, and all real estate conveyed to or vested in the Bishops of British Columbia, whether in trust or otherwise, shall be vested in the said Corporation sole, with power, subject to all existing trusts, to sell, convey, lease, mortgage, or otherwise deal with the same or any part thereof.
2. The present Bishop of Caledonia and his successors in office, duly elected or acknowledged by the Synod of the Diocese of Caledonia, or otherwise duly appointed and consecrated by lawful authority Bishops of Caledonia, shall be a Corporation sole with perpetual succession retaining the name of the Lord Bishop of Caledonia as heretofore used, with power to acquire and hold lands, and all real estate conveyed to or vested in the Bishop of Caledonia, whether in trust or otherwise, shall be vested in the said Corporation sole, with power, subject to all existing trusts, to sell, convey, lease, mortgage, or otherwise deal with the same or any part thereof.
3. The present Bishop of New Westminister and his successors in office, duly elected or acknowledged by the Synod of the Diocese of New Westminister, or otherwise duly appointed and consecrated by lawful authority Bishop of New Westminister, shall be a corporation sole with perpetual succession, retaining the name of the Lord Bishop of New Westminister as heretofore used, with power to acquire and hold lands, and all real estate conveyed to or vested in the Bishop of New Westminister, whether in trust or otherwise, shall be vested in the said Corporation sole, with power, subject to all existing trusts, to sell, convey, lease, mortgage, or otherwise deal with the same or any part thereof.
4. The extent of real estate held by the said Bishops in their corporate capacity respectively within the Province of British Columbia, shall not exceed 5,000 acres at any time.
5. Nothing in this Act contained shall, or shall be deemed to confer any spiritual or ecclesiastical rights whatsoever upon the said Episcopal corporations hereby continued or created.
6. The Short title of this Act shall be "Anglican Bishops' Corporation Act."

THE SYNOD INCORPORATION ACT
(52 Viced.) (Cap. 30) A.D. 1889
**An Act to incorporate the Anglican Synod of the Diocese of
British Columbia**

Whereas a petition has been presented from the Bishop and the Synod of the Diocese of British Columbia, such Diocese consisting of Vancouver Island and other islands adjacent, praying that the Synod should be incorporated, and it is expedient to grant the prayer of the said petition.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enact as follows:

1. The Synod of the Diocese of British Columbia shall be, and the same is hereby, made and constituted a body politic and corporate, under the name of "The Anglican Synod of the Diocese of British Columbia", hereinafter called the Corporation.
2. The said Corporation shall consist of the Bishop of the said Diocese and his successors, to be from time to time appointed in such manner as is or shall be provided by the said Synod, or the Provincial Synod of the Ecclesiastical Province hereinafter to be formed, and of such other persons as are or may become members thereof, according to the constitution of the said Diocesan Synod, as the same exists at the time of the passing of this Act (which constitution is set forth in Schedule A of this Act) or as the said constitution may from time to time, be altered by the said Provincial Synod, or by the said Diocesan Synod, acting with the powers vested in it by the Provincial Synod aforesaid.
3. Such Corporation shall have perpetual succession and a common seal, with power to change, alter, break, and renew the same when and so often as they shall think proper, and the said Corporation may, under the same name, contract and be contracted with, sue and be sued, employed and be impleaded with, answer and defend in all Courts and places whatsoever; and the said Corporation shall be able and capable in law, respectively, to purchase, take hold, give, receive, enjoy, possess and retain all messuages, lands, tenements, and immovable property, money, goods, chattels, and movable property which have been or hereafter shall be paid, given, granted, appropriated, devised, or bequeathed to it, or purchased by it, in any manner or way whatsoever, to, for, or in favor of the eleemosynary, ecclesiastical, and educational use and purposes, within the Province of British Columbia, of the Church of England, including thereby the uses and purposes of any parish, mission, institution, school, or hospital, connected with the Church of England in British Columbia.
4. The Corporation shall, in addition to the powers conferred upon it by the next preceding section of this Act, and subject to the provisions thereof, have the power to sell, convey, exchange, alienate, mortgage, lease or demise any lands, tenements and hereditaments held by the said Corporation, whether simply by way of investment for the uses and purposes set forth in the next preceding section of this Act or not; and the Corporation may also, from time to time, invest all or any of its funds and monies, and all or any funds and personal property which may be vested in, or acquired by the Corporation for eleemosynary, ecclesiastical, or educational purposes aforesaid, in and upon any mortgage security or lands, tenements and hereditaments, and in other securities in any part or parts of British Columbia; securities authorized by the Trustee and in any Act and amendments thereto; and in any securities authorized by the laws of the Dominion of Canada, for the investment or lending by Canadian Life insurance companies of their funds; and for the purposes of such investment may take, receive, and accept a mortgage or mortgages, or any assignment or assignments thereof, whether such mortgage or assignment be made and executed directly to it in its own corporate name, or to some other corporation, or body politic and corporate, or to some company or person or persons in trust for it, and shall have and enjoy the same, and as large, full and ample powers and rights of sale and foreclosure, action and suit upon and for the purpose of enforcing the covenants, stipulations, conditions, and agreements, and all matters and things contained in such mortgages, or any of them, and in as ample a manner, as if it were a private person able and capable in the law; and furthermore may sell, grant, assign and transfer such mortgages or any of them, either wholly or partly. All investments heretofore made by the Anglican Synod of the Diocese of British Columbia are validated and confirmed.

5. The said Corporation shall, in the case of land held by it, be able to set apart a portion of such land for the purpose of making a road, or to make a free grant of a portion not exceeding one acre in extent for the purpose of a school, hospital, or other necessary public object.
6. It shall be lawful for the Corporation of the Bishop of British Columbia, or any other person or persons, to transfer any property, real or personal, held in trust by him or them for the aforesaid eleemosynary, ecclesiastical, or educational uses of the Church of England, or the Church of England in British Columbia, to the said Corporation, to be held in trust for the same purposes.
7. The said Corporation may exercise all its power by and through the Executive Council as established by the constitution aforesaid, or such other boards or committees as the said Corporation may from time to time appoint by resolution for the management of all or any of the affairs or property of the said Corporation, but in accordance only with the trusts relating to any property to which special trust is attached; the said Synod may also appoint a treasurer or treasurers, and make such regulations for the management and administration of its property as it shall see fit. The Corporation shall also have the right of appointing any officer or other needful agent or agents for the management of its affairs, and shall have all other rights necessarily incident to a body corporate.
8. The terms "Church of England", or "the Church of England in British Columbia", in all deeds, instruments and documents that have been heretofore, or that may hereafter be, executed, dealing with real or personal property within the province of British Columbia, shall mean, unless a different construction is gathered from the deeds, instruments or documents, that portion of the Church of England within the Province of British Columbia.
9. Any conveyance of real estate, or any interest therein vested in the Corporation shall be deemed to be duly executed for that purpose if the same has affixed thereto the seal of the Corporation, verified by the signatures of the Bishop for the time being the Diocese of British Columbia, or his commissary duly appointed, and the secretary of the aforesaid Executive Council, and a discharge of a mortgage, if executed in the same way, shall be deemed to be properly and effectively executed.
10. In all Acts of the Legislature of this Province heretofore passed relating in any way to the Church of England, or to any of the ecclesiastical or educational institutions in any way connected herewith, and in all deeds, documents, and other writings heretofore executed where reference is made to the Diocesan Synod of British Columbia, either in direct terms or by implication, or to any officers or committees thereof, the same shall hereafter be construed as if the Corporation hereby incorporated, and the committees and officers thereof, were
 - a. the body and the committee and officers referred to in such an Act, deed, document or writings, instead of such Synod, committees and officers.
11. Any conveyance of real estate, or any interest therein, vested in the Corporation of the Bishop of British Columbia, shall hereafter be deemed to be duly executed for that purpose, if the same has affixed thereto the seal of the Corporation of the Bishop of British Columbia, verified by the signature of the Bishop for the time being of the Diocese of British Columbia, or his commissary duly appointed, and discharge of a mortgage, if executed in the same way, shall be deemed to be properly and effectually executed.
12. All Acts and parts of Acts inconsistent with this Act are hereby repealed.
13. Nothing in this or any other Act contained shall be construed as implying that the Imperial Statute 9 George the Second, Cap. 36, has any force or effect in British Columbia.
14. This Act may be cited as the "Anglican Synod of British Columbia Incorporation Act, 1889".

SOLEMN DECLARATION
1893

In the name of the Father, and of the Son, and of the Holy Ghost. Amen

We, the Bishops, together with the Delegates from the Clergy and Laity of the Church of England in the Dominion of Canada, now assembled in the first General Synod, hereby make the following Solemn Declaration:

We declare this Church to be, and desire that it shall continue, in full communion with the Church of England throughout the world, as an integral portion of the One Body of Christ composed of Churches which, united under the One Divine Head and in the fellowship of the One Holy Catholic and Apostolic Church, hold the One Faith revealed in Holy Writ, and defined in the Creeds as maintained by the undivided primitive Church in the undisputed Ecumenical Councils; receive the same Canonical Scriptures of the Old and New Testaments, as containing all things necessary to salvation; teach the same Word of God; partake of the same Divinely ordained Sacraments, through the ministry of the same Apostolic Orders; and worship One God and Father through the same Lord Jesus Christ, by the same Holy and Divine Spirit who is given to them that believe to guide them into all truth.

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

...Page VIII - The Book of Common Prayer, Canada

THE CONSTITUTION OF THE SYNOD

ARTICLE I - DEFINITIONS AND INTERPRETATIONS

A. This constitution and the canons of the Synod and all regulations made thereunder shall be interpreted in their plain and literal sense provided that words of an ecclesiastical meaning and words of a financial meaning shall be construed in their specific context as shall other words having technical meaning.

B. Without restricting the generality of the foregoing in this constitution, in the canons and in all regulations made thereunder the following definitions shall apply unless the context otherwise requires:

“Act of Synod” is a direction given by the Synod to one or more of its officers or other persons or body to perform some special act(s). It remains in force until it has been complied with or until the next session of Synod.

“Assisted parish” is a parish which, after completion of a full parish review, is found to be unable to finance its own operations and pay its assessment.

“Administrator” is the person appointed or elected as provided in the canon in the vacancy of the See or the incapacity of the bishop.

“Bishop” is the bishop of the Diocese of British Columbia, or any bishop coadjutor, bishop suffragan, bishop assistant, administrator or commissary acting for the time being in the bishop’s place and stead upon the bishop’s authority or the authority of the metropolitan.

“Bishop assistant” is a bishop appointed by the diocesan.

“Bishop coadjutor” is a duly elected and employed bishop with right of succession.

“Bishop suffragan” is a duly elected and employed bishop who may have territorial jurisdiction as ordered by the bishop of the Diocese.

“Canon” is an enactment of the Synod declared so to be upon its adoption.

“Church” is the Anglican Church of Canada.

“Clergy/cleric” unless otherwise qualified is every person in holy orders from the Anglican Church of Canada and the ELCiC and those churches in full communion with the Anglican Church of Canada, whose name is on the clerical register of the Diocese of British Columbia.

“Commissary” is a cleric of the Diocese of not less than ten years’ standing appointed under the hand and seal of the bishop, for such duties as the bishop may define.

“Communicant” is any parishioner who has communicated, where having an opportunity of so doing, at least three times in the preceding year.

“Congregation” is the ecclesiastical division recognized by the bishop.

“Dean” is appointed by the bishop, and is, after the Bishop, the senior cleric of the Diocese, regardless of years of service.

“Delegate”

A.

- i. the clergy under provision of Article III (b)
- ii. a lay representative under the provision of Article V
- iii. a youth lay delegate under the provisions of Article III (g).

B. is a clerical or lay representative to the General and/or Provincial Synod duly elected by the Diocesan Synod.

“Diocesan” is the bishop of the Diocese.

“Diocese” is the Diocese of British Columbia, unless otherwise qualified.

“Elector” is a parishioner not less than 16 years of age.

“Incumbent” is the cleric who has the cure of souls in a parish and who is licensed and appointed by the bishop to perform ecclesiastical duties therein.

“Memorials in churches” include metal, stone or wooden plaques, ornaments, fixtures, articles of furniture, furnishings, lights, windows, or anything of a like description.

“Motion” is a form of words by which it is sought to elicit an expression of opinion, regarding some proposal contained therein.

“Parish” is an organized congregation or group of congregations within the Diocese of British Columbia.

“Parishioner” is any baptized person who shall have been in regular attendance at a parish church of the Diocese for a period of not less than three months.

“Petition” is a written or printed request addressed to a person or body of persons for the redress of some wrong or for the granting of some favour.

“Rector” is the incumbent of a self-supporting parish.

“Region” is a group of parishes within the Diocese linked together for the purposes of administration and mutual assistance save where the context directs otherwise as in the case of Christ Church Cathedral.

“Regional conference” is a meeting of appointed and elected clerical and lay members of a region.

“Regulation” is an instruction or order specifying the manner in which certain duties of officers and members of the Synod shall be performed, and in which the powers, authorities and duties specified in certain articles of the constitution and canons of the Synod may be carried out.

“Seniority” - after the Dean, seniority of clerics shall be determined by number of continuous years of service in the Diocese.

“Session” is the annual and/or special meeting of the Synod, and covers the period from opening to final adjournment.

“Synod” is the Diocesan Synod of the Diocese of British Columbia.

“Vestry” is an annual or special meeting of parishioners duly convened and constituted for the transaction of business in accordance with the canons on that behalf.

ARTICLE II - JURISDICTION OF THE SYNOD

The Diocesan Synod may deliberate and decide on all matters affecting the interests of the church in the Diocese, but shall have no competence to change doctrine or worship as set forth in the official formularies of the Anglican Church of Canada, except as delegated by General Synod.

Upon a vote of two-thirds in each order, the Diocesan Synod may send a memorial to the General Synod concerning doctrine or worship. The memorial must be put forward for discussion by delegates to the General Synod.

ARTICLE III - THE COMPOSITION OF SYNOD

The Synod shall consist of:

A. The bishop of the Diocese and any duly elected bishop coadjutor, bishop suffragan or bishop assistant.

B. The clergy, who are for the time being, subject to the episcopal jurisdiction of the bishop according to canon XVIII of the General Synod of the Anglican Church of Canada and are licensed to a definite sphere of work within or without the Diocese and are not members of another Anglican Diocese. Clergy who are under suspension or who are awaiting trial under canon shall not be eligible to sit in Synod until the suspension has been lifted, or the trial and any subsequent appeal has been disposed of. Retired clergy of the Diocese who are serving as interim priest-in-charge may attend Synod and vote. Clergy who have retired from active work in the Diocese may retain membership in the Synod for not longer than six months after the date of such retirement.

C. Ministers of other denominations who are licensed by the bishop for special work in ministering to congregations in partnership with the Anglican Church of Canada. Such ministers, unless members of denominations which are in full communion with the Anglican Church of Canada, shall not have a vote in a Synod called to elect a bishop; and provided also that such a minister may not be a delegate from this Diocese to Provincial or General Synods nor participate in the election of delegates from the Diocese to Provincial and General Synods.

D. The chancellor, the vice-chancellor, the registrar, the lay secretary and the treasurer.

E. Lay delegates elected by parishes or congregations as specified hereunder:

1. Every parish shall be entitled to elect delegates on the following scale:

Up to 100 electors	1 delegate
From 101 to 200 electors	2 delegates
From 201 to 300 electors	3 delegates
From 301 to 400 electors	4 delegates
From 401 to 500 electors	5 delegates
Over 500 electors	6 delegates

2. Any congregation which is not a parish or part of a parish, but is recognized by the bishop, and having not less than ten registered electors (of whom six shall be communicants) shall be entitled to elect one delegate at the annual meeting called for that purpose by the minister in charge of the congregation.

3. With the consent of the bishop, any parish or congregation providing just cause may elect as a lay delegate one who is a non-resident but who is otherwise qualified within the Diocese.

F. Youth lay delegates elected by the regions as follows:

Each region at a regional conference shall elect from the persons nominated by its constituent parishes at their annual general meeting, two delegates as youth lay delegates, between 16 and 25 years of age inclusive, and that they be that age on the date of their nomination at the annual general meeting of the parishes, and who shall have been communicants of at least one

year's standing, the provisions of articles IV, V, VI, and VII with respect to residency, substitutes, filling of vacancies, and certificates of election respectively, shall apply mutatis mutandis.

ARTICLE IV - QUALIFICATION OF LAY DELEGATES

The lay delegates and youth lay delegates shall be communicants of at least one year's standing, and of the age of sixteen years and upwards, and resident within the Diocese for three months immediately preceding the election.

ARTICLE V - ELECTION OF LAY DELEGATES

The lay delegates should be elected at the annual meeting of the parishioners and they shall continue in office until others are elected. If no election is held at the annual meeting, then the minister shall call a meeting for such purpose at such time and place as he/she thinks proper. If no such meeting is held the lay delegates shall continue in office. At the same time and in the same manner an equal number of substitutes, having the same qualifications as lay delegates, may also be elected. The certification of election of lay delegates shall also contain the names of such substitute or substitutes. In case a lay delegate is unable to attend a session of the Synod, a substitute may take his/her place, and sit and vote in Synod as a lay delegate of the parish.

ARTICLE VI - FILLING LAY DELEGATE VACANCIES

If any lay delegate or substitute shall be unable to attend, the minister shall proceed to call a new election, or in an emergency, the minister and wardens shall appoint a substitute, subject to the ratification of parish council before the beginning of Synod.

ARTICLE VII- CERTIFICATE OF ELECTION OF LAY DELEGATES

The chair of the meeting at which lay delegates are elected shall send a certificate of election to the Synod office, on the form issued by the Synod office.

ARTICLE VIII - REGULAR SESSIONS

The Synod shall meet on a summons from the bishop and at such a time and place within the Diocese as the council shall direct. The Synod shall meet at least once every two years.

ARTICLE IX - SPECIAL SESSION

A. The bishop, or, in the case of the bishop's absence, the commissary or the administrator have power to call a special session of Synod on any occasion when he/she may deem it necessary for the welfare of the Diocese, at such time and place as he/she, in consultation with the council, shall direct; or

B. A special session of Synod shall be called upon a written requisition signed by ten of the clergy and ten of the lay members of Synod, specifying the object of the session, provided that no such session shall be held until at least six months after the last preceding session of Synod, except in the case of the election of a bishop.

ARTICLE X - NOTICE OF SYNOD

Notice of every session of Synod shall be signed by the executive officer, clerical and lay secretaries, or by one of them if only one shall be available and shall be sent in hard copy or electronically to all entitled to attend Synod. This shall be sufficient notice to each member of Synod. The notice (convening circular) may contain a list of all members of Synod by parishes and may be accompanied by copies of all notices of motion which have been received and approved by diocesan council for the consideration of Synod. The notice shall be in possession of all members of Synod at least four weeks previous to the date of the session of Synod.

ARTICLE XI - PRESIDING OFFICER

The bishop shall preside at every session of the Synod. When the bishop is not present, the bishop coadjutor or the bishop suffragan, or the bishop assistant, or the commissary in that order of precedence shall preside; failing any of these the Synod shall elect its own presiding officer. The presiding officer, during a sitting of Synod, may, when he/she desires to leave the chair temporarily, appoint any member of Synod to preside during such absence.

ARTICLE XII - QUORUM OF SYNOD

A. The quorum for the transaction of any business in the Synod (except for the election of a bishop) shall consist of not less than one-fourth of the whole number of qualified clergy and one-fourth of qualified lay delegates; but any less number shall have power to adjourn until a quorum can be obtained.

B. When a quorum has been declared to be present, it shall be considered that such a quorum is always present throughout the sittings of Synod. Any member of Synod may, before any question is put, ask for a count of the clerical and lay members present to determine whether or not a quorum exists.

ARTICLE XIII - MAJORITY AND VOTE BY ORDERS

A. No act or resolution of the Synod shall become valid without the concurrence of the bishop (except when the election of a bishop coadjutor, bishop suffragan, or bishop assistant is involved) and a majority of the clerical and lay members present.

B. Ordinarily the votes of the whole Synod shall be taken collectively but previous to any vote being taken, at the desire of the bishop or at the request of any two members of Synod, the votes of each order (clergy and lay) shall be taken separately, and, a majority of each order shall be necessary.

C. In the case of dissent by the bishop when presiding, the matter shall stand over to the next regular session of the Synod, when, if the act or resolution is concurred in by two-thirds majority of each order voting separately, it shall become effective.

ARTICLE XIV - APPOINTMENT, ELECTION AND DUTIES OF THE SECRETARIES

A. An executive secretary to Synod shall be appointed by diocesan council with the concurrence of the bishop. The secretary shall remain in office until she or he resigns, dies, is removed, or is incapable of performing the duties of the office.

B. The duties of the executive secretary shall be determined by diocesan council by regulation.

C. The Synod shall elect clerical and lay secretaries. Their duties shall be determined by diocesan council by regulation.

ARTICLE XV - DIOCESAN COUNCIL

There shall be a diocesan council of the Synod (as successor to, and known in the Synod Incorporation Act as, the executive committee), which shall have the powers and functions where appropriate of the Synod between regular sessions thereof, except those acts which are reserved to be performed by the Synod itself. The composition of its membership and other matters relating to the conduct of its business shall be defined by canon and such regulations as may be passed from time to time thereunder.

ARTICLE XVI - AMENDMENTS TO THE CONSTITUTION AND CANONS

A. All suggested alterations to the constitution or any new article thereof must be approved by the diocesan council and then laid before the Synod at the next regular session. If approved by the majority of the members of Synod present and voting by order and concurred in by the bishop such changes and additions shall lie over until the next regular session of the Synod, when, if again approved by a majority of each order and concurred in by the bishop, they shall be confirmed and take effect at once.

B. A motion to amend the constitution standing for confirmation as provided in the next preceding section cannot be altered except by consent of the Synod, and, in the absence of such consent must be accepted or rejected as a whole. Should any such amendment alter the principle of the main motion it must lie over until the next regular session of the Synod for confirmation.

C. All suggested alterations to the canons approved by the diocesan council shall be laid before the Synod at its next regular session and, if approved by the majority of the members of Synod, voting by order, and concurred in by the bishop, shall be forthwith enacted and be in full force and effect from the date of such approval.

PREFACE: THE RULE OF CANON LAW

Canon Law exists to assist the church in its mission. The church needs within it laws to order, and so facilitate, its public life and to regulate its own affairs for the common good and to prevent and resolve conflict. Law is the servant of the church and not an end in itself. As far as possible Canon Law should not be inconsistent with our understanding of the revealed will of God. Canon Law has a historical basis and a theological foundation, rationale and end. These Canon Laws have a living force, and contain in themselves the possibility for further development, and their existence demonstrates unity and seeks to promote unity within the Anglican Communion.

No one in the Church is above the Canon law. All institutions and persons in the church, ordained and lay, shall act in accordance with the law. A voluntary declaration, or other form of assent prescribed by law to comply with ecclesiastical jurisdiction, binds the person who makes that declaration. These Canon Laws, and consequent rights and duties are enforceable within the church by its own ecclesiastical authorities through executive action or by judicial process.

CANON 1

THE BISHOP

CANON 1.1 DUTIES AND RESPONSIBILITIES OF THE BISHOP

A. During the consecration service the Bishop promises to serve God's Church in the office of Bishop, and receives their power and authority through God's grace, following applicable canon law of the Anglican Church of Canada as may be applicable in Canada from time to time, including:

1. through canons and regulations promulgated by Synod and diocesan council, and the canons of the Ecclesiastical Province of British Columbia and the Yukon and of the General Synod;
2. through the operation of The Anglican Bishop's Corporation Act, 1881 and the Synod Incorporation Act, 1889 of the BC Legislature;
3. through apostolic succession; and
4. by agreement of the people as evidenced in their election.

B. The Bishop holds primary pastoral jurisdiction for the diocese, including jurisdiction over any parish, congregation or other body of, or within, the diocese.

1. Where a parish has an incumbent, the incumbent shall have pastoral jurisdiction within the parish, subordinate to that of the Bishop.
2. Where a parish has no incumbent, the pastoral jurisdiction reverts to the Bishop.
3. When a priest-in-charge has been licensed to a parish, the priest-in-charge shall exercise all the rights and responsibilities of an incumbent under this canon.
4. The rights and responsibilities of an incumbent under this canon are subject to the direction of the Bishop and may be exercised by the Bishop directly at any time.

C. The Bishop is the primary member of Synod, is responsible for the administration of the business of the diocese and has the right to preside at every session of the Synod.

REGULATION R1.1.1 SALARY AND BENEFITS

A. The Bishop's salary shall be set at 20% above the average of the salaries of the five highest-paid clergy of the diocese in the previous year, with the

proviso that the Bishop's salary shall not be reduced in any year. The Bishop's salary shall be paid by the diocese.

B. The Bishop shall be entitled to the benefits determined by diocesan council, but will be at least equal to the benefits available to other clergy of the diocese. The Bishop's benefits will be paid by the diocese.

CANON 1.2 VACANCY, INCAPACITY OR ABSENCE

A. A vacancy in the See is created when the Bishop:

1. dies;
2. resigns;
3. retires;
4. has been convicted and removed from office under the discipline canon of the General Synod
5. abandons the ministry to which they were ordained; or
6. becomes permanently incapacitated.

B. A bishop is declared incapacitated, whether because of mental or physical incapacity, when they are unable to perform the required duties of the office, whether temporarily or permanently, as certified by two qualified medical practitioners and confirmed by the diocesan council.

C. A declaration of a bishop's temporary incapacity will be ended when they are certified by two qualified medical practitioners, and confirmed by the diocesan council, to have returned to the state of being able to perform the required duties of the office.

D. Diocesan council will consult the Metropolitan through any process of declaring capacity or incapacity.

E. If there is a vacancy in the See or the Bishop is unable to perform the required duties by reason of mental or physical incapacity, temporary or permanent, certified and confirmed as above, the administration of the diocese shall devolve upon, in the following order:

1. the Coadjutor;
2. the Bishop Suffragan;

3. the Bishop Assistant;
4. a retired bishop appointed by the Metropolitan
5. the Dean;
6. the Executive Archdeacon;
7. the next senior archdeacon based on date of ordination; and
8. the senior member of the clergy on the diocesan council based on date of ordination;

who shall be the Administrator until the installation of a new bishop or until the Bishop has been found capable of performing those duties as described in canon 1.2 C above.

CANON 1.3 THE ADMINISTRATOR

- A. The powers of the administrator shall be the same as those of the Bishop, except if the administrator is not a bishop, those sacramental acts that pertain to the office of bishop, namely: ordination, confirmation, consecration and de-consecration of buildings and other sacred items.
- B. The administrator shall account and report fully to the Bishop, following upon the Bishop's installation or return to office.

CANON 1.4 COADJUTOR, SUFFRAGAN, AND ASSISTANT BISHOPS

- A. Whenever the Bishop shall, in writing, signify to the Synod, through the diocesan council, that the Bishop is desirous of having a bishop coadjutor or bishop suffragan, the matter shall be first presented to Synod and its concurrence obtained. This having been done, the election shall be held. Procedures shall be identical to those in the election of a bishop as outlined herein, and the Metropolitan shall preside.
- B. The Bishop may appoint a bishop to the office of assistant bishop with the consent of the diocesan council, who will make provision for remuneration as necessary.
- C. The Bishop may appoint a retired bishop to the office of honorary bishop assistant, who shall receive no remuneration from this appointment.
- D. The bishop coadjutor, if there is one, upon installation shall become the bishop of the diocese whenever a vacancy occurs in the See without further election or action.

CANON 1.5 BISHOP'S COMMISSARY

- A. The Bishop or the administrator may at any time appoint a commissary to act in the absence or incapacity of the Bishop or the administrator, for such duties as the Bishop or the administrator may define.
- B. Any commissary appointed by the former Bishop shall be deemed to have resigned upon the resignation or death of the former Bishop.
- C. Any commissary appointed by the administrator shall be deemed to have resigned upon the installation of the new Bishop.
- D. The Bishop or the administrator may at any time terminate the appointment of a commissary.

CANON 1.6 RESIGNATION OR RETIREMENT OF A BISHOP

- A. Subject to the canons of the Ecclesiastical Province of British Columbia and Yukon, the Bishop may resign or retire by notifying the diocesan council of an intention to submit a notice of resignation or a notice of retirement, as applicable, to the Metropolitan.

CANON 1.7 ELECTION OF A BISHOP: DECIDING ON WHETHER TO HOLD AN ELECTION OF A BISHOP

- A. Provided that there is no coadjutor, if the Bishop gives notice of an impending resignation or retirement, or upon a vacancy occurring in the See other than by way of resignation or retirement, the following preliminary process will be undertaken in advance of the election of the Ordinary but this process will not begin more than six months prior to a vacancy of the See occurring.
- B. In any of the situations contemplated by subsection A, above, the secretaries of Synod shall, within ten days, send a certificate of vacancy to the Metropolitan stating the desire of the diocese to hold an election.
- C. The Metropolitan shall strike a committee composed of people from the diocese and at the Metropolitan's discretion may also include people from outside the diocese, to evaluate the viability of the diocese and make recommendations either to proceed with an episcopal election or recommend an alternate method of episcopal oversight, and such committee shall within forty-five days report its recommendations to the Metropolitan.
- D. If the Metropolitan decides to proceed with an episcopal election, and the Bishop is still in office, the Metropolitan will decide whether some or all of the procedures may begin immediately or must wait until the See is vacant.

CANON 1.8 ELECTION OF A BISHOP: SUMMONING THE ELECTORAL SYNOD

A. Diocesan council shall, within thirty days of receiving the Metropolitan's decision to hold an election, summon an extraordinary session of Synod, to meet in no less than sixty days, nor more than ninety days from the date of such summons, for the purpose of electing a successor to the See.

B. During the vacancy of the See there shall be no session of Synod for any purpose other than an election.

C. At the meeting of diocesan council which issues the summons under subsection A, above, the chancellor or the chancellor's designate shall convene an Electoral Nominations Committee, the composition of which shall be set out in regulation.

D. The Registrar shall convene an Electoral Procedures Committee, the composition and duties of which shall be set out in regulation.

REGULATION R1.8.1 PROCEDURES

A. The Registrar will convene an "Electoral Procedures Committee", which shall consist of:

- 1. the Registrar as chair;*
- 2. the Lay Secretary;*
- 3. the Clerical Secretary; and*
- 4. the Executive Secretary.*

B. If any member of the Electoral Procedures Committee consents to be a candidate for the election, they must inform the chair forthwith of their resignation. The chair of the Electoral Procedures Committee will have the right to appoint a member of Synod to the committee in place of the former member.

C. The primary responsibility of the Electoral Procedures Committee is to deal with all aspects of the election other than nominations. This includes the preparation of a diocesan profile, which may be delegated to a subcommittee appointed by the Electoral Procedures Committee.

D. Diocesan council must give its approval to the diocesan profile before it is published.

E. The work of the Electoral Procedures Committee may begin before that of the Electoral Nominations Committee, at the direction of the Metropolitan, so that there may be sufficient time to properly consult and prepare the diocesan profile.

CANON 1.9 ELECTION OF A BISHOP: CANDIDATES

A. Subject to subsection C, below, an Electoral Synod summoned pursuant to canon 1.8 A may elect to the vacancy any ordained priest:

1. of the canonical age of this diocese, and
2. who is from this diocese or from any other diocese of the Anglican Church of Canada, or who is licensed to any church in communion with the same.

B. The Electoral Nominations Committee shall create a list of candidates as prescribed in regulation.

C. In its deliberations the Electoral Nominations Committee may decline to include a name on the list of candidates because the candidate:

1. will not have achieved the full age of thirty years on the day of the election;
2. is not a priest in Holy Orders of the Anglican Church of Canada or of some church in full communion therewith;
3. is deficient in learning, training or experience;
4. has either directly or indirectly secured or attempted to secure the office by an improper means;
5. is guilty of any crime or immorality; or
6. teaches or holds or has within five years previously taught or held anything contrary to the doctrine or discipline of the Anglican Church of Canada.

REGULATION R1.9.1 NOMINATIONS

A. The chancellor shall convene an Electoral Nominations Committee pursuant to canon 1.8 C, the composition of which shall be not fewer than three people, all of whom shall be members of Synod. The chancellor shall notify all delegates to the Electoral Synod of the identity of the members of the Electoral Nominations Committee.

B. If any member of the Electoral Nominations Committee consents to be a candidate for the election, they must inform the chair forthwith of their resignation from the committee. The chair of the Electoral Nominations Committee will have the right to appoint a member of Synod to the committee in place of the former member.

C. The primary responsibility of the Electoral Nominations Committee is to prepare a list of candidates under the terms set out in canon 1.9, and to solicit, prepare, and distribute information about the candidates for the electors.

D. The Electoral Nominations Committee shall create a list of candidates in the following two ways:

1. It will solicit from any sources inside or outside the diocese that it deems appropriate names of potential suitable candidates. Names received in this manner will be considered and vetted in such manner as the Electoral Nominations Committee may decide and at its sole discretion may or may not be added to the list of candidates.

2. It will add to the list of candidates the name of any person not disqualified under canon 1.9 C for whom a written nomination has been received by the Electoral Nomination Committee no later than 20 days from the date of the summons referred to in canon 1.8 A, provided the nomination has been supported by at least two lay members of Synod and two clerical members of Synod, and has been consented to in writing by the proposed candidate.

E. A record of the meetings of the Electoral Nominations Committee will be kept but will remain confidential for a period of not less than 50 years.

F. The chancellor shall contact the metropolitans of the ecclesiastical provinces in the Anglican Church of Canada and shall invite them each to propose one candidate, after consultation with their provincial house of bishops.

G. The absence of any member of the Electoral Nominations Committee who has been unable to attend all the meetings will not invalidate its report; but the committee shall not sit unless there is a quorum of two-thirds of its membership.

H. Before issuing the list of candidates the Electoral Nominations Committee will confirm that each person on this list gives their consent.

I. The Electoral Nominations Committee will issue a list of candidates within thirty days of the issuance of the summons. It may be issued by publication on the diocesan website and through any other means approved by diocesan council.

J. The Electoral Nominations Committee will not disclose whether a candidate was placed on the list of candidates by the Electoral Nominations Committee or by a nomination from members of Synod.

K. The Electoral Nominations Committee will ask candidates for a curriculum vitae or resume, and other information at the discretion of the Electoral Nominations Committee and will publish that information for every candidate at the same time, which shall be no more than three weeks after the list is issued.

L. Candidates may withdraw from the list of candidates at any time up to the casting of the first ballot.

CANON 1.10 ELECTION OF A BISHOP: PROHIBITION AGAINST FLOOR NOMINATIONS

A. There will be no nominations of candidates from the floor.

CANON 1.11 ELECTION OF A BISHOP: CHAIR OF ELECTORAL SYNOD

A. The Metropolitan shall preside at the Electoral Synod unless the Metropolitan requests of the chancellor to be excused, in which case diocesan council shall request a bishop of the Ecclesiastical Province of British Columbia and Yukon to preside over the Electoral Synod.

B. The chair of the Electoral Synod shall be without a vote.

CANON 1.12 ELECTION OF A BISHOP: ABSENCE OF ELECTORS

A. No election shall be vitiated by the absence of any of the parties summoned, or by the failure of any parish to elect a lay delegate.

CANON 1.13 ELECTION OF A BISHOP: THE ELECTION

A. On the day and at the place appointed by the Metropolitan, Holy Communion having normally been first celebrated, the chair shall call the Electoral Synod to order. Where public celebration of Holy Communion is deemed not viable, Synod may begin with an alternate public service in a form authorized by the Metropolitan.

B. In the election of a bishop, voting shall be by the orders. The members of the clergy and lay members entitled to vote at meetings of Synod shall vote separately by ballot. A majority of the votes in each order in any one ballot shall determine the successful candidate provided that at least two-thirds of the members of the clergy and at least two-thirds of the lay members of Synod entitled to vote are present.

REGULATION R1.13.1 ELECTION

A. Once the Electoral Synod has been called to order the Registrar will make a report regarding registration. A quorum for the holding of an extraordinary session for the election of a bishop shall be two thirds of the members of the clergy, and two thirds of the lay representatives to Synod. If a quorum is not present the members present shall adjourn to a day within one week chosen by the chancellor and announced at the time the adjournment is declared and posted on the diocesan website. If a quorum is not present at the time and place announced for the adjournment, similar adjournments shall be made and announced in the same manner from time to time, until a quorum is present.

B. If the required number of members of the Electoral Synod has assembled, the chair of the Electoral Nominations Committee will make a report on the names of the candidates.

C. Upon registration, those entitled to vote will be given an identification badge which they must wear during the entire period of the election. As soon as the names of the members of the clergy and lay representatives entitled to vote shall be ascertained, the list shall be signed by the chair of the Electoral Synod. The delegates shall then be seated alphabetically by orders. Following the celebration of Holy Communion (or other form of worship) all persons who are not duly registered delegates shall withdraw from the election floor and may observe the proceedings from designated areas.

D. The synod chair shall appoint scrutineers to take the ballot, as follows:

- 1. For the clergy vote, two clerical members of Synod and one lay member of Synod;*
- 2. For the lay vote, two lay members of Synod and one clerical member of Synod.*

E. The list of those entitled to vote shall be handed to the synod chair and scrutineers, and anyone not on that list shall not be entitled to vote.

F. These procedures are the responsibility of the Electoral Procedures Committee.

G. After time for prayer, voting will then commence.

H. In the election of a bishop, voting shall be by the orders. The members of the clergy and lay members entitled to vote at meetings of Synod shall vote separately by ballot as set out in canon 1.13 B. A majority of the votes in each order in any one ballot shall determine the successful candidate provided that at least two-thirds of the members of the clergy and at least two-thirds of the lay members of Synod entitled to vote are present and vote.

I. Balloting procedures will be in accordance with any policy and procedures proposed by the Electoral Procedures Committee and approved by diocesan council.

J. After any ballot a candidate may withdraw by so signifying in writing to the chair. The chair shall announce the withdrawal before the preparation of the next ballot.

K. Scrutineers shall have a vote.

L. If there has been no election after the third ballot and there are more than five nominees then the number of names appearing on the fourth ballot shall be reduced to those five nominees who on the preceding ballot received the largest number of votes, on the basis of the percentage of the members of the clergy added to the percentage of the lay members who voted for each nominee.

M. For each succeeding ballot after the fourth and until a nominee has been elected or until two names remain, the nominee who received the least number of votes on the immediately preceding ballot counted on the said percentage basis shall not appear.

N. Immediately prior to any ballot on which there remain the names of two nominees, the presiding officer may prescribe that if an election shall not have occurred after a number of ballots then specified by the presiding officer, being not less than two, then the election shall be adjourned for another sitting.

REGULATION R1.13.2 ELECTION BY ELECTRONIC MEANS

A. Where an election of a bishop, bishop coadjutor or bishop suffragan is to take place entirely by electronic means, the provisions of all other regulations to the canons, including regulation R4.6.5, shall apply except where they conflict with a provision of this regulation, in which case the applicable provision of this regulation shall govern.

B. The members of the clergy and lay representatives entitled to vote shall register electronically in advance of the commencement of the Synod as instructed by the returning officer.

C. At or immediately preceding the commencement of the Electoral Synod, a list of those members entitled to vote shall be compiled by way of an electronic quorum vote and signed by the presiding officer.

D. After time for prayer, voting shall commence as directed by the presiding officer.

E. The returning officer shall advise the presiding officer, chancellor and Registrar of the total number of ballots cast and the number of ballots cast for each candidate.

F. The presiding officer shall instruct the returning officer to display the results of each ballot.

CANON 1.14 ELECTION OF A BISHOP: CONFIRMATION OF THE ELECTION BY THE PROVINCIAL BISHOPS

A. Upon an election being made, confirmation thereof shall be sent by the secretaries of Synod to the Metropolitan within seven days. The Metropolitan shall in turn notify the other bishops of the Province who, within ten days, shall register with him or her their concurrence or objection. Objection to the election of a bishop may be taken on any of the following grounds:

1. that the person elected is not of the full age of thirty years;
2. that they are not a priest in Holy Orders of the Anglican Church of Canada or of some church in full communion therewith;
3. that they are deficient in learning, training or experience;

4. that they have either directly or indirectly secured or attempted to secure the Office by an improper means;

5. that they are guilty of any crime or immorality; or

6. that they teach or hold or have within five years previously taught or held anything contrary to the Doctrine or Discipline of the Anglican Church of Canada.

The majority decision of the Provincial House of Bishops shall be final.

CANON 1.15 ELECTION OF A BISHOP: SECOND SITTING OF ELECTORAL SYNOD AFTER ADJOURNMENT OR SUSTAINED OBJECTION

A. In the event an Electoral Synod is adjourned or the Provincial Bishops sustain an objection to the election of a bishop pursuant to canon 1.14, then diocesan council shall, in consultation with the Metropolitan, call a second sitting of the Electoral Synod not less than thirty days and not more than ninety days after such adjournment or sustained objection.

B. At least seven days before the next sitting of the Electoral Synod, members and the Electoral Nominations Committee may place new names in nomination, following the same procedure as set out in canon 1.9 and the regulations thereof. The list of nominees may not include any candidates from the previous sitting of the Electoral Synod except for the final three candidates from such Electoral Synod, but excluding any elected candidate not confirmed by the Provincial House of Bishops.

CANON 1.16 ELECTION OF A BISHOP: INSTALLATION

A. Except for a coadjutor bishop, a newly elected bishop does not assume the powers of the Ordinary until ordained a bishop (if not already in episcopal orders) and installed as such by the diocesan officers, according to custom.

B. A coadjutor bishop assumes full power upon the vacation of the See by the previous diocesan bishop, but a service of installation should follow promptly.

CANON 2

THE ARCHDEACONS

CANON 2.1 APPOINTMENT

- A. The Bishop may appoint archdeacons who shall hold office at the pleasure of the Bishop.
- B. The Bishop will determine the duties and authority of the archdeacons and shall appoint a regional archdeacon to be responsible for each Region.
- C. In consultation with diocesan council, the Bishop may appoint an Executive Archdeacon who will assist the Bishop directly in the oversight of the diocese and who may also be appointed as the Executive Officer.

REGULATION R2.1.1 DUTIES OF ARCHDEACONS

A. The duties of an archdeacon may include, but are not limited to the following:

- 1. Welcoming and orienting new incumbents and other clergy.*
- 2. Installing a new incumbent in "The Celebration of a New Ministry," and, in the absence of the Bishop, preside at the service.*
- 3. Providing pastoral support to clergy in their work, and especially in times of crisis.*
- 4. Providing pastoral support to parishes in a time of crisis, especially when clergy are suspended, removed, or die.*
- 5. Meeting with the cleric for an "end of ministry" interview when a ministry comes to an end.*
- 6. Ensuring that the ministrations of the church are carried out regularly in parishes where there is no incumbent.*
- 7. Inspecting rectories during vacancies.*
- 8. Conducting "transition days" in parishes.*
- 9. Assisting in the worship and work of the cathedral.*
- 10. Serving on committees as the Bishop's appointee.*

11. Meeting with the Bishop, the Dean, and the other archdeacons on a regular basis.

12. Convening and chairing the regional chapter (Clericus), which consists of all of the active clergy within the region holding the licence of the Bishop.

13. Convening and chairing regional conferences.

14. Performing such other duties as assigned by the Bishop.

B. Where an archdeacon is unable to carry out a duty for any reason, the Bishop may ask the Executive Archdeacon or another archdeacon to act for them.

C. The Bishop may assign the title of archdeacon emeritus to an archdeacon who has ceased to hold office.

CANON 3

THE CLERGY

CANON 3.1 APPOINTMENTS AND RESIGNATIONS

- A. The Bishop may appoint an incumbent of a parish, but only after consultation with the churchwardens and parish council of the parish.
- B. The appointment of a cleric shall be accomplished upon the signing by such cleric of a letter of appointment from the Bishop.
- C. If an incumbent wishes to resign a post they shall give at least three months notice, in writing to the Bishop.
- D. Any incumbent may, with the consent of the Bishop and of the churchwardens, appoint one or more assistant clerics, who shall be under the control and direction of the incumbent.
- E. Notwithstanding any other provisions, the employment of an assistant cleric may be terminated at any time by notice in writing by the incumbent in accordance with the terms of the employment contract and applicable provincial legislation, or, if the incumbency be vacant, by the churchwardens, in consultation with the Bishop.
- F. If any assistant cleric desires to resign, the assistant cleric shall give at least three months written notice to the Bishop and the incumbent or, if the incumbency be vacant, to the Bishop and the churchwardens.

CANON 3.2 LICENSING OF CLERGY

- A. All clergy exercising ministry within the diocese shall have either a written licence or permission to officiate from the Bishop.
- B. In the event of a vacancy in the incumbency or if the incumbent cannot exercise ordained ministry, the Bishop may appoint a priest in charge with all powers and duties of the incumbent, unless such powers are limited by the Bishop. If the Bishop limits the powers of a priest in charge, those powers not assigned to the priest in charge reside in the Bishop.
- C. Where clergy are absent from the parish for more than five successive weeks, the Bishop may, in consultation with the churchwardens, appoint a substitute with such duties and powers as the Bishop shall decide.

D. A member of the clergy licensed pursuant to subsection A, above, shall be deemed to have surrendered the licence to the Bishop for cancellation on vacating the incumbency or appointment to which the licence applied.

E. The Bishop may revoke a permission to officiate summarily.

REGULATION R3.2.1 TRANSFERS

A. Any priest or deacon under the jurisdiction of the Bishop, who desires to move to the jurisdiction of another bishop, shall apply to the Bishop for a letter of good standing and Letters Bene Decessit; and any member of the clergy who is licensed by another bishop shall present Letters Bene Decessit from the former bishop before being licensed in this diocese.

CANON 3.3 OATHS AND DECLARATIONS

A. Every candidate before ordination, and every member of the clergy before being licensed shall, in the presence of a witness, take or make and subscribe the following oaths and declarations in the book kept in the synod office for such purposes:

1. A declaration of profession of faith as required by the Bishop.
2. The oath of canonical obedience.
3. The declaration of submission to the constitution and canons of the General Synod, the Provincial Synod and the Synod of British Columbia.

CANON 3.4 POWERS AND DUTIES

A. An incumbent is vested with the following powers and duties:

1. The spiritual concerns of the parish subject to ecclesiastical authority and to the constitution and canons of the diocese, and the constitution and canons of the General Synod and the Provincial Synod of British Columbia.
2. Subject to the direction of the Book of Common Prayer and other authorized liturgies, and subject to the authority of the Bishop, exclusive control of divine service, including the times, forms, liturgy, location, substance and content of service and the musical portions thereof.
3. Right of possession of the keys of the church and other buildings within the parish, together with the right to open the church at any time for the celebration of divine service, rites and ceremonies. In addition to the power to celebrate baptisms,

confirmations, marriages, and funerals in the parish, the incumbent may authorize other clergy holding a licence to officiate to perform these divine services and rites in the parish.

4. Control and direction of pastoral support, Christian education, and all programming connected with the church or churches within the parish. The incumbent may consult with wardens and/or parish council respecting these things.

5. Direction and control of any guild, society, auxiliary, club or other organization in the parish and the power to suspend or disband any such organization which neglects or refuses to conform to the directions of the incumbent.

6. Responsibility for any use of the buildings and grounds for sacred purposes and for the way the worship space is set up and used.

7. Responsibility for the keeping of such records and the making of such reports as may be prescribed by regulation.

8. Responsibility, in concert with the churchwardens, to ensure that policies and procedures of the diocese are followed.

B. The incumbent and the churchwardens shall act jointly in matters concerning the use of buildings and grounds, other than the use of the church building for divine services, and neither the incumbent nor the churchwardens shall act with respect to them without the approval of the other.

C. In the case of difference of opinion between the incumbent and the churchwardens regarding their respective duties and powers, the matter shall be referred to the Bishop for adjustment, and the decision of the Bishop in such cases shall be final.

REGULATION R3.4.1 REGISTRATION OF MINISTRATIONS

A. Every incumbent shall keep a record in books provided by the churchwardens of all services, baptisms, confirmations, and marriages, performed in the parish, and all funerals performed in the parish or conducted outside the parish in funeral homes.

B. In the case of baptisms and marriages, the officiant shall give a certificate to the parties concerned.

C. In case a second certificate is required, or a copy of the record of any baptism, marriage or burial applied for, a fee may be charged for the copy.

D. In cases where an incumbent or churchwardens are required to search their parish register, a fee may be charged.

CANON 3.5 SALARY and BENEFITS

A. Clergy shall be paid a salary and benefits according to regulation and as set out in their letter of employment.

REGULATION R3.5.1 SALARIES AND BENEFITS

A. All payments for clergy salaries and benefits shall be paid at least semi-monthly, in arrears, on or before the mid-month and the last day of each month.

B. The process for calculating salaries for clergy serving in parishes shall be determined pursuant to the Parish Clergy Compensation Worksheet. The process for calculating the salaries for clergy working in roles outside a parish context shall be determined by mutual agreement between the cleric and the Bishop, ratified by diocesan council.

C. Every member of the clergy shall, on or before February 15th in each year, make an official return on the form sent out by the Synod office of the total amount of salary within the meaning of the General Synod pension canon received for the previous year. Should there have been no salary for the previous year, the estimated salary for the current year may be shown.

D. Moving: On the appointment of a new incumbent, the moving costs for which the incumbent provides receipts up to \$15,000 shall be borne by the parish, with the right of appeal to the Bishop.

E. Health, Dental and Medical Benefits: The parish shall pay B.C. Medical Services Plan premiums, extended health and dental premiums on behalf of the member of the clergy and family, unless the clergy chooses to opt out of the coverage.

F. Annual Vacation: Unless the Bishop approves otherwise, annual vacation for members of the clergy shall be:

- 1. for clergy having less than five years' service since ordination: four weeks in any calendar year;*
- 2. for clergy having between five years' and ten years' service since ordination: five weeks in any calendar year;*

3. for clergy having ten or more years' service since ordination: six weeks in any calendar year.

G. The Bishop may grant a special leave of absence upon application.

H. General Synod Pension Fund:

1. Every bishop and member of the clergy on the register of the diocese, in active service, who has been found medically fit qualifies for admission to the General Synod pension fund and are subject to the provisions of General Synod canon VIII.

2. The dues payable by individual members of the clergy and by the salary paying source as laid down in the General Synod canon VIII shall be remitted to the synod office monthly.

3. Diocesan council shall act as the diocesan authority referred to in regulation II, section 3, of General Synod canon VIII.

I. General Synod Group Insurance Plan: The General Synod group insurance plan is applicable to every member of the clergy who is licensed to a sphere of work in the diocese; sums deducted each month from the participants' salary shall be remitted monthly together with the pension assessment payments to the synod office.

J. Educational Leave:

1. Members of the clergy who are contemplating leave for educational purposes shall consult the Bishop in the early stages of planning, and the Bishop shall consult the salary paying source.

2. All full-time clergy licensed to ministry by the Bishop are entitled to one week's professional educational leave each year in addition to their annual vacation and the study leave referred to in paragraph 3, below. This leave is non-cumulative and does not include participation in mandatory educational events.

3. By virtue of diocesan participation in the General Synod continuing education plan, all members of the clergy in employment in the diocese who are not in receipt of the General Synod Pension may apply for six weeks' study leave every five years (eight days per year). This leave is not cumulative and must be taken in a way that is mutually satisfactory to the Bishop, the salary paying source and the clergy member seeking leave. It is in addition to

annual vacation and professional educational leave referred to in paragraph 2, above.

4. The proposed amount of any salary to be received by the clergy member during any study leave referred to in paragraphs 2 and 3, above, shall be determined by agreement with the salary paying source and approved by the Bishop.

5. After six years of continuous employment at a single parish, a clergy member may propose an unpaid sabbatical leave for not more than six months. The terms of such a sabbatical leave must be for an educational purpose and must be approved by the parish and by the Bishop.

6. A sabbatical leave referred to in paragraph 5, above, shall not be taken in the same 12 month period as any educational leave referred to in paragraphs 2 and 3, above.

7. Clergy employed part-time shall be entitled to proportional educational and sabbatical leave in accordance with their contract of employment.

REGULATION R3.5.2 CLERGY HOUSING

A. If a parish provides a rectory for its incumbent, and the incumbent wishes to reside in the rectory

1. the parish and the incumbent will enter into a lease of the rectory upon terms and form approved by the Executive Archdeacon and the Chancellor.

2. the parish shall be responsible for

a. Seeing that a suitable stove, refrigerator, washer and dryer are provided and that they are maintained at parish expense;

b. Paying the taxes, insurance and other maintenance on the rectory.

B. No incumbent shall be permitted to reside at a location which, in the opinion of the Bishop, is more than a reasonable distance from the parish, without the permission of the Bishop in consultation with the churchwardens.

C. Where a member of the clergy is the incumbent of more than one parish, the responsibility, rent paid, and expenses connected with a lease of a rectory shall be apportioned between or among the parishes and shall be set by diocesan council after due consultation.

D. Where a member of the clergy is the incumbent of one parish while living in the rectory of another parish, the responsibilities of the two parishes and the member of the clergy will be as set out in the tenancy agreement that will be executed by all three parties.

CANON 4

THE SYNOD

CANON 4.1 PROCEEDINGS OF SYNOD

- A. Each session shall normally begin with a public celebration of Holy Communion.
- B. Where the public celebration of Holy Communion is deemed not viable, a session may begin with an alternative public service of worship in a form authorized by the Bishop.
- C. After Holy Communion or other form of worship as provided in 4.1 B, above, on the first day of the session, the Presiding Officer shall take the chair and may deliver the Bishop's charge or part thereof.
- D. The order of business shall be determined by the regulations to this canon in effect for the time being.
- E. The rules of order governing the conduct of business of the Synod shall be those contained in the regulations to this canon but in the absence of such rules or where such rules are silent regarding any matter of dispute or doubt, the rules governing the House of Commons of Canada shall apply.
- F. Delegates to the Synod shall register at a time and place designated in the notice calling the Synod. A credentials committee may be appointed by the Presiding Officer to examine and verify the certificates of delegates and thereafter report its findings to the Synod. There shall be a registration committee which will report to the Registrar. Upon a quorum being reported by the Registrar as being present, the Presiding Officer shall declare the Synod organized for business.

CANON 4.2 DIOCESAN CHANCELLOR

- A. There shall be a chancellor of the diocese who shall be appointed by the Bishop and who shall hold office during the pleasure of the Bishop. The Chancellor shall be a member of the bar of the Province of British Columbia of at least 10 years' standing and shall be a communicant of the church. The Chancellor shall advise and assist, and act with the Bishop, or in the Bishop's absence, with the commissary, in all matters of discipline or cases of difficulty or doubt when requested by the Bishop or the commissary. All real property contracts, leases and deeds and other documents as set out in regulation shall first be submitted to the Chancellor for approval.
- B. The Chancellor shall perform such related duties as are required by the Bishop and the various canons of the diocese.

C. The Bishop may appoint a vice-chancellor, to hold office during the Bishop's pleasure. The Vice-Chancellor shall be a member of the bar of the Province of British Columbia of at least 10 years' standing and shall be a communicant of the church. The Vice-Chancellor shall assist the Chancellor and shall act for, and on the Chancellor's behalf, during the absence or inability of the Chancellor to attend to the Chancellor's duties.

D. On the retirement of any chancellor, the Bishop may appoint the retiring chancellor a chancellor emeritus.

CANON 4.3 DIOCESAN REGISTRAR

A. There shall be a Registrar of the diocese, who shall be appointed by the Bishop and remain in office during the pleasure of the Bishop.

B. The Registrar is an officer of Synod whose role and responsibilities are described in regulations R1.2 and R4.1.

C. The Registrar shall verify and confirm that a record shall be kept of:

1. all letters of orders, licences, letters of institution, and mandates of induction;
2. other official documents as directed by the Bishop.

D. The Registrar shall perform such other related duties as required by the Bishop and the various canons and regulations of the diocese.

E. Immediately prior to their resignation or retirement, the Registrar shall deliver to their successor or to the Executive Officer all books, records, documents, papers and property that had been in the possession or control of the Registrar as an officer of Synod.

CANON 4.4 DIOCESAN ARCHIVES AND ARCHIVIST

A. The Synod owns and is responsible for all official records of the diocese, its officers, parishes and organizations; and in accordance with the provincial and federal freedom of information and protection of privacy laws it shall provide a secure archival repository for its permanent documents in the formats approved by the archivist.

B. The archivist shall be appointed by the Bishop.

C. In accordance with a collections policy to be established by regulation, all records of permanent value created by the synod office, parishes and organizations shall be transferred regularly to the archives.

D. The archivist shall create policies and procedures relating to all appraisal, acquisition, arrangement, description, preservation, reference and access functions, in keeping with archival principles, and shall provide an annual report to diocesan council, along with a report to regular sessions of Synod.

CANON 4.5 THE SEAL OF THE SYNOD

A. The Bishop shall have care and custody of the seal of the Synod.

B. The seal of the Synod shall be affixed in the presence of the Bishop or other diocesan officer as requested by the Bishop.

CANON 4.6 PROTECTION OF OFFICERS OF SYNOD

A. Officers of Synod include:

1. The Bishop
2. The bishop coadjutor, the bishop suffragan and the bishop assistant
3. The administrator
4. The commissary
5. The Dean
6. The Executive Archdeacon
7. The archdeacons appointed to active duty
8. The Chancellor
9. The Vice-Chancellor
10. The Registrar
11. The Clerical Secretary
12. The Lay Secretary
13. The Treasurer
14. The Executive Officer

15. The Finance Officer

16. The other officers of Synod appointed by diocesan council.

B. Appointment or election as officers of Synod does not imply the assumption by the person so appointed or elected of any personal liability in the due performance of their duties as such. The Diocese will indemnify the officers of Synod.

REGULATION R4.6.1 BUSINESS OF SYNOD

A. When the Presiding Officer has declared the Synod organized for business the business may include the following undertaken in the order prescribed by the Presiding Officer:

- 1. Registrar's report as to the quorum.*
- 2. Election of Clerical and Lay secretaries if desired.*
- 3. Appointments by the Presiding Officer, which may include:*
 - a. Registration committee*
 - b. Credentials committee*
 - c. Agenda committee*
 - d. Expenditures committee*
 - e. Media committee*
 - f. Resolutions committee*
 - g. Scrutineers.*
- 4. Tribute to former Synod members now deceased.*
- 5. Report of the nominations committee*

6. *Report of diocesan council.*
 7. *Financial report with balance sheet and auditor's report.*
 8. *Election of the Treasurer.*
 9. *Unfinished business from the last Synod.*
 10. *Reports of committees, councils, boards and other organizations.*
 12. *Correspondence*
 13. *Notices of motion*
 14. *Memorials*
 15. *Petitions*
 16. *Other reports*
- B. An address by the Presiding Officer shall be in order at any time.*
- C. The minutes of the Synod shall be confirmed by a committee appointed by the Bishop.*
- D. The complete proceedings of Synod shall be published as soon as possible and a copy made available by electronic means to all members of Synod.*

REGULATION R4.6.2 RULES OF ORDER AT SYNOD

- A. When any member speaks, they shall address their comments to the Presiding Officer.*

1. *All motions and amendments to be considered by the Synod shall be in writing and (excepting such as may be proposed by the Bishop or diocesan council) with the names of mover and seconder. No motion shall be considered until the next sitting of the Synod after notice thereof has been given, unless by consent of the Synod.*

2. *All motions and notices of motion dealing with business having financial implications, presented during Synod, must be referred to the expenditures committee, who shall be responsible to ensure that before any such motion is adopted at Synod, all relevant information, financial and otherwise, is made available to Synod.*

B. No member, save the mover of the motion, who is entitled to reply, shall speak more than once on the same question without the leave of the Synod, except in explanation of a material part of the speech which may have been misunderstood, and then the member is not to introduce fresh matter.

C. When a question is under consideration, no other motion shall be received, unless:

1. *To adjourn*
2. *To lay it on the table*
3. *To postpone it to a certain time*
4. *To postpone it indefinitely*
5. *To refer it to a committee of the whole Synod, or to a select committee*
6. *To amend it, or*
7. *To divide on it by orders and motions for any of these purposes shall have precedence in the order here named.*

D. Motions to adjourn or to lay on the table shall be decided without debate.

E. When a notice of motion is given, it shall be read to the Synod by one of the secretaries, after which it cannot be withdrawn by the mover without the consent of the Synod.

F. Each member shall have the right to require, at any period of the debate, that a question in discussion be read for the members' information.

G. A member called to order while speaking shall sit down unless permitted to explain.

H. All questions of order shall be decided by the Presiding Officer.

I. An amendment to an original motion shall, in discussion, take precedence of such motion; an amendment shall be first considered, then the amendment to the motion, and lastly the motion itself.

J. When a proposed amendment is under consideration, not more than one amendment to such amendment shall be in order, yet a substitute for the whole matter may be proposed and received, providing it deals with the matter in hand.

K. Except with the consent of the Synod, the mover of a motion may not speak for more than five minutes and the seconder for three minutes, and each speaker thereafter for three minutes. The mover may speak for three minutes in closing the debate.

L. When a division takes place, the votes of the members of the clergy and of the laity shall be taken in accordance with Article XIII of the constitution.

M. In voting, those who vote in the affirmative shall first rise, and then those who vote in the negative.

N. A question being once determined, shall not again be brought into discussion in the same sitting, except with the consent of the Synod.

O. No protest or dissent shall be entered on the minutes of the proceedings, but when required by any two members the number of the affirmative and negative votes and the names shall be recorded.

P. When the Synod is about to rise, every member shall remain seated until the Presiding Officer has left the chair.

Q. Any of the orders of routine business or of the rules for the preservation of order may be suspended by unanimous vote on the motion without notice.

R. All committees, other than standing committees, unless named by the Synod, shall be appointed by the Presiding Officer, and the names shall be publicly announced while the Synod is in session, together with the name of the convenor, who shall be chair of such committee.

S. Every report of a committee shall be in writing and shall be signed by the chair.

T. The chair of the committee or some member on the chair's behalf shall explain to the Synod the bearing of any portion of the report, if requested by any member of the Synod.

U. Voting and Abstentions:

1. When the question is put, every member present, except the Presiding Officer, shall be required to vote on the same, provided that any member who wishes to abstain from voting for reasons of conflict of interest shall be entitled to abstain on notifying the chair of their intention.

2. The orders of clergy and laity shall vote together unless a vote by orders is called for.

3. If no call is made to vote by orders, in order to be passed the motion shall require a majority of votes of synod taken together.

4. If a vote by orders is called for, the orders of clergy and laity shall vote separately, and in order to be passed the motion shall require a majority of votes of each order.

5. Whether or not a vote by orders is called for, abstentions shall not be counted in determining the majority.

REGULATION R4.6.3 NOMINATIONS, ELECTIONS AND DUTIES OF SCRUTINEERS

A. A nominations committee will be established, the membership of which shall be an archdeacon appointed by the Bishop and the regional lay vice chairs. The committee shall receive nominations and report them to Synod. When the report is received, the Presiding Officer shall call for further nominations from the floor of Synod. When all persons entitled to vote have been given the opportunity to make further nominations, the Presiding Officer shall declare that nominations are closed.

B. After nominations have been declared closed, if paper ballots are to be used, ballot papers containing the names (in alphabetical order) of all nominees for the diocesan council and the several committees, etc. shall be prepared. The ballot papers shall also show the number of persons to be elected.

C. The ballot paper, together with a list of all persons entitled to vote, shall be handed to the convener of scrutineers immediately prior to the second sitting. During the adjournment the ballot papers are issued, marked and deposited in the ballot boxes.

D. Immediately after the resumption of the second sitting, the Presiding Officer shall ask if every member of Synod has received and cast their ballot. After a satisfactory reply the Presiding Officer shall declare the ballot closed.

E. The ballots shall then be delivered to the convener of scrutineers, and the counting of the ballots proceeds. On completion of the counting, the convener of scrutineers shall report the results to the Presiding Officer, who shall thereupon announce such results. The Presiding Officer shall then ask if any voter wishes to challenge the ballot, and, if no challenge is made, shall order the ballots destroyed.

F. In the case of a tie, a casting vote shall be given by the Presiding Officer.

G. Every voter shall mark a cross (X) against the name of the candidate for whom they are voting. Ballots shall be considered void and not counted for any of the following reasons:

- 1. Any markings other than the "X";*
- 2. Inclusion of the name of any person not shown on the ballot paper;*

3. Crosses against the names of more candidates than the number shown as required to be elected.

H. If electronic ballots are to be used, paragraphs A through G shall apply, with the necessary changes to accommodate electronic ballots.

I. Except in cases of acclamation ballots are required for:

1. Members of diocesan council

2. At the session immediately preceding meetings of the General and/or Provincial Synods, delegates to General Synod and delegates to Provincial Synod.

J. Election to a membership of the General or Provincial Synod shall be for the General or Provincial Synod next following the diocesan Synod at which the election is held. No delegate may attend more than three consecutive sessions of the same General or Provincial Synod.

REGULATION R4.6.4 COMMITTEE OF THE WHOLE SYNOD

A. In forming a committee of the whole Synod, the Presiding Officer before leaving the chair shall appoint a replacement who shall maintain order in committee, and the rules of the Synod shall be observed in a committee of the whole Synod, except the rule limiting the number of times of speaking.

B. Questions of order in committee shall be decided by the chair, subject to appeal to the Synod.

C. A motion that the replacement leave the chair is always in order, and takes precedence over any other motion, and is decided without amendment or debate; all unprovided cases shall be governed by the rules governing the House of Commons of Canada.

REGULATION R4.6.5 MEETINGS OF SYNOD BY ELECTRONIC MEANS

A. *Diocesan council may, with the concurrence of the Bishop, resolve that a meeting of Synod shall be held entirely by means of a telephonic, an electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting.*

B. *In extraordinary circumstances, the Bishop may direct that a member of Synod may participate in a meeting of Synod by means of a telephonic, an electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting. A member of Synod so participating in a meeting is deemed for the purposes of the Canons to be present at the meeting.*

C. *In any meeting of Synod where members participate by electronic means, the provisions of regulations R4.6.1, R4.6.2, R4.6.3 and R4.6.4 continue to apply, unless any provision is in conflict with a provision of this regulation R4.6.5, in which case the provision of this regulation shall govern.*

Rules of order applying to members participating by electronic means

D. *Unless the Presiding Officer dispenses with this rule, members shall keep their microphones muted at all times except when called upon by the Presiding Officer to speak.*

E. *Members may indicate to the Presiding Officer their desire to speak through such electronic means as are made available by the software or other technology in use. Members claiming the right to raise a point of order or privilege may do so.*

F. *A member called to order may have their connection muted if the Presiding Officer so directs.*

G. *Votes on all motions shall be cast in the manner enabled by the electronic technology in use.*

Nominations, Elections and Duties of Scrutineers in Cases of Electronic Voting

H. Any contractor or volunteer, including but not limited to a software provider and its employees supplying the necessary technology to facilitate electronic voting shall, before commencing to provide services, provide a written undertaking in a form acceptable to the Chancellor to abide by the provisions of these regulations that have as their object the preservation of confidentiality and the secrecy of any ballot.

I. The Presiding Officer shall appoint a returning officer and a deputy returning officer, who shall not be voting members of Synod, and who shall have the duties and responsibilities set out in this regulation. The returning officer may delegate some or all functions to the provider of software or other electronic technology. The Presiding Officer may dispense with the appointment of scrutineers other than the returning officer and deputy returning officer.

J. The software provider and all of its employees (collectively called the "Election Manager") shall give the returning officer and deputy the ability to audit and observe all aspects of the voting software in use, including but not limited to the "back end" tools used by the Election Manager to run the election, prepare ballots, call for votes, and tabulate results.

K. After nominations shall have been declared closed, the returning officer shall cause electronic ballots to be made available using electronic technology engaged for the purpose. The ballot for each position shall show the number of persons to be elected and shall list the candidates in alphabetical order by surname.

L. The returning officer and deputy returning officer shall take all possible steps to ensure that they have received the electronic votes of all members who had registered to vote and shall take all reasonable steps to be assured that all members who wish to vote electronically have done so.

M. The results of each election shall be tabulated by the returning officer and deputy returning officer, under supervision of the scrutineers, if any. On completion of the counting, the returning officer shall report the results to the Presiding Officer, who shall thereupon instruct the returning officer to announce such results.

N. The returning officer shall maintain an electronic archive of all ballots cast until instructed by the Presiding Officer to destroy them.

O. The Election Manager, returning officer and deputy returning officer shall take all possible steps to ensure that no person other than themselves know for which candidate each member has voted, such steps to include:

- 1. causing all electronic ballots to be received by the returning officer and deputy and by no other persons; and*
- 2. ensuring that the Election Manager, returning officer and deputy returning officer, and no other persons, see the electronic ballots, whether in electronic or in any other form.*

P. The Election Manager, returning officer and deputy returning officer shall for all time keep confidential the name of each candidate for whom any member has cast their ballot, other than information the Presiding Officer, Chancellor or Registrar has provided to the voting members of Synod.

Q. At the close of the meeting, the Presiding Officer shall ask if any voter wishes to challenge the ballot, and, if no challenge is made, shall order the ballots destroyed.

R. So soon as is possible after the order for the destruction of ballots, the Election Manager, the returning officer, deputy returning officer, Chancellor and Registrar shall delete and destroy any and all documents in their control or possession, whether in electronic form or in paper form, which indicate the identity of the candidate in whose favour any member has cast their ballot, other than information the Presiding Officer, Chancellor or Registrar has provided to the voting members of Synod.

Special Provisions in the event of technical difficulties

S. In the event the returning officer decides at any time during the voting process that technical difficulties have arisen which interfere with the ability of a member to vote electronically, the returning officer, in consultation with the deputy returning officer, and with the consent of the member in respect of whom technical difficulties have arisen, may designate such means of electronic communication as the returning officer deems appropriate to receive the vote of the member.

T. In the event technical difficulties arise which in the opinion of the returning officer prevent altogether a member from voting electronically, the returning officer may nevertheless receive the votes of those members who are able to vote electronically.

U. Technical difficulties with electronic voting on the part of one or more members shall not be grounds for impeaching the validity of any election, provided that valid votes have been received from a number of members comprising a quorum of both orders.

V. In the event the returning officer determines that technical difficulties prevent an election by electronic means in which the Synod can have confidence, the Presiding Officer may, with or without consulting with others, adjourn the meeting of the Synod until a date not later than 14 days thereafter, such date to be fixed by the Presiding Officer, with all members of Synod to be notified of the date.

REGULATION R4.6.6 DISPOSITION OF ARCHIVAL MATERIAL

A. In the event of the closure of the diocese, the records shall become the property of the Ecclesiastical Province of British Columbia & Yukon and will be housed and administered by the Provincial Synod archivist.

REGULATION R4.6.7 ACQUISITION OF PARISH RECORDS UPON DISESTABLISHMENT OR CLOSURE

A. At the time of the disestablishment or closure of any parish or parishes, it shall be the duty of the Archivist, in consultation with the Registrar, in accordance with canon 7:

1. to acquire all completed as well as current parish records and historical documents of the parish (registers, minute books, records of parish clergy, parish officers and committees, organizations and all financial records).

2. to preserve, arrange and describe these deposited records according to archival principles.

3. to advise the affected parish or parishes of the need for the transfer of these materials to the diocesan archives to be undertaken in a timely manner.

CANON 5**DIOCESAN COUNCIL**

A. Diocesan council shall consist of:

1. Ex-officio:

- a. the Bishop (chair)
- b. the bishop coadjutor, the bishop suffragan and the bishop assistant
- c. the Dean
- d. the Chancellor
- e. the Vice Chancellor
- f. the Executive Archdeacon
- g. the Treasurer

2. Elected: One clerical and one lay, being members of the synod, elected from each region, who shall hold office commencing at the next meeting of synod and shall hold office for a term ending at the next following meeting of synod.

3. Appointed: At any time between regular sessions of the synod, the Bishop upon the concurrence of diocesan council may appoint up to three additional members, who shall serve until the next regular meeting of synod. These additional members need not be members of synod.

B. In the event of a vacancy occurring between regular sessions of the synod, diocesan council may appoint by resolution a replacement to fill such vacancy for the remainder of the term of the person vacating office.

C. In the event that any member of diocesan council shall fail to attend two consecutive meetings of diocesan council save by reason of sickness or other reasonable or unavoidable cause, diocesan council may declare the office vacant, and the member shall be replaced as provided in paragraph B above.

D. Diocesan council shall meet at least five times per year, or more frequently at the initiative of the Bishop or as may be requested by any two members, for the transaction of

the ordinary business of synod and, in particular, to take necessary action upon the reports of the committees of synod.

E. Diocesan council shall submit to each regular session of the synod a report covering the period between synods and ensure the presentation of such financial reports as are required by the constitution and canons.

F. The Bishop shall make nominations for the Executive Officer and the Finance Officer to diocesan council, and upon approval thereof, diocesan council shall appoint the persons so nominated. They shall serve at the pleasure of both the Bishop and diocesan council. If the Executive Officer or the Finance Officer shall lose the confidence of either the Bishop or the Diocesan Council, their incumbency shall cease.

G. Diocesan council shall define the duties of the Executive Officer and the Finance Officer and of such other officers as it shall see fit to appoint to implement the work of the synod from time to time.

H. A majority of the voting members shall form a quorum.

I. In the case of a tie-vote, the chair, even if not a voting member of diocesan council, shall cast the deciding vote.

REGULATION R5.1.1 CHAIR

A. The chair of the meetings of diocesan council shall be the Bishop or the Bishop's delegate.

B. Failing the above, diocesan council shall elect its own chair who may be either a clerical or a lay member of diocesan council.

REGULATION R5.1.2 MEETINGS

A. Diocesan council shall meet at such place as the Bishop shall direct.

B. The agenda shall be issued seven days before the session to which it relates.

C. Other business may be included in the agenda with the approval of the chair and diocesan council.

REGULATION R5.1.3 MEETINGS OF DIOCESAN COUNCIL BY ELECTRONIC MEANS

A. *The Clerical and Lay Secretaries may, with the concurrence of the Bishop, direct that any member of diocesan council may participate in a meeting of diocesan council by means of a telephonic, an electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting. A member of diocesan council so participating in a meeting is deemed for the purposes of the canons to be present at the meeting.*

B. *The Clerical and Lay Secretaries may, with the concurrence of the Bishop, direct that a meeting of diocesan council shall be held entirely by means of a telephonic, an electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting.*

C. *The chair of any committee of diocesan council may direct that any member of that committee may participate in a meeting by means of a telephonic, an electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting. A member of the committee so participating in a meeting is deemed for the purposes of the canons to be present at the meeting.*

D. *The chair of any committee of diocesan council may direct that a meeting of that committee shall be held entirely by means of a telephonic, an electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting.*

E. *In any meeting of diocesan council or of a committee where members participate by electronic means, those provisions of regulation R4.5 that are not in conflict with this regulation shall apply, with the necessary grammatical and contextual changes.*

REGULATION R5.1.4 SPECIAL MEETINGS

A. *Ballot by E-Mail*

1. *Where the Bishop (or commissary or administrator) or the Operations Committee considers it necessary, an item may be presented for decision by diocesan council by e-mail ballot. Provided that at least two-thirds of the members of diocesan council cast ballots, a measure supported by the majority of positive ballots shall be considered adopted by diocesan council.*

2. *In presenting an item for ballot by e-mail, the proponent shall provide a rationale for the adoption of the item. Any member of diocesan council may submit comments on the item and ask that those comments be circulated to the other members of diocesan council.*

3. *Members of diocesan council shall normally have no less than forty-eight hours to consider the item and the rationale presented, and to cast their ballots, unless the Bishop or the Operation Committee determines that it is necessary to act within a shorter period of time.*

4. *Any member of diocesan council may make a request to the Bishop, commissary or administrator that a tele-conference or in-person meeting of diocesan council be convened to consider the item. The Bishop, commissary, or administrator in their discretion may decide that such a meeting will be called at the earliest reasonable time.*

5. *Where the chair of any committee of diocesan council considers it necessary, an item may be presented for decision by that committee by e-mail ballot, following the procedures set out in subsections 1 to 4 above, with the necessary grammatical and contextual changes.*

REGULATION R5.1.5 DELEGATION OF POWERS

A. *Diocesan council may delegate any of its powers to committees with the power to act.*

REGULATION R5.1.6 DUTIES OF DIOCESAN FINANCE OFFICER

A. *It shall be the duty of the Finance Officer to give advice and assistance to diocesan council and the finance committee and*

1. *To be responsible to the Executive Officer, the finance committee and diocesan council for the administration of the financial and other business affairs of the synod, including:*

a. *banking,*

b. *oversight of the diocesan investments and trust funds,*

c. *insurance of diocesan properties,*

d. *preparation of diocesan financial statements and budget;*

2. To monitor and assist in the development of the financial activities of the parishes and, where appropriate, to interpret decisions of the finance committee and diocesan council to parishes, regions and the diocese;

REGULATION R5.1.7 DUTIES OF DIOCESAN EXECUTIVE OFFICER

A. The Executive Officer serves in the diocese by supporting and implementing the ministry and mission of both the Bishop and synod, and any commissions and committees established by them. Without infringing on the rights and duties of the Bishop, licensed clergy, parish leadership, and officers of synod, the Executive Officer:

1. Is responsible for the implementation of requests from the Bishop, and
 - a. acts as Executive Secretary to the Bishop; and
 - b. if appointed, acts as a commissary to the Bishop.
2. Is responsible for supporting the decisions of Synod and diocesan council, and
 - a. has responsibility for ensuring that a record of proceedings is made at Synod and diocesan council; and
 - b. ensures that the acts of Synod and diocesan council are tracked.
3. Is responsible for the management of the synod office and office staff.

REGULATION R5.1.8 COMMITTEES

A. Diocesan council at its first regular meeting shall elect the following standing committees:

1. The Canons Committee
 - a. The membership of which shall be determined by diocesan council in consultation with the Chancellor, and may consist of:
 - i. The Chancellor
 - ii. The Vice Chancellor
 - iii. The Finance Officer

iv. The Executive Officer

v. Up to two additional members who need not be members of diocesan council.

b. The committee shall have the power to nominate additional members whose election must be confirmed at the next meeting of the diocesan council.

c. The canons committee shall make recommendations to synod, and between synods to diocesan council, about potential amendments to the constitution, canons, regulations and policies pursuant to Article XVI of the constitution, and shall draft amendments that reflect the direction received from synod or diocesan council.

2. The Operations Committee

a. The membership of which shall be:

i. the Bishop, who shall be the chair

ii. the Chancellor

iii. Vice Chancellor, if any

iv. up to four voting members of diocesan council, appointed by diocesan council on the recommendation of the Bishop

v. the Executive Officer (non-voting)

vi. the Finance Officer (non-voting)

b. The operations committee shall meet at the call of the chair.

c. A quorum of the operations committee shall consist of the Bishop, either the Chancellor or the Vice Chancellor, and two other voting members.

d. The Operations Committee may make decisions of a routine nature on matters that would otherwise come before diocesan council.

e. The Operations Committee may make decisions on expenditures up to a limit of \$100,000. Diocesan council may increase this limit in respect of a single question or issue.

f. If any one member is of the view that a question should not be decided by the Operations Committee but should be referred to diocesan council as a whole, the Operations Committee shall not make any decision in regard to that question, but shall refer the question to diocesan council, either by way of email ballot under regulation R5.1.4, or at the next regular meeting of the diocesan council.

g. Minutes of the meetings of the Operations Committee shall be placed on the agenda of the next meeting of diocesan council for ratification. Any decision of the Operations Committee that is not ratified by diocesan council (other than with regard to expenditures that have already been incurred) shall immediately cease to have effect.

3. The Finance Committee

a. The membership of which shall consist of the following members:

i. Ex-officio: the Bishop, the Chancellor, the Treasurer, who shall be chair, either the Clerical Secretary or the Lay Secretary.

ii. Appointed: three to four members, appointed by the Bishop, at least two of whom shall be elected members of diocesan council, and up to two of whom need not be members of Synod.

iii. Non-voting: The Executive Officer and the Finance Officer.

b. The chair shall convene its first meeting following a regular session of Synod, at which meeting the members shall choose one of its members as vice-chair.

c. Vacancies of elected members, occurring between regular sessions of the Synod, may be filled only by appointment of the diocesan council.

d. One half of the voting members shall form a quorum as long as at least one appointed member is present.

e. The finance committee shall meet at least five times per year, or more frequently at the initiative of the Treasurer or as may be requested by any two members, (voting or non-voting) with at least seven days' notice of meetings.

4. The Asset Management Committee

- a. *As set out in canon 7.3, all buildings and lands of the diocese shall be registered in the name of The Anglican Synod of the Diocese of British Columbia.*
- b. *The asset management committee shall consist of members of diocesan council appointed by diocesan council and such additional persons with professional experience in various aspects of real estate including development, project management, facility management and property management as diocesan council may decide.*
- c. *The Executive Officer, or their delegate, and the Finance Officer are ex-officio members of the asset management committee with vote.*
- d. *This committee shall select a chair from among its members.*
- e. *The duties of the asset management committee shall be as directed by diocesan council.*

REGULATION R5.1.9 PROPERTY REDEVELOPMENT FUND

- A. *A Property Redevelopment Fund shall be maintained to assist with property initiatives in the diocese through non-interest-bearing loans, or grants.*
- B. *Advances to parishes and other diocesan organizations or initiatives from the Property Redevelopment Fund will be made for purposes approved by diocesan council on the recommendation of asset management committee.*
- C. *The terms of all such advances shall be as approved by diocesan council on the recommendation of finance committee and agreed to by the parish or other organization accepting the advance.*
- D. *A minimum balance of \$50,000 will be maintained in the fund. If the fund falls below the minimum balance, no new loans will be issued until the fund returns to the minimum balance.*

REGULATION R5.1.10 COMMITTEE REPORTS

- A. *Committees named in regulation R5.1.8 shall report regularly in writing to diocesan council and shall provide such detail as diocesan council shall request.*

B. All committees of diocesan council and such programs as the Bishop or diocesan council shall direct shall report in writing to regular sessions of Synod.

REGULATION R5.1.11 MEMBER TERM

A. No member of diocesan council (elected or appointed) may sit for more than three consecutive terms except for those whose specific role dictates ongoing membership.

CANON 6**REGIONS****CANON 6.1 ESTABLISHING REGIONS**

A. The Bishop will establish no fewer than four Regions based on geography or on other criteria, or on both, for the purpose of:

1. promoting the spiritual life within each Region,
2. supporting common ministries within the Region, and
3. considering matters affecting the diocese as a whole.

B. Regions shall be defined by the Bishop in consultation with diocesan council.

C. Priorities for Regions shall be established at the annual conference of clergy and laity within the Region.

CANON 6.2 AUTHORITY AND GOVERNANCE

A. Each Region accedes to the authority of the Bishop, the actions of synod, the constitution and canons of the diocese and the Anglican Church of Canada.

B. If a region at its regional conference chooses to do so, the region may be governed by an executive committee the composition and powers of which shall be set out in regulation.

REGULATION R6.2.1 REGIONAL CONFERENCE

A. In each Region there shall be a regional conference which shall meet at least once in the year leading to the next diocesan synod on a date to be set by the archdeacon assigned by the Bishop to that Region, or at the call of the Bishop.

B. The regional conference shall comprise:

- 1. The Regional Archdeacon;*
- 2. All active clergy in the Region holding the licence of the Bishop;*
- 3. The churchwardens, treasurer, and the lay delegates and alternates to synod from each parish within the Region.*

4. *Other members from the Region who volunteer to attend and who shall have voice but no vote.*

C. The Regional Archdeacon shall convene and preside at all meetings of the regional conference, except that at the request, or in the absence of the Regional Archdeacon, the lay vice-chair may convene and preside at meetings of the regional conference.

D. The regional conference

1. shall elect from the persons nominated by its constituent parishes at their annual general meeting a youth lay delegate or delegates to synod as set out in Article III (f) and shall notify the synod office of such election;

2. shall prior to a synod elect one clerical and one lay person from among its members who are members of synod to serve on diocesan council as set out in canon 5;

3. may consider any matters of common concern relating to the parishes within the Region, and make pertinent recommendations to diocesan committees;

4. may allocate funds to support regional ministries and projects;

5. shall send copies of its minutes, and notices of forthcoming meetings, to the Bishop.

6. shall comply with the policy respecting preparation for, and the process of the holding of, regional conferences and shall follow the same rules of order as for regular meetings of synod.

E. If necessary, the region shall have a special conference to nominate a person to fill any vacancy of a representative to diocesan council.

REGULATION R6.2.2 REGIONAL EXECUTIVE COMMITTEES

A. If a region chooses to be governed by an executive committee pursuant to canon 6.2, the executive committee shall be comprised of the Regional Archdeacon, a Regional Lay Vice-chair, a second lay person, and another cleric. The Regional Lay Vice-chair, the second cleric and the second lay person shall be elected at the regional conference and shall hold office until the next regional conference.

REGULATION R6.2.3 CONDUCT OF REGIONAL CONFERENCES BY ELECTRONIC MEANS

A. The Regional Archdeacon may direct that at any regional conference a member may participate by means of a telephonic, an electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting. A member so participating in a meeting is deemed for the purposes of the canons to be present at the meeting.

B. The Regional Archdeacon may direct that any regional conference shall be held entirely by means of a telephonic, an electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting.

C. In any regional conference where members participate by electronic means, those provisions of Regulation R4.6.5 that are not in conflict with this regulation shall apply, with the necessary grammatical and contextual changes.

CANON 7**PARISH****CANON 7.1 PARISH ORGANIZATION**

A. Every parish is an integral part of the diocese as a whole. No parish has the competence to separate itself from the diocese.

CANON 7.2 ESTABLISHMENT, SUBDIVISION, GROUPING, AMALGAMATION, DISESTABLISHMENT OF PARISHES

A. The Bishop and diocesan council may, subject to the regulations, establish, subdivide, group, amalgamate or disestablish parishes.

REGULATION R7.2.1 COMMISSION OF INVESTIGATION

A. Whenever the word "commission" is used in this canon and the regulations related to this canon, it shall denote a commission appointed by the Bishop and approved by diocesan council, consisting of an archdeacon and two clerical and/or lay members, who shall report in writing to the Bishop and diocesan council.

REGULATION R7.2.2 ESTABLISHMENT AND/OR SUBDIVISION OF PARISHES

A. Whenever a group of persons, who are communicants of the Anglican church, of the full age of sixteen years, residing in the diocese, desire the establishment of a parish where they reside, they shall present a proposal to the Bishop to that effect, stating their reasons.

B. On receipt of this proposal the Bishop shall:

1. Refer the matter to diocesan council for study and report and notify in writing the incumbent and the churchwardens of any neighbouring parishes that may be affected;

2. If no objection to the proposal is raised within one month from the date of such notice, and if the report of diocesan council is in favour of the establishment of a parish, and if the Bishop is satisfied that all applicable provisions of statutory legislation have been complied with, and that proper and sufficient means have been or will be provided for the maintenance of

work in such parish, the Bishop and diocesan council may proceed with the establishment of the parish;

3. If any of the parties notified above objects to the proposed parish, the party or parties shall, within one month of receiving notice of the proposal, state in writing to the Bishop the grounds of objection. The Bishop may either refuse the objections or appoint a commission which shall confer with the incumbent(s) of the parish or parishes affected, and consider the objections made. The commission shall then report its findings to the Bishop, and if such report is favourable to the establishment of the parish and is confirmed by diocesan council, the Bishop and diocesan council may proceed to the establishment of such a parish. If the commission supports the objection, the Bishop shall not create the proposed parish and shall not reconsider the matter for at least one year.

REGULATION R7.2.3 GROUPING OF PARISHES

A. Whenever the Bishop shall consider it advisable to amalgamate or merge two or more existing parishes as a multi-point parish or otherwise, the Bishop shall seek voluntary consent to such amalgamation or merger by a conference of the incumbent (if any) and churchwardens of such parishes and shall then seek diocesan council approval by resolution.

B. Alternatively, at the sole discretion of the Bishop, if a voluntary agreement cannot be reached, a commission may be appointed to consider the objections of those opposed to amalgamation or merger of the parishes, or any other pertinent matters, and to report to the Bishop.

C. If a commission is appointed, it shall include at least one parishioner from each parish affected.

D. If such report is in favour of the proposed amalgamation or merger and has been confirmed by diocesan council, the Bishop may proceed to carry the proposed parish amalgamation or merger into effect. If the report of the commission is unfavourable, further action shall be deferred for a period of not less than one year, from the date of such report.

CANON 7.3 BUILDINGS AND LANDS

A. All buildings and lands of the diocese shall be registered in the name of The Anglican Synod of the Diocese of British Columbia.

B. No parish has the authority to mortgage or sell lands or buildings of the diocese.

C. The property in all purchased and donated fixtures, ornaments, memorials and furnishings in church buildings and their disposal shall be vested in the Synod. The Bishop and diocesan council shall, on behalf of Synod, decide matters relative to their disposal.

D. Any person may request that they be given a particular item that is to be disposed of pursuant to section C, above, and the Bishop and diocesan council will take into consideration that request when deciding matters relative to its disposal.

E. Diocesan council may sell or otherwise dispose of an interest in parish lands or buildings with the consent of the Bishop. If diocesan council determines to do so, once having obtained the approval of the Bishop, it shall give notice to the parish affected and shall allow that parish three months to make representations to diocesan council about the proposal. The decision of diocesan council respecting the proposal shall be final.

REGULATION R7.3.1 PARISH LANDS AND BUILDINGS

A. Parishes wishing to undertake construction costing greater than \$20,000, whether to an existing structure or in erecting a new structure, and any changes in an approved construction plan must obtain the approval of the parish vestry at an annual or special meeting of parishioners, and then must obtain approval of the asset management committee, followed by the approval of diocesan council.

REGULATION R7.3.2 HERITAGE DESIGNATION

A. An application for heritage designation of any diocesan property is discouraged. Any application for heritage designation must be approved by diocesan council.

REGULATION R7.3.3 MEMORIALS

A. Any person or persons desiring to place a memorial of a permanent character in or on a church building shall make application for permission to the incumbent of the parish, who shall call a meeting of the parish council, and if necessary, of the parishioners for their consideration of such application. If approved, the application shall be forwarded to the Bishop and the decision of the Bishop shall be final.

REGULATION R7.3.4 INSPECTION AND REPAIRS OF PARISH BUILDINGS

A. Diocesan council may from time to time arrange for an inspection of the church, rectory and other church buildings in each parish.

B. With the exception of a residence owned by a member of the clergy, an inspection of the rectory shall always take place on the termination of an incumbency. Upon the inspector's report being received, diocesan council shall take the necessary steps to see that the rectory be in fit and proper condition of repair before the new incumbent shall enter into residence. The cost of such inspection is to be borne by Synod. The cost of the repairs is to be borne by the parish.

C. Upon receiving the report of the inspector, the Finance Officer shall give notice to the churchwardens of the repairs required and the churchwardens shall arrange for the repairs to be effected.

CANON 7.4 INSURANCE

A. The synod office arranges for insurance coverage for

1. property over which the diocese is responsible, by way of ownership, lease or other arrangement; and
2. other potential liabilities.

B. All parishes are required to participate in the insurance program and must:

1. Reimburse the synod office for the premium associated with their annual insurance certificate;
2. On an annual basis, ensure that property values are maintained at current replacement cost; and
3. Report promptly to the synod office any claims or potential claims.

C. Insurance coverage is required for any use of parish premises by a third party, whether by way of lease, facilities use agreement or similar arrangement. Insurance addressing liability is required as described in the regulations.

CANON 7.5 ANNUAL MEETING OF PARISHIONERS

A. There shall be, in every parish, an annual meeting of the parishioners within sixty days after the end of the fiscal year, for the purpose of receiving and passing the previous year's accounts and for electing officers.

B. The incumbent shall be the convener of the meeting; if there is no incumbent, then the meeting shall be convened by the churchwardens.

C. The incumbent or nominee shall be the chair of the meeting. If the incumbency is vacant, or if the incumbent is absent for any cause, the meeting shall elect one of the churchwardens as chair.

D. Every elector present in person or by proxy shall be entitled to vote.

REGULATION R7.5.1 ANNUAL OR SPECIAL MEETINGS OF PARISHIONERS

A. *The parish council may appoint a nominating committee, which shall submit its report to the meeting. Other nominations may be made from the floor.*

B. *The order of proceedings at the annual meeting shall include:*

1. *Opening Prayer;*

2. *Reading, correcting and approving minutes of the previous meeting;*

3. *Receiving report of churchwardens and other reports;*

4. *Appointment of churchwarden by incumbent (if the incumbent chooses to appoint one);*

5. *Appointment of a treasurer pursuant to Regulation R7.5.3;*

6. *Review and approval of the annual budget;*

7. *Election by parishioners of:*

a. *Churchwarden(s)*

b. *Lay delegates to Synod and alternates*

c. *One youth lay representative nominee for election to Synod by a regional conference*

d. *Parish council*

e. *An examiner to review the financial statements;*

8. *Adjournment with prayer.*

C. *The incumbent shall call a meeting of parishioners on receiving a written request, signed by the churchwardens and by a majority of the parish council, or on a written request by any ten parishioners.*

D. *Notice of every such meeting must be posted up conspicuously at or near the church door, and distributed electronically on the parish website or newsletter, at least fourteen days before the day on which the meeting is to be held. The notice must state the time and place at which, and the purpose for which, the meeting is to be held; and shall be in the following form:*

"Notice is hereby given that a meeting of the parishioners of this parish will be held on the ___ day of ___ at ___ o'clock, in the _____ for the purpose of _____."

Similar notice shall also be given during divine service in the church on the two Sundays preceding the meeting.

E. *In order to vote at the meeting, one must be a parishioner of at least 16 years of age and have been in regular attendance at a church in the diocese for a period of three months immediately preceding the meeting, unless unable to attend due to health or other reasonable causes.*

F. *An elector who is unable to attend a meeting in person may in writing appoint another elector to attend and vote on their behalf by proxy, provided that no elector may hold more than one proxy at any meeting. A proxy is valid only for the one meeting to which it refers.*

G. *In parishes with 200 or fewer electors, the quorum for transacting any business at an annual or special meeting of parishioners shall be:*

1. *the incumbent, or, if the incumbency is vacant or the incumbent is absent for any cause, the priest or deacon in charge, if any,*
2. *at least one churchwarden or deputy warden, and*
3. *not fewer than ten of the electors, present in person or by proxy.*

H. *In parishes with over 200 electors, the quorum for transacting any business at an annual or special meeting of parishioners shall be:*

1. *the incumbent, or, if the incumbency is vacant or the incumbent is absent for any cause, the priest or deacon in charge, if any,*
2. *at least one churchwarden or deputy warden, and*

3. not less than ten per cent of the electors of the parish, present in person or by proxy.

I. If a quorum is present at the start of the transaction of business at the meeting, the meeting is validly constituted and remains so, notwithstanding any reduction in the number of attendees during the course of the meeting.

J. If a quorum is not present within 30 minutes of the time set for the commencement of the meeting, the meeting shall stand adjourned to be resumed at the same time and place seven days following the date originally set. No further notice of the adjournment of the meeting need be given under subsection D.

K. The electors present at the meeting at which no quorum was present may by simple majority vote to choose a different time and place for the adjournment of the meeting, in which case the notice provisions of subsection D apply.

L. The incumbent, or, if the incumbency is vacant or the incumbent is absent for any cause, the priest or deacon in charge, if any, at least one churchwarden or deputy warden, and the number of electors in attendance at the time and place fixed for a meeting adjourned under subsection J or K shall constitute a quorum.

M. At a meeting duly convened and held, the result of the votes shall be recorded and shall bind those who are absent. Voting shall be by show of hands or standing vote unless a vote by ballot is requested. A parishioner shall vote at the meeting of only one parish of which the parishioner is a member.

1. The chair shall have the usual powers of a chair at any other public meeting. It shall be that person's duty to remain in the chair until the business is concluded, or the meeting adjourned, to keep the meeting to the specified purpose of its assembling, and to decide all questions of order. In addition to the chair's own vote, the chair shall have a casting vote in the case of a tie.

2. The right of adjournment shall be in the whole assembly, and the question of adjournment shall be decided by the majority of votes.

3. Minutes of the proceedings and resolutions of every meeting shall be correctly recorded and shall be signed by the chair.

N. The names and addresses of churchwardens, treasurer, lay delegates to Synod and lay delegates to the regional conference shall be sent to the synod office within ten days of the holding of the annual meeting.

REGULATION R7.5.2 PARISH MEETINGS BY ELECTRONIC MEANS

A. The incumbent of a parish, or, if there is no incumbent, the churchwardens, may direct that at any annual or special meeting of parishioners, or any meeting of the parish council or a committee thereof, a member may participate by means of a telephonic, an electronic or other communication facility that permits all participants to communicate with each other during the meeting. A member so participating in a meeting is deemed for the purposes of the canons to be present at the meeting.

B. The incumbent of a parish, or, if there is no incumbent, the churchwardens, may direct that any annual or special meeting of parishioners, or any meeting of the parish council or a committee thereof, shall be held entirely by means of a telephonic, an electronic or other communication facility that permits all participants to communicate with each other during the meeting.

C. In any meeting of parishioners, the parish council or a committee thereof where members participate by electronic means, those provisions of Regulation R4.6.5 that are not in conflict with this Regulation shall apply, with the necessary grammatical and contextual changes.

REGULATION R7.5.3 PARISH TREASURER

A. The parish treasurer is appointed by the incumbent and churchwardens with the consent of the parish council.

B. The parish treasurer reports to the churchwardens, who are ultimately responsible for all financial aspects of the parish.

C. The parish treasurer will have a good working knowledge of basic bookkeeping or accounting and the time and commitment to complete all of the work necessary.

D. The duties and responsibilities of the parish treasurer are:

1. to ensure that all monies received by the parish are accounted for, recorded and deposited into a recognized financial institution in a safe and timely manner.

2. *to assist the churchwardens in seeing that all parish financial obligations (clergy salary and benefits, staff salaries, benefits, bills, taxes, insurance, assessment, etc.) are paid in a timely manner.*
3. *to control or prepare and maintain accounting records of the financial activities of the parish.*
4. *to ensure that the incumbent, churchwardens and parish council are kept aware of the parish's financial condition and to present regular, accurate, comparative financial statements to them.*
5. *to assist the churchwardens in the development of an annual budget for the parish.*
6. *to attend all council, regional and other meetings as required by the incumbent or churchwardens.*
7. *to ensure that all of the parish financial information is available for audit, review or examination and be prepared to answer any questions relating to it.*
8. *to pass all records on to the successor parish treasurer in a neat and tidy condition and timely manner.*

CANON 7.6 PARISH FINANCES

A. All funds received by the parish from any source or for any purpose shall be promptly deposited in a chartered bank, credit union, or trust company authorized to do business in the Province of British Columbia, and cheques drawn on the account or accounts shall be signed by any two of the following:

- 1. the incumbent,*
- 2. a churchwarden,*
- 3. the treasurer or assistant treasurer*
- 4. any member of parish council authorized by parish council.*

B. All the funds received from any source and for any purpose by the parish shall be brought to account in the parish's accounts and shall be included in their annual statement to be submitted to the annual meeting of parishioners.

C. The parish's accounts shall be examined each year by a qualified person or persons, other than a member of the parish council, elected pursuant to regulation R7.5.1, and the examiner's report on the accounts shall be presented to the parishioner's annual meeting.

REGULATION R7.6.1 PARISH LOANS

A. Parishes may:

- 1. Submit to diocesan council for approval loan applications approved by resolution of parish council.*
- 2. Apply for emergency funding if they have no outstanding loans. All such applications shall be forwarded to the operations committee for consideration, and the Bishop and finance committee shall be advised. Such funding, if approved by operations committee, may be granted by any two of the authorized signatories of the Synod bank account, up to \$10,000 in a line of credit to individual parishes.*

REGULATION R7.6.2 ANNUAL PARISH BUDGET

- A. The churchwardens and parish treasurer shall prepare a draft annual parish budget and will present that draft to parish council for consideration before presenting it to the annual meeting of parishioners for approval.*
- B. If parish council suggests amendments to the draft budget, the churchwardens and the treasurer will consider the proposed amendments and will make the final decision regarding the terms of the draft budget that is to be presented to the annual meeting of parishioners.*
- C. The vestry, at the annual meeting of parishioners may accept the draft budget or return it to the churchwardens and treasurer for further consideration. If the draft budget is not approved by the annual meeting of the parishioners, the process set out in paragraphs A and B, above, shall be repeated, and a special meeting of parishioners shall be called to consider a new draft budget.*
- D. If a second draft budget is not approved at the special meeting of parishioners, the churchwardens may either repeat the process set out in paragraphs A and B, above, until a draft budget is approved by a special meeting of parishioners or may refer the draft budget to the Executive Archdeacon, whose decision shall be final.*

E. During the year between annual meetings of parishioners, any amendment to the approved budget that increases the total expenditures by more than 10% may only be made by a special meeting of parishioners.

F. During the year between annual meetings of parishioners, any amendment to the approved budget that increases the total expenditures by 10% or less may only be made with the approval of parish council.

REGULATION R7.6.3 PARISH STEWARDSHIP

A. The incumbent and churchwardens shall encourage members of the parish to participate in the mission and stewardship of the Church.

B. In each parish there shall be annually a comprehensive canvas of parishioners, for the purpose of obtaining pledges of Christian services and financial commitment in the ensuing year to further the mission and stewardship of the church, including

- 1. meeting the financial needs of the parish,*
- 2. promoting and implementing the parish vision and the diocesan vision, and*
- 3. promoting the mission of the Anglican Communion.*

C. The churchwardens shall report the results of the said canvass to the Executive Officer no later than fourteen days after its conclusion.

CANON 7.7 APPOINTMENT AND ELECTION OF CHURCHWARDENS

A. In every parish there shall be two churchwardens selected from the communicants, one to be appointed by the incumbent and one to be elected by the electors; provided that, if the incumbent declares a desire to waive the incumbent's right of appointment, both the churchwardens shall be elected by the electors.

B. If any incumbency be vacant at the time fixed for the election and appointment of churchwardens, one shall be elected by the parishioners duly assembled (normally at the annual general meeting) and the other shall be appointed by the Bishop. The churchwarden appointed by the Bishop shall remain in office until the incumbent shall have been duly appointed.

C. The Bishop's churchwarden, or such other person as the Bishop shall appoint, shall fulfill the responsibilities of an incumbent set out in this canon and in canon 3 (other than

those of a liturgical, spiritual, or pastoral nature) with the necessary grammatical and contextual changes.

D. Churchwardens shall be elected each year at the annual meeting of parishioners, and no person shall be appointed or elected as churchwarden who has held the office continuously for the previous six years without the prior approval of the Bishop.

E. At the annual meeting of parishioners, a parish may appoint up to two deputy churchwardens to assist the churchwardens in their duties.

F. No churchwarden or deputy churchwarden may be removed from office except by parish council with the prior approval of the Bishop.

REGULATION R7.7.1 CHURCHWARDENS

A. *The churchwardens, upon appointment to their office, shall sign the following declaration to be kept in the parish office:*

"I, _____, churchwarden of the parish of _____, declare that I consent to be bound by the constitution, canons and regulations which are now in force, and which may from time to time be made or amended by the Anglican Synod of the Diocese of British Columbia, and that I will faithfully perform the duties of my office."

B. *Appointment or election as churchwarden does not imply the assumption of any personal liability in the due performance of the duties of churchwardens as such. The diocese will indemnify the churchwardens.*

C. *The duties of the churchwardens, whether chosen by the incumbent or the parishioners, shall be the same:*

1. *To see that the divine service is regularly and decently performed by the persons licensed by the Bishop or holding the Bishop's permission to officiate, and to ensure that all things requisite for divine service are provided.*

2. *To set an example of regular attendance and hearty response on the part of the congregation, and generally to assist and support the incumbent by zeal and moral support in all matters affecting the welfare and advancement of the parish; to take care that order is preserved in the church, and to see that the parishioners are sufficiently accommodated in the church.*

3. *To have supervision of all financial matters of the parish, and to ensure that a financial statement is drawn up at least each quarter for presentation to the parish council or more regularly if so directed by parish council.*
4. *To ensure that the incumbent's salary is paid in full regularly each month.*
5. *In consultation with the treasurer, to prepare a draft budget pursuant to Regulation R7.6.2.*
6. *To ensure that all expenditures fall within the parameters of the annual budget, or if an anticipated expenditure falls outside the annual budget to seek approval of an amendment to the annual budget pursuant to Regulation R7.6.2.*
7. *To ensure that the yearly accounts, duly examined and reviewed, are laid before the parishioners at the annual meeting; and that a copy of such accounts is sent to the finance officer, as well as the parish annual return form created by the Synod office.*
8. *To hand over to their successors in office any cash balance in hand after the approval of the accounts, together with the church goods and inventory.*
9. *To ensure that all buildings and grounds under the stewardship of the parish are in repair and insured; and all premiums and taxes are paid.*
10. *To act jointly with the incumbent in matters concerning the use of buildings and grounds, other than the use of the church building for divine services.*
11. *To execute contracts normally entered into on behalf of the parish, having obtained the previous consent or subsequent ratification of parish council.*
12. *To seek prior review by the Chancellor of any employment contract, contract for services, facility use agreement or lease of the parish lands or buildings.*
13. *To execute leases or facility use agreements of parish lands or buildings with terms greater than one year or rental greater than \$10,000, having first received approval of parish council, the Chancellor and diocesan council.*
14. *To execute leases or facility use agreements of parish lands or buildings with terms equal to or less than one year and rental equal to or less than \$10,000, having first received approval of the Chancellor and parish council.*

15. *To undertake, with the incumbent, the management and control of the church cemetery or cemeteries within the parish, subject to the terms of any trust affecting the same, any regulations created by the cemetery committee and subject to the regulations on cemeteries.*
 16. *To ensure that the following books or records are kept by the parochial authorities:*
 - a. *register book or books of baptisms, confirmations, banns, marriages and burials;*
 - b. *register of all services that take place in the church, with the names of the officiating ministers;*
 - c. *register of Sunday attendance and attendance at festivals;*
 - d. *minutes and resolutions of the vestry meetings and parish council;*
 - e. *parish financial accounts;*
 - f. *An inventory of all church goods and lands.*
 17. *At the beginning of the year, to assist the incumbent in preparing and promptly submitting a table of statistics on a form provided by the synod office.*
 18. *To provide for the care of the parish during the annual holiday of the incumbent and during any educational leave of the incumbent.*
 19. *To report to the Bishop the death of the incumbent, or the inability from any cause to fulfill the duties of the incumbent.*
 20. *To take care of the rectory, if any, during the vacancy of the incumbency.*
 21. *To assist the incumbent in the appointment of all lay employees.*
 22. *To assist in the completing, signing and remitting of all necessary filings under the Income Tax Act, in a timely manner, so that the parish's standing as a registered charity is maintained.*
- D. Churchwardens shall normally continue in office until their successors are appointed or elected.*

E. If a churchwarden wishes to resign the office, notice in writing shall be given to the incumbent or if there is no incumbent, to the Regional Archdeacon.

1. If the office of churchwarden chosen by the parishioners shall become vacant with six months or more of the normal term of the churchwarden remaining, a meeting of the parishioners shall be called as soon as conveniently may be, to elect some other qualified person to the vacant office. If the office of churchwarden chosen by the parishioners shall become vacant during the year with less than six months of the normal term remaining, a churchwarden may be elected by the parish council without the necessity of calling a meeting of the parishioners.

2. If the office of the churchwarden appointed by the incumbent shall become vacant the incumbent shall appoint without delay some other qualified person to the vacant office.

3. Immediately after the appointment of a churchwarden to fill a vacancy the incumbent shall publicly announce to the congregation during the time of divine service, the name of such person, and shall have such person sign the declaration required in paragraph A above and advise the synod office of the name of such person.

CANON 7.8 THE PARISH COUNCIL

A. The duty of parish council shall be to assist and support the incumbent and the churchwardens in the general business and the programs of the parish.

B. In every parish there shall be a parish council elected from and by the parishioners of not less than three nor more than twelve in number in addition to the ex-officio members. This council shall meet at least quarterly.

C. At a meeting subsequent to the parishioners' annual meeting, the parish council may add to its membership a number not more than one-third of those elected at the parishioner's annual meeting, with the unanimous consent of its members to each appointment.

D. The incumbent shall be entitled to appoint a number equal to those added under paragraph C above.

E. The treasurer and secretary are ex-officio members of parish council but have no vote unless they have been elected or appointed to parish council.

F. Members added under the provisions of paragraphs C and D above shall have the same powers and privileges as those members elected by the vestry.

G. Alternate lay delegates to Synod not elected or appointed to parish council are not ex-officio members of parish council, unless the elected lay delegate states that they cannot attend Synod.

H. The incumbent, any other clergy licensed to the parish, the churchwardens and lay delegates to Synod shall be ex-officio members of parish council and have the right to vote.

I. No paid lay employee of the parish shall be a member of the parish council without the unanimous consent of parish council.

J. The incumbent shall be the convener of the parish council; if there be no incumbent, then the meetings shall be convened by the churchwardens.

K. To set an example of regular attendance and hearty response on the part of the congregation, and generally to assist and support the incumbent and churchwardens.

L. Without infringing on the powers and duties of the incumbent and the churchwardens, parish council may offer recommendations on any subject.

M. The incumbent, the incumbent's nominee, or a person elected by the council, in that sequence, shall be the chair of parish council. If the parish has no incumbent, or if the absence of the incumbent is approved by the archdeacon or the Bishop, parish council shall elect as chair one of the churchwardens.

N. The incumbent shall call a special meeting of the parishioners or a meeting of parish council on receiving a written request signed by the churchwardens and by a majority of parish council, or on a written request by any ten parishioners.

O. A quorum of parish council shall be the chair and one of the churchwardens and one-third of the lay membership of the council.

P. If a parish council member wishes to resign from office, notice in writing shall be given to the incumbent or if there is no incumbent, to the Regional Archdeacon.

REGULATION R7.8.1 - PARISH LAY EMPLOYEES

A. All lay employees of the parish shall be appointed by the incumbent and churchwardens, the position and terms of employment having been authorized by parish council. If there is no incumbent, lay employees shall be appointed by the Regional Archdeacon and the churchwardens, the

position and terms of employment having been authorized by parish council.

B. All regular staff and volunteers shall, before commencing work, comply with the requirements of Safe Church and, if required, shall provide a criminal record check to the synod office.

C. All full-time employees of the diocese, parishes, or church related institutions in the diocese shall be offered the opportunity of becoming members either of the General Synod pension plan or the lay retirement pension plan of The Anglican Church of Canada.

D. All parish employees will be subject to and covered by the employment standards set out in regulation.

E. All employment contracts entered into between the parish and an employee shall first be approved by the Chancellor.

REGULATION R7.8.2 DISESTABLISHMENT OF A PARISH

Disestablishment on the Request of the Parish

A. The vestry of any parish may resolve by a resolution adopted by at least a sixty percent majority of those present at a special vestry meeting called for the purpose of considering the matter to disestablish the parish, notice having been duly given by the incumbent or churchwardens during divine service on the two Sundays next preceding such vestry meeting that it is expedient for reasons to be stated in the resolution that the parish should be disestablished.

B. If the resolution be approved, the churchwardens shall forward it to diocesan council for consideration.

C. The resolution, having been reviewed and supported by diocesan council, shall be submitted to the Bishop for their approval. If approved, the Bishop may then proceed with a declaration to disestablish the parish.

D. If the Bishop or diocesan council do not approve the disestablishment, the resolution shall be defeated and may not be put forward again for at least one year.

Disestablishment at the Initiation of the Bishop

E. If the Bishop deems it advisable that any parish in the diocese should be disestablished and if voluntary disestablishment cannot be arranged, the Bishop may give three months' notice to the incumbent and churchwardens that the Bishop will, at the end of that time, proceed to make arrangements for disestablishment. If within three months no objection is offered by the incumbent and the churchwardens, then the Bishop shall proceed. If within the said three months a written objection to the proposed action of the Bishop be made by either the incumbent or at least one of the churchwardens, then diocesan council shall at its next session consider the said objection and give opinion on it by vote, and, if the appeal be rejected, the Bishop shall proceed to effect a disestablishment of the parish.

F. If the appeal shall not be rejected by diocesan council and the objection upheld, the Bishop shall not disestablish the parish and may not raise the possibility of disestablishment of that parish for at least one year.

Sale and Disposition of Lands or Buildings

G. The sale or other disposition of lands or buildings of a parish by diocesan council does not, in itself, disestablish a parish.

REGULATION R7.8.3 GENERAL

A. All questions of dispute between the incumbent and the churchwardens, or between the churchwardens and the meeting of parishioners, shall be reported to the Bishop for decision, or for such enquiry as the Bishop may consider necessary and the decision of the Bishop in each case shall be final.

B. Proceeds of the sale of any property by a parish are to be invested, and the capital is not to be used for current purposes, unless express permission is given by diocesan council.

C. Diocesan council may make rules respecting the use of capital and any interest thereon from the proceeds of the sale of property by the diocese or the sale of property by a parish.

CANON 8**FINANCE AND TRUSTS****CANON 8.1 INTERPRETATION**

A. In this canon:

1. CTF means the consolidated trust fund;
2. PAR means the parish annual return;
3. PFR means the parish financial return;
4. PWRDF means the Primate's World Relief and Development Fund

CANON 8.2 TREASURER

A. The Treasurer shall be elected at Synod. If a vacancy occurs between meetings of Synod, then diocesan council shall elect a replacement. The Treasurer shall be a volunteer unless diocesan council decides otherwise.

B. Qualifications include:

1. at least ten years of work experience in a financial field including finance, banking, financial supervision or regulation, trust management, or accounting; and
2. at least five years of experience with church finances as treasurer, finance or investment committee member, or similar relevant responsibility.

C. Duties include:

1. chairing meetings of the finance committee;
2. presenting the annual budget to diocesan council;
3. presenting financial statements to Synod;
4. advising the Bishop's office on the supervision of financial and accounting staff in the synod office;
5. monitoring compliance with Canada Revenue Agency requirements.

CANON 8.3 FINANCE COMMITTEE

A. The finance committee is a committee of diocesan council, as set out in regulation R5.1.8.

B. The finance committee shall assist diocesan council in fulfilling the following oversight responsibilities by monitoring, reviewing and advising regarding:

1. all financial matters;
2. strategic financial plans including the development and revisions of the annual operating budget;
3. system of internal controls;
4. annual review/audit processes;
5. investment management activities;
6. review of all trusts, whether held directly by the diocese or in the parishes; and
7. all financial assets now held by, or to become vested in, or entrusted to Synod.

C. The finance committee may establish additional sub-committees or working groups to advise and assist with its responsibilities.

REGULATION R8.3.1 TASKS

A. The finance committee shall focus on the following tasks:

1. Finances

a. Monitor, review and advise the council on financial matters affecting the diocese, its parishes, regions and related organizations as assigned;

b. Review quarterly financial statements produced by staff including the status of apportionments and loans;

c. Review contracts, agreements or other instruments involving the financial affairs of the diocese and make recommendations to diocesan council on appropriate action;

d. Advise the diocese on appropriate alignment of financial resources with strategic directions;

- e. Review internally designated trusts from time to time;*
- f. Review externally designated trusts for alignment with donors' intentions;*
- g. Monitor the system of internal controls maintained by the synod office;*
- h. Promote transparency and accountability of all financial and planning activities of the diocese.*

2. Investment

- a. Develop and maintain an investment policy statement consistent with Anglican values and diocese direction;*
- b. Engage a qualified investment advisory firm and custodian to manage and hold financial assets of the CTF;*
- c. Review financial results of the CTF and associated costs to encourage cost-effective performance;*
- d. Monitor the CTF portfolio for compliance with the investment policy statement;*
- e. Respond in a timely manner to members of Synod and parishes for information around investment policy.*

3. Budget

- a. Solicit and receive input from committees, parishes and individuals during budget preparation in the fall of each year;*
- b. Prepare, review and recommend the annual operating budget to diocesan council no later than its January meeting;*
- c. Incorporate any changes made to the budget by diocesan council and prepare a final budget.*

4. Audit / Review

- a. Recommend auditors/accountants for appointment, agree on the scope of their work and recommend approval of their fees;*

- b. Receive and review the financial statements of the diocese as to reasonableness of presentation, appropriateness of accounting principles and adequacy of disclosure, prior to submission to diocesan council;*
- c. Receive and review the draft written annual report of the external accountant by May 31, and present to diocesan council the final statements no later than the June meeting of diocesan council;*
- d. Review the objectives and effectiveness of any internal review functions, including working relationships with the external accountants and the synod office;*
- e. Review reports required by regulations of this canon and provide guidance to diocesan council, the Finance Committee and the Finance Officer when appropriate.*

5. *General*

- a. Assume other responsibilities that may be delegated by diocesan council.*

REGULATION R8.3.2 FINANCIAL YEAR OF SYNOD

- A. The financial year of Synod shall begin on the first day of January and end on the thirty-first day of December in each calendar year.*

CANON 8.4 DIOCESAN APPORTIONMENT

- A. Parishes shall contribute financial resources for the diocese through a process of apportionment as required by regulation.*

REGULATION R8.4.1 DIOCESAN PLAN OF APPORTIONMENT

- A. The amount to be apportioned pursuant to Canon 8.4 shall be based on a percentage of the total parish income, using the most current reported financial information in the PAR as the basis for determining income.*
- B. The following exemptions or deductions shall be applied in determining total parish income:*
 - 1. Money donated or raised for appeals beyond the parish, such as Anglican Appeal or PWRDF,*
 - 2. All bequests which are not used in the year for parish operations.*

3. *Large capital projects that require major fund raising within parishes.*
4. *Grants of financial assistance from the diocese.*

C. Diocesan council shall review the existing work of the diocese and propose a level of spending, and will determine the actual rate for the apportionment for the coming year or years. Once parish financial statements have been received the next year's parish apportionments will be calculated and total income for diocesan, provincial and national purposes will be determined.

D. Parishes will submit in each year a PFR to the synod office which shall include all financial aspects of their prior year's operations in the form prescribed by regulation. The return shall include a calculation of their apportionment for the year following the year of reporting. The synod office shall confirm the apportionment calculation.

E. The total amount of the calculated parish apportionments, other sources of diocesan income and its reserves will form the basis of the diocesan budget for the coming year.

REGULATION R8.4.2 PARISH MONTHLY REMITTANCES

A. To assist the diocesan, provincial and national churches in meeting their cash flow needs, diocesan apportionment and funds for salary and benefits shall be remitted by parishes to the diocese in equal monthly instalments.

B. If the churchwardens are aware that their parish will not be able to pay its apportionment within the month it is due, they shall notify the synod office. If the situation is likely to persist beyond the current month, the churchwardens shall advise the anticipated duration of payment interruption and what they are doing to remedy the situation.

C. If the apportionment delinquency continues beyond three months, the incumbent and churchwardens shall present a written report to the finance committee addressing the delinquency and proposing a plan of action.

D. The finance committee will review the proposed plan and communicate its recommendations to diocesan council, including but not limited to financial assistance.

REGULATION R8.4.3 ASSISTED PARISHES

A. Parishes may apply to diocesan council for a flat cash grant to assist with parish operational or other funding requirements, and upon approval of diocesan council, assisted parishes may receive a flat cash grant that year.

B. Except with the express permission of diocesan council, no assisted parish shall establish a building fund or any reserve fund, any part of the capital of which is taken from ordinary parish revenue.

C. Assisted parishes shall pay apportionments on the basis of the diocesan plan of apportionment.

REGULATION R8.4.4 PARISH CAPITAL EXPENDITURES

A. Parishes that are in arrears on any financial obligation to the diocese, (e.g., apportionment, loan repayments), must obtain clearance from diocesan council before undertaking any capital expenditures over \$1000.

REGULATION R8.4.5 EXPENDITURES OF FUNDS

A. All requests for diocesan funding must be approved by diocesan council and shall contain a specific provision designating the proposed source of such funds.

B. To obtain approval of diocesan council, the individual or body requesting the funding must comply with regulation R8.4.3 B. The decision of diocesan council respecting such request shall be final.

C. To obtain the approval of diocesan council, the individual or body requesting the funding shall submit their request to the finance committee. The finance committee will report to diocesan council whether the money proposed to be spent is available and if not, what steps can be taken to provide such money. The decision of diocesan council respecting the request shall be final.

REGULATION R8.4.6 TRAVEL ALLOWANCES

A. Travel expenses for clergy or lay persons for attendance at diocesan events and diocesan meetings when in-person attendance is required shall be reimbursed according to the travel allowance policy as approved by finance committee.

B. Additional travel allowances for non-diocesan events or meetings may be available to clergy serving in geographically remote areas. A request for

such additional allowances shall be made to the Executive Archdeacon whose decision shall be final.

REGULATION R8.4.7 FINANCIAL REPORTING

A. Parishes will provide the following reports to the synod office by March 15 of each year:

- 1. Parish financial return for the previous calendar year;*
- 2. Parish financial statements for the previous calendar year including supporting schedules in the format prescribed by policy;*
- 3. Financial reviewer's report;*
- 4. Reports presented to the annual meeting of parishioners;*
- 5. Approved parish budget for the current year;*
- 6. Report of externally restricted trust funds held by the parish (outside of the CTF) and providing the information required in R8.5.7;*

B. The diocese may request or require annual reports from organizations that receive financial support from the diocese or its parishes.

CANON 8.5 TRUST FUNDS

A. Trust funds received and accepted by the diocese shall be held and managed according to the terms of the trust.

B. To comply with the fiduciary obligations of trust documents, the finance committee will establish subcommittees to oversee and manage specific trusts, either individually or as a group. These include but are not limited to the:

1. John Albert Hall Trust,
2. Stanley Flitcroft Trust,
3. C.H.G. Mann Fellowship,
4. Ellenor Swallow Trust,

5. Dewdney-Schofield Fund,
6. Ordination Candidates Fund, and
7. Edith Turner Trust.

C. Subcommittees shall be fully empowered to distribute and/or accumulate income received from the CTF in compliance with the terms of each trust. All decisions to disburse funds greater than the accumulated interest and dividend income, shall require prior approval from finance committee and diocesan council.

D. Subcommittees overseeing specific trusts shall make periodic reports of their activities in accordance with regulation R8.5.7.

E. Parishes within the diocese that have received and accepted trust funds shall hold and manage them according to the terms of the trust. Parishes that hold such trusts shall provide periodic reports to the finance committee as defined by regulations R8.4 A (7) and R8.5.7.

F. Other funds held by the diocese shall be managed by the finance committee for specific parishes or purposes as directed by diocesan council.

REGULATION R8.5.1 JOHN ALBERT HALL TRUST

A. The John Albert Hall Trust shall be governed by a sub-committee ("J.A. Hall committee") comprised of the Bishop (who shall serve as chair), the Dean, the two senior canons of the cathedral chapter, the Chancellor, the Treasurer, all of whom shall have voice and vote, and the clerical secretary or the lay secretary both of whom shall have voice but no vote.

B. The J.A. Hall Committee shall be responsible for administering the trust fund.

C. The J.A. Hall Committee shall meet at the call of the chair. Quorum shall be a majority of voting members.

REGULATION R8.5.2 EDUCATIONAL TRUSTS COMMITTEE

A. There shall be an Educational Trusts Committee which shall be responsible for evaluating applications made for educational funding under the:

1. *C.H.G. Mann Fellowship for training for the ministry of priest or deacon and for post-ordination academic study;*
2. *Ellenor Swallow Trust for Lay Training, including training in pastoral skills and care, theology, spiritual growth and refreshment, [Cuernavaca and similar training,] Christian leadership training and other lay training;*
3. *Stanley Flitcroft Trust for the promotion and encouragement of serious and bona fide Christian education among lay persons of the diocese. Residue income if not used for lay persons may be used for ordained priests of the diocese.*

B. Membership:

1. Ex officio:

The Chancellor

The Treasurer

The lay secretary or clerical secretary (both of whom shall have voice but no vote)

2. Appointed:

a. One member of the clergy of the diocese appointed by the Bishop to serve as chair.

b. Four members appointed by diocesan council: two lay persons, two clergy.

3. The term of appointed members shall be three years. No appointed member shall serve more than two consecutive terms.

4. Quorum shall be a majority of voting members.

c. The Education Trusts Committee shall meet at the call of the chair.

REGULATION R8.5.3 DEWDNEY-SCHOFIELD FUND

A. The capital of the Dewdney-Schofield Fund shall be retained in investments and the income shall be divided annually into shares to be used for the following:

1. A share each for each retired bishop of the diocese,
2. A share each for the spouse of each retired bishop,
3. A share each for each surviving spouse of each deceased bishop of the diocese,
4. One-half share for the provision of holiday money for needy clergy of the diocese.
5. One-half share to be used for the holding of retreats.

REGULATION R8.5.4 ORDINATION CANDIDATES' FUND

- A. There shall be a fund known as the ordination candidates' fund consisting of:
1. The open collections at services of confirmation and ordination in all parishes of the diocese;
 2. Special collections, subscriptions, donations and legacies received for the purposes of the ordination candidates' fund;
 3. Such amounts as by order of Synod or diocesan council shall be included in the parish apportionment from time to time.
- B. The final choice of a recipient shall lie with the Bishop in consultation with their examining chaplains.

REGULATION R8.5.5 EDITH TURNER TRUST FUND

- A. There shall be a fund consisting of units in the CTF designated as the Edith Turner Trust. The capital shall be held in trust and the income disbursed annually by decision of the Supplemental Pensions Committee.

REGULATION R8.5.6 SUPPLEMENTAL PENSIONS COMMITTEE

- A. There shall be a Supplemental Pensions Committee to monitor and oversee disbursements from specific funds which exist to provide income to retirees of Synod.

- B. Membership:

The Bishop,

The Executive Archdeacon,

The Executive Officer,

The Chancellor,

The Treasurer, who shall serve as chair

The Clerical Secretary or the Lay Secretary

The Finance Officer

C. The committee shall meet at least once per year to review and approve disbursements from the following specific funds in accordance with their terms:

- 1. Garrod Pension Fund*
- 2. Emily Elizabeth Stoneham Fund*
- 3. Clergy Widows and Orphans Fund*
- 4. Lay Retirement Fund*
- 5. Clergy Wellness Fund (a/k/a Incapacitated Clergy Fund)*
- 6. Dewdney-Schofield Fund*
- 7. Edith Turner Trust Fund*

D. A majority of members shall be a quorum.

REGULATION R8.5.7 TRUST FUND SUBCOMMITTEES' ANNUAL REPORTS

A. Once per year, each subcommittee overseeing individual trust(s) identified in Canon 8.5, shall prepare and submit to the finance committee a summary report for each trust overseen. The report shall be submitted by April and shall address the subcommittee's activities during the previous calendar year. At a minimum, each report shall include the trust's starting and ending balances, meetings held, income received, and disbursements made.

CANON 8.6 CONSOLIDATED TRUST FUND

- A. The CTF shall consist of financial assets other than land holdings that are entrusted to the diocese for long-term investment.
- B. Unless otherwise exempted by diocesan council, all property received in trust by a congregation or parish, by way of a gift, bequest or in any other way, shall be remitted to the diocese for administration and investment in the CTF.
- C. Diocesan council may exempt any congregation or parish, or any portion of the property referred to in paragraph B, from the provisions of paragraphs A, B, D and E providing the congregation or parish has satisfied diocesan council of its ability to adequately manage and report on the funds. Exemption may be withdrawn at the discretion of diocesan council.
- D. Parishes receiving large amounts which are not trusts and which are not required for operations or for specific, short-term projects, are encouraged to remit the funds to the diocese to be invested in the CTF.
- E. Units in the CTF shall be allotted to each specific fund or trust based on the fair market value deposited and the value of units as of the previous month end.
- F. The financial assets of the CTF shall be managed by an investment advisory firm and held by a custodian pursuant to Canon 8.5.
- G. The investment committee described in Regulation R8.6.1 shall monitor, advise, and report to the Finance Committee on the management of the CTF. The investment committee shall make an annual report to unitholders of the CTF as described in Regulation R8.6.3.
- H. Income realized by the CTF shall be distributed to the unitholders at a rate and on the date or dates recommended by the Investment Committee and approved by the Finance Committee.
- I. The synod office shall maintain accounts for all unitholders in the CTF, including principal amounts (book value), units held, transactions and distributions, and fair market value of holdings. The synod office shall provide reports to the unitholders quarterly.
- J. To comply with the terms of specific funds and trusts all applications for withdrawals of income or capital from funds held in the CTF shall be made according to Regulation R8.18.

REGULATION R8.6.1 INVESTMENT COMMITTEE

- A. There shall be an Investment Committee which shall monitor, advise, and report to the Finance Committee on all investment responsibilities identified*

in Regulation R8.3.1 A (2). The Investment Committee shall also recommend the dividend payout rate for all CTF unit holders.

B. Membership of the Investment Committee:

1. Ex officio:

a. the Treasurer, who shall serve as chair,

b. The Bishop, the Chancellor, and the Finance Officer, all of whom shall have voice but no vote.

2. Appointed: The finance committee shall appoint three-to-five additional members, at least two of whom must be members of the finance committee. Appointed members must have work experience in a financial field including finance, banking, financial supervision or regulation, trust management, or accounting.

C. Meetings: The investment committee shall meet at least twice per year, either in person or via electronic means. The committee may meet more often at the call of the chair or at the request of any two members. At least one meeting shall include attendance and a report by the investment advisory firm. Investment committee decisions are subject to review and confirmation by the finance committee.

D. Quorum: A majority of voting members shall form a quorum.

REGULATION R8.6.2 WITHDRAWALS FROM THE CTF

A. Subject to subsection B below, applications for withdrawals of income or capital from the CTF shall be made to the Finance Committee and shall include the following information: name of fund or trust, amount requested, purpose, and names of applicants.

B. Applications are not required for quarterly payments of income flowing to unitholders as of January 1, 2025.

C. Withdrawal requests shall be made at least:

1. 15 days before funds are required, or

2. 30 days before funds are required if the request is for \$100,000 or more.

REGULATION R8.6.3 ANNUAL REPORT OF CTF ACTIVITY

A. *At least once per year and no later than July, the Investment Committee shall report to unitholders of the CTF on the fund's performance during the previous calendar year.*

REGULATION R8.6.4 CHURCH SITES AND PARSONAGES

A. *There shall be a fund which shall be known as the church sites and parsonages revolving loan fund (referred to hereinafter as "the church sites fund").*

B. *The capital of the church sites fund shall be under the control of diocesan council and shall be used to advance money from time to time by way of loans to parishes upon such security, at such rate of interest, and upon such terms and conditions as diocesan council shall approve, for the following purposes:*

1. *The purchase of sites for churches, chapels, church halls, parsonages, other clergy housing and other buildings;*
2. *Major repairs and renovations of such buildings;*
3. *For furniture and furnishings; and*
4. *For other ecclesiastical and parochial purposes within the diocese.*

C. *Applications for loans shall be submitted to the Finance Officer and shall be signed by the incumbent and the churchwardens, giving full details of:*

1. *The total cost of the project;*
2. *The amount available or potentially available within the parish;*
3. *The proposed terms of repayment.*

D. *All projects shall be undertaken as a collaboration between the diocese and the parish with involvement and responsibilities determined before the commencement of the project and may be subject to change as required through the duration of the project.*

E. *The project and the amount of the loan requested by a parish must be approved at an annual or special meeting of the parishioners, and a copy of the approved resolution shall accompany the application.*

F. Repayments shall commence with the month following receipt by the borrower of the final advance of the approved loan and may be spread over a period not exceeding ten years unless an exception is granted by diocesan council. Such repayments shall be made in monthly instalments or, in special cases approved by diocesan council, in quarterly instalments. The rate of interest shall be set from time to time by diocesan council.

G. Where a borrower has not made a payment for three consecutive months, or one quarter where quarterly payments are made, or where payments are constantly delinquent for no apparent reason, the interest rate will be raised by diocesan council to the prime lending rate of the banker to the diocese as of the date of the first missing payment, and interest will be added monthly to the principal balance owing subject to appeal to diocesan council.

H. The borrower shall notify the finance officer as soon as the borrower is aware of any potential problems in making payments.

I. In the normal course of events, loans shall be granted to parishes in accordance with the dates on which the official application has been approved by diocesan council, but diocesan council shall have the power to amend the order of priority in order to meet unforeseen or more important requirements. In no case may funds be hypothecated for projects which the applicant for the loan does not propose to carry out within the next twelve months.

J. Approved loans shall be advanced or paid out at such times and in such amounts as are required as the erection or repairs of buildings progress.

REGULATION R8.6.5 SALE OF PARISH PROPERTY

A. Sale of property presently used by or related to a parish shall be conducted by the diocese in consultation with that parish.

B. Diocesan Council will have discretion on the disposition of the proceeds of sale of any such property, in consultation with that parish.

C. Diocesan Council will have discretion on the disposition of funds currently held in rectory trusts, which are comprised of remaining proceeds of previous sales of diocesan property.

CANON 9**COURT OF THE DIOCESE OF BRITISH COLUMBIA****CANON 9.1 INTERPRETATION**

A. In this canon:

1. “accused” shall refer to any person charged with an offence under any canon on church discipline;
2. “applicant” shall refer to any party in the position of plaintiff with respect to any matter referred to the court;
3. “Bishop” shall refer to the bishop of the diocese and shall include an administrator of the Diocese or bishop’s commissary;
4. “canons” shall include the canons of the diocese as well as canons of Provincial Synod and General Synod;
5. “cause” includes any matter referred to the court;
6. “charge” is an accusation of any breach of discipline under the canons;
7. “commission” shall refer to the commission of the Bishop requiring the court to deal with a cause;
8. “complainant” shall include any person who instigates a charge or complaint;
9. “complaint” shall refer to the document upon which a charge is based;
10. “court” shall mean the Court of the Diocese of British Columbia;
11. “party” shall include any party to the proceedings;
12. “president” shall mean the person elected by canon 9.2 A 4;
13. “proceeding” shall include any cause or matter referred to the court;
14. “provincial court of appeal” shall mean the provincial court of appeal of the Ecclesiastical Province of British Columbia and Yukon;
15. “registrar” shall mean the registrar of the court;

16. “respondent” shall include any party responding to any matter referred to the court;
17. “rules” shall mean the rules passed from time to time by the court;
18. “supreme court of appeal” is the supreme court of appeal for the Anglican Church of Canada;
19. “supreme court” is the Supreme Court of the Province of British Columbia.

CANON 9.2 THE COURT

A. Establishment of the Court

1. There shall be a court to be known as the “Court of the Diocese of British Columbia”, which shall be composed of five persons, being:
 - a. two clergy, one to be appointed by the Bishop, and one to be elected at Synod neither of whom need be members of Synod.
 - b. three lay: one to be appointed by the bishop, and two to be elected at Synod, one at least of whom shall be a lawyer of five years’ standing or more, none of whom need be members of Synod.
2. No member of the court shall be disqualified by reason of that member dealing in any way with a charge or complaint, but no member of the court may sit on any charge or complaint preferred by such member, or on any charge or complaint in which such member may have an interest and in such case the bishop on the recommendation of diocesan council shall appoint pro-tem a replacement to sit on the court for that charge or complaint until it is concluded.
3. Any vacancy which may occur in the membership of the Bishop’s appointees to the court by death, resignation or otherwise shall be filled by a replacement appointed by the Bishop, and any new member shall be announced by the Bishop at the next ensuing meeting of diocesan council, which shall report the appointment to the Synod at its next session. Any vacancy which may occur in the membership of the elected members of the court by death, resignation or otherwise shall be filled by a replacement appointed by diocesan council on the recommendation of the court, to stand until the next session of Synod.
4. The court shall be presided over by a member thereof elected by the court.
5. The court shall from time to time appoint a registrar or acting registrar, and such other officers as may be found necessary.

6. The court may sit in any place in the diocese and at such time as the president of the court may order and direct.

7. No objection shall be effective in any proceedings under this canon that the offence, cause, breach or charge arose outside of the diocese in which proceedings are taken or arose outside Canada.

B. Jurisdiction of the Court

1. The court shall have the jurisdiction within the diocese conferred on a diocesan court by canon XVIII of the canons of the General Synod of the Anglican Church of Canada.

2. Without limiting the generality of the foregoing:

a. the court shall have cognizance and may try any member of the church within the diocese, clerical or lay, for offences against the provisions of the constitution or canons of the diocese, or of the Provincial Synod of British Columbia and Yukon, or of the General Synod of the Anglican Church of Canada.

b. the court shall also determine any question which may be referred to it by the Bishop as to the sufficiency of the Bishop's reasons for refusing a Bene Decessit or Letters Testimonial to a cleric on removal from the diocese.

c. the court shall also have jurisdiction to determine any other question which may be referred to it by the Bishop.

3. Nothing in this canon infringes on the authority of the Bishop as set out in canon XVIII of the canons of the General Synod.

CANON 9.3 PROCEDURE

A. Disposition

1. Notwithstanding anything in this canon and unless the court otherwise directs, any proceedings may be disposed of by:

a. agreement;

b. consent order; or

c. where the parties have waived such hearing or compliance, by a decision of the court given,

i.without a hearing, or

ii.without compliance with any other requirement of this canon.

2. It shall be the duty of the president of the court to see that all of the proceedings of the court as well as any sentence, or any action of the Bishop thereon, are duly recorded by the registrar and retained with all proceedings in the matter, and the decision of the court and any sentence of the Bishop shall be in writing.

3. All decrees, citations, orders and other instruments under seal, shall be issued by the registrar of the court and shall bear date on the day on which they are respectively issued.

4. The seal of the court shall bear the device of the seal of the Synod.

5. No member of the court shall divulge the sentence recommended by it until such time as the sentence has been approved and confirmed by the Bishop, and further, no member of the court will disclose the vote of any particular member of the court.

B. Appeals Regarding Hearings

1. Every person whose case may have been disposed of and decided adversely to such person, who shall make it appear that new evidence having an important bearing on the case has been discovered since the hearing, the existence of which was unknown by such person at the time of the hearing may, within six months of discovery of such new evidence, petition the Bishop for a rehearing of the case, and such person may apply by petition to the Bishop for an arrest of sentence or judgment, upon causes to be shown; and the Bishop shall, upon receiving such petition, refer the same with or without comment to the court and the court's decision on the above questions, shall be final insofar as this diocese is concerned.

2. The decision of the court and any sentence imposed in accordance with the provisions of this canon shall be subject to appeal to the Provincial Court of appeal of the Ecclesiastical Province of British Columbia and Yukon, or to the supreme court of appeal of the Anglican Church of Canada in accordance with the canons of the provincial and General Synods constituting the said courts.

3. On notice of appeal by an accused person being given and served as provided in the previous section from any conviction or sentence, the Bishop from whose conviction or sentence the appeal is asserted shall not proceed to enforce such sentence against the accused until further order of the court appealed to.

CANON 9.4 RULES OF COURT

A. Rules

1. The court may from time to time make such rules and regulations as to the court may seem expedient for regulating the practice and procedure of the court, and every matter deemed expedient for carrying out the objects of this canon; and the court may, from time to time, suspend, repeal, vary, or revive any such rules and regulations, but no order made by the court shall have the effect of altering any matter defined by this canon. Matters not provided for by the rules of the court shall be regulated by analogy to the rules of the Supreme Court of British Columbia.

REGULATION R9.4.1 RULES OF THE COURT OF THE DIOCESE OF BRITISH COLUMBIA

A. Style and Commencement of Proceedings

1. *Any proceedings in the court shall be styled in the Court of the Diocese of British Columbia with the name(s) of the applicant(s) or the complainant(s) and the name(s) of the accused or the respondent(s).*

2. *Any new matter or proceeding within the jurisdiction of the court may be referred to the court for determination by written notice delivered to the registrar of the court at the diocesan office at 900 Vancouver Street, Victoria, British Columbia, setting out the following:*

a. The name(s) of the applicant(s) or the complainant(s) and the name(s) of the respondent(s);

b. A short description of the cause or matter;

c. The relief sought; and

d. An address within the diocese at which further notices may be delivered.

3. *In the event of a vacancy in the position of registrar of the court, a notice may be delivered to the president of the court.*

B. Preliminary Investigation

Where the court has been requested by the Bishop to conduct a preliminary investigation, the investigation may be conducted by two or more persons as determined by the Bishop.

C. Form of Charge and Hearing by Court

The court may appoint two of its members to determine the sufficiency or insufficiency of the form in which the charge is presented, and of the answer thereto, and of any matter connected with the practice or procedure of the court, subject to an appeal to the court in all matters in which either party may be dissatisfied; provided however, that the evidence to be taken on which the court is to act, and the hearing and adjudication of the subject matter of the complaint, must be given, heard and made before and by the court.

D. Notice of Hearing

A notice of hearing by the court shall include a statement of the time, place and purpose of the hearing and a reference to the authority under which the hearing will be held and shall also include a statement that if any party notified does not attend at the hearing, the court may proceed in the absence of such party who will not be entitled to any further notice in the proceedings.

E. Service of Notice of Hearing

Fourteen (14) clear days before the hearing, a notice of hearing shall be served upon the respondent and other parties, or such service may be accepted by any party, and a party shall be given reasonable notice of the hearing, the question of reasonableness in any case to be solely determined by the court. Clear days shall exclude Saturdays, Sundays and statutory holidays.

F. Procedure on Failure to Attend After Notice

Where notice of hearing has been given to a party and the party does not attend, the court may proceed in the absence of the party, who will not be entitled to any further notice in the proceedings.

G. Furnishing Information to Party Where Character or Conduct in Issue

Where the good character, propriety of conduct or competence of a party is an issue in any proceedings, the party is entitled to be furnished prior to the hearing with reasonable information of any allegations with respect thereto.

H. Representation by Counsel

A party to the proceedings may be represented by counsel or an agent; may call and examine witnesses and present arguments and submissions, and may conduct cross-examinations of witnesses, at a hearing reasonably required for full and fair disclosure of the facts, and where any person is not so represented the court may appoint a representative when the court

determines that such representation may be required in the interest of justice, and where any party is charged with any offence the court may appoint counsel to prosecute the charge.

I. Witness' Rights

A witness at a hearing is entitled to be advised by counsel or agent as to such witness' rights, but such counsel or agent may take no other part in the hearing without leave of the court, and where a hearing is in camera, counsel or an agent for a witness is not entitled to be present except when that witness is giving evidence.

J. Open Hearings

A hearing shall be open to the public except where the court is of the opinion that matters involving intimate, financial or personal matters may be disclosed at any hearing of such a nature, having regard to the circumstances, that the desirability of avoiding disclosure in any interests of any person affected or in the public interest outweighs the desirability of adhering to the principle that hearings be open to the public, in which case the court may hold the hearing in camera.

K. Oaths

Any member of the court has power to administer oaths and affirmations with respect to any of its proceedings, and the court may require evidence before it to be given under oath or affirmation.

L. Power to Summon Witnesses

The court may summon and orally examine witnesses, including any party, in open court, to give evidence under oath or by affirmation and to produce in evidence documents and things so specified by the court, and may for sufficient reason order any particular fact or facts to be proved by statutory declaration or allow the affidavit or statutory declaration of any witness to be read in evidence at the hearing, or may direct any witness to be examined before an examiner or commissioner or the registrar of the court or other person authorized by the civil law of the Province to examine witnesses or take statutory declarations.

M. Service of Summons

The summons herein referred to shall be served personally in accordance with the rules of the Supreme Court of British Columbia. If personal service cannot be reasonably effected the court may make such order for substituted or other service as it deems fit.

N. Inferences

The court shall be entitled to draw inferences from evidence accepted by it whether of fact or law which might have been drawn therefrom if proved at a trial.

O. Canada Evidence Act

A witness at a hearing shall be deemed to have objected to answer any question that may be asked of such witness on the grounds that it may tend to incriminate or be deemed to establish liability to civil proceedings, and no answer given by a witness shall be used or be receivable in evidence against that witness at any hearing or trial or other proceedings against such witness thereafter taking place other than a prosecution for perjury, and a witness shall be informed by the court of the provisions of the Canada Evidence Act.

P. Affidavit Evidence

A witness at a hearing shall be orally examined but the court may at any time by sufficient reason order particular evidence or facts to be proved by affidavit, or that the affidavit of a witness may be read at the hearing.

Q. Depositions and Commission Evidence

Whenever it appears necessary, the court make an order for the examination before a member of the court or any other person at any place and permit such deposition to be given in evidence, or the court may order the issue of a commission to take such testimony as approved in the form of the Supreme Court of British Columbia, and such testimony may be given in evidence.

R. Admission of Evidence

The court may admit as evidence at a hearing, whether or not given or proven under oath or affirmation or admissible as evidence in court, any oral testimony or document or other thing relevant to the subject matter of the proceedings, but nothing is admissible in evidence that may be inadmissible in the Supreme Court of British Columbia by reason of any privilege under the law of evidence, or which would be inadmissible by statute.

S. Copies of Document

A copy of a document may be admitted as evidence where the court is satisfied as to its being a true copy, and where the document may be filed as evidence the court may authorize a copy to be filed in evidence when accepted to be a true copy by a member of the court.

T. Judicial Notice

The court may take notice of facts that may be judicially noticed and take notice of any generally recognized scientific or technical facts, information, or opinions within scientific or specialized knowledge.

U. Decision in Writing

The court shall give its final decision or order, if any, in writing, and shall give reasons in writing therefor if requested by any party.

V. Service of Decision

The court shall send by regular mail addressed to the parties to any proceeding at their last known address a copy of the final decision or order, together with reasons where reasons have been given, and each party shall be deemed to have received a copy of the decision on the fifth day after the day of mailing unless a party acting in good faith did not receive the decision or order through absence, accident, illness, or other cause beyond the control of such party.

W. Record

The court shall compile a record of any proceeding before it which shall include the complaint, notice of hearing, the answer if any, any intermediate or interlocutory orders, all documentary evidence, transcripts if any of oral evidence, the decision of the court and reasons, where reasons have been given.

X. Maintenance of Order

The court may make such orders or take such proceedings as it considers necessary for the maintenance of order at the hearing.

Y. Abuse of Process

The court may make such orders or give such direction in proceedings before it as it considers proper to prevent abuse of its processes.

Z. Exclusion of Agents

The court may exclude any person acting as agent from the hearing other than a barrister and solicitor qualified to practice in the Supreme Court of British Columbia, if it finds that such person is not competent to properly advise or represent a witness or a party.

AA. Limitation of Cross Examination

The court may reasonably limit further cross-examination of a witness where it is satisfied that the cross-examination of a witness has been sufficient to disclose the facts.

AB. Adjournment

Any hearing may be adjourned from time to time by the court to a fixed date.

AC. Notice of Order by Publication

Where the court is of the opinion that because the parties to any proceedings are so numerous, or for any other reason it is impractical to send its decision and the material to all or any of the parties individually the court may cause reasonable notice of the decision or order to be given to the parties in such manner as the court may direct.

AD. Amendments

Amendments to any proceeding or document may be made by order of the court at any time.

AE. Adding or Deleting Parties

The court may at any stage of the proceedings order that the name of any complainant or respondent improperly added be struck out and may also order that any person(s) who ought to have been joined, or whose presence is necessary, be added.

AF. Costs and Expenses

1. All expenses necessarily incurred by the court or by anyone acting under its direction in any investigation or hearing pursuant to this canon shall be paid by the Synod.

2. The costs including counsel fees of and incidental to any proceedings authorized to be dealt with by the court are in the discretion of the court. The court has full power to determine by whom, or to what extent, costs shall be paid including the legitimate costs of any party out of the Synod, and in any proceeding the court may fix the amount of costs awarded or may in its discretion deal with the question of costs separately.

AG. Application to Supreme Court of British Columbia for Directions

The court may apply to the Supreme or Superior Court for such directions as it deems necessary or to enforce its orders with respect to evidence or for any other purpose, and the court may state a case to the Supreme Court of the Province of British Columbia, where permitted by law.

CANON 10

REGULATIONS AND POLICY

CANON 10.1 MAKING OF REGULATIONS

- A. To facilitate the implementation of a canon, regulations may be proposed from time to time by the parish council of a parish, a diocesan committee, a trustee of a diocesan trust, a member of diocesan council or an officer of Synod.
- B. Proposed regulations shall be reviewed by the Chancellor and will be submitted to diocesan council for consideration.
- C. If approved by diocesan council, regulations made as described above come into effect upon the date set by diocesan council.
- D. Diocesan council shall submit all regulations approved by it to the next Synod for ratification. If ratification is denied, unless Synod approves the reconsideration of the topic by diocesan council within specific parameters, the regulation may not be re-introduced at any level until after the next following Synod, when the above provisions pertain.
- E. If Synod denies the ratification of a regulation any action taken pursuant to that regulation prior to that denial remains valid.

REGULATION R10.1.1 PROCESS FOR CREATING OR AMENDING POLICY

- A. Proposed policies shall be submitted to the Executive Archdeacon and shall become effective if approved by the Bishop and diocesan council.*
- B. Once approved, the Executive Archdeacon will arrange to have the policy*
- 1. circulated to the parties most directly affected*
 - 2. posted on the diocesan website.*
- C. Policies may be amended or deleted from time to time with the Bishop's approval.*
- D. Once a policy has been amended or deleted, the Executive Archdeacon will arrange to have the change*
- 1. circulated to the parties most affected; and*
 - 2. reflected on the website.*

CANON 10.2 MAKING OF POLICY

A. Policy may be proposed from time to time by the Bishop, the Executive Archdeacon, a diocesan committee, a trustee of a diocesan trust, a member of diocesan council, an officer of Synod, or a parish council of a parish, to facilitate the implementation of canons and regulations or to make it possible for incumbents, other clergy, wardens, treasurers, and parish councils to do their work in the life of the diocese as efficiently and smoothly as possible.

B. Proposed policies must not be inconsistent with the canons and regulations.

C. Proposed policies shall be submitted to the Executive Archdeacon and become effective if approved by the Bishop and diocesan council.

D. Once approved: the Executive Archdeacon will arrange to have the policy:

1. circulated to the parties most directly affected;
2. posted on the diocesan website.

E. Policies may be amended or deleted from time to time with the Bishop's approval.

F. Once a policy has been amended or deleted, the Executive Archdeacon will arrange to have the change:

1. circulated to the parties most affected;
2. reflected on the website.

CANON 11**ORDER OF THE DIOCESE OF BRITISH COLUMBIA****CANON 11.1 PURPOSE**

A. The purpose of the Order is to honour and give special recognition to members of the diocese (and in the case of Honorary Awards, those not part of the diocese) who have given outstanding service over a significant period of time in their baptismal ministry.

CANON 11.2 INTERPRETATION

A. In this canon, the following definitions apply to the following terms:

1. "Advisory council" means the advisory council established by canon C11.5.
2. "Member" means a member of the Order.
3. "Officer" means an officer of the Order.
4. "Order" means the Order of the Diocese
5. "Order Cycle" means the period of time from one installation to another, which is expected to be, but not restricted to, every two years.
6. "Rector" means and includes the incumbent priest or the priest-in-charge of a parish
7. "Secretary" means the secretary of the Order.

CANON 11.3 COMPOSITION

A. The Order shall consist of the Bishop, former bishops of the diocese, Officers, Members, honorary Officers and honorary Members.

CANON 11.4 ADMINISTRATION

A. The Bishop is the head of the Order and its principal Officer. At the end of the episcopate the Bishop ceases to be the head of the Order but continues as an Officer.

B. The Bishop is responsible for the administration of the Order.

C. The Secretary is responsible for:

1. maintaining the records of the Order and of the advisory council;
2. arranging for investitures; and
3. performing such other functions in respect of the Order as the Bishop may request.

D. The Bishop shall appoint such officials for the administration of the Order, including the advisory council, as the Bishop considers necessary.

CANON 11.5 ADVISORY COUNCIL

A. The advisory council for the Order shall consist of the following members:

1. the chair of the advisory council, which shall be the Bishop unless the Bishop appoints another;
2. an archdeacon of the diocese;
3. another member of the clergy of the diocese;
4. no more than three lay members of the diocese.

B. Members of the advisory council serve at the pleasure of the Bishop but for no longer than three order cycles.

C. The Bishop may extend the term of one or more members of the advisory council appointed by one more Order cycle.

D. The advisory council shall:

1. consider all those nominations submitted to the Bishop for Officer and Member;
2. compile and submit to the Bishop a list of those recommendations from the nominees in the divisions of Officer and Member; and
3. advise the Bishop on such matters as the Bishop may refer to the advisory council.

CANON 11.6 ELIGIBILITY

A. Any lay member of the diocese and any retired clergy of the diocese may be appointed as an Officer of the Order.

B. Any lay member of the diocese may be appointed as a Member of the Order.

C. A lay person who is not a member of the diocese; or clergy who is not a member of the diocese; may be appointed as an honorary Officer.

D. A lay person who is not a member of the diocese may be appointed as an honorary Member.

E. A person is not a Member of the Order by reason only of being appointed a member of the advisory council or an official of the Order.

CANON 11.7 NOMINATIONS AND APPOINTMENTS

A. Officer:

1. Appointment of persons as Officers shall be made for extraordinary voluntary commitment and exemplary voluntary service to the diocese and/or the Anglican Church of Canada. In the case of clergy such service having been while in retirement and not while employed.

2. Nominees must accept their nomination, be willing to have their names recorded in the register of the Order, and consent to publicity of their investiture including publication of their photograph.

3. Posthumous nominations are not accepted. Death of a nominee after the nomination has been accepted by the advisory council and approved by the Bishop but before the investiture of the said person, shall not be considered posthumous.

4. The number of Officers appointed in any Order cycle, other than those personally appointed by the Bishop, shall not exceed five persons.

B. Member:

1. Appointment of persons as Members shall be made in recognition of their outstanding voluntary commitment and the voluntary service to their parish for an extended period; and/or voluntary work on behalf of the diocese.

2. Nominees must accept their nomination, be willing to have their names recorded in the register of the Order, and consent to publicity of their investiture including publication of their photograph.

3. Posthumous nominations are not accepted. Death of a nominee after the nomination has been accepted by the advisory council and approved by the Bishop but before the investiture of said person, shall not be considered posthumous.

4. The number of Members appointed in any Order cycle, other than those personally appointed by the Bishop, shall not exceed one person per parish.

C. Honorary Officer:

1. A person who is not a member of the diocese and may or may not be a Christian, but who has served the church or wider community, provincial, national or international in an exemplary fashion, in accordance with the ideals of this diocese and for a considerable time.

D. Honorary Member:

1. A lay person who is not a member of the diocese and may or may not be a Christian but who has served their local or regional community in an exemplary fashion, in accordance with the ideals of this diocese for a considerable time.

CANON 11.8 RANKS

A. The Bishop may elevate any Member to the rank of Officer, such elevations falling within the maximum allowed under canon 11.7 A.

B. A person elevated to a higher rank is entitled to wear the insignia of the higher rank only.

C. No person shall hold more than one appointment to the Order at any time.

CANON 11.9 INSIGNIA

A. The insignia of the Order shall be drawn from the badge of the diocese with a differentiation between Officer and Member. The insignia shall be suspended by the designated ribbon.

B. Officers, Members, honorary Officers and honorary Members may wear such appropriate insignia as the Bishop may prescribe.

CANON 11.10 MOTTO

A. The motto of the Order shall be: **Faithfulness**

B. This single word has been used to honour the faithful service over a considerable time by the Members and Officers of the Order to their parish family, the diocese and the wider church and community. It also acknowledges that our service is rooted in faithful service to the teachings of Christ.

REGULATION R11.10.1 INVESTITURE SERVICE

A. There shall be an investiture service at the conclusion of each Order Cycle at which the Bishop shall invest the new Members and Officers of the Order or elevate a Member to the rank of Officer. At the Bishop's discretion there may be two investiture services; one in Victoria and the other in a location in or north of Nanaimo.

CANON 11.11 TERMINATION OF MEMBERSHIP IN THE ORDER

A. A person's membership in the Order ceases:

1. upon the death of the person;
2. when the Bishop accepts the person's resignation from the Order, which resignation shall be made in writing; or
3. when the Bishop makes an ordinance terminating the person's appointment to the Order.

B. Upon termination of membership in the Order, as noted in A2 and A3 above, the regalia of the Order shall be returned to the Bishop. In the case of A1 above, the insignia may be retained by the family. Such retention does not grant permission for another to wear the insignia.

CANON 11.12 RULES

A. The Bishop may make rules respecting the governance and insignia of the Order and the termination of a person's appointment to the Order.

CANON 11.13 SEAL

A. The seal of the Order shall be committed to the custody of the Bishop.

B. No appointment, termination of appointment, award or ordinance shall have effect unless it has been sealed with the seal of the Order.

REGULATION R11.13.1 BOOKS AND RECORDS

A. A record of all awards of the Order made shall be kept in a register into which all pertinent details of each award of the Order is subscribed, including but not limited to the recipient's name, the date of the presentation of the awards, the recipient's parish and the reason the award was made.

B. Each record in the register, which is signed by the registrar, shall be prima facie proof of the fact set forth therein.

C. The register shall be kept at the synod office unless the Bishop directs otherwise.

D. The register shall be maintained in accordance with the directions of the registrar.

REGULATION R11.13.2 GUIDELINES

A. Clergy & Paid Staff

1. The premise of the Order is primarily to recognize lay people who give their time and talents to the ministry and ideals of the diocese without monetary compensation. It honors volunteers. Therefore, parish or diocesan staff who are paid are not eligible for nomination resulting from their paid position. However, if they attend another church and volunteer at that church sufficient for them to be nominated, that will be considered.

2. The Order also recognizes that in smaller communities paid staff may not have the option of working for one parish and attending another. Therefore, if they only work a few hours a week and their nomination is in consideration of the volunteer work they have done and is not connected with their paid work, then a nomination will be considered. This exception must be noted in the nomination.

3. There is also one exception for clergy. Retired clergy who are members of the diocese (whilst active they may or may not have been licensed in this diocese) and have been engaged in significant volunteer endeavors for the wider church or society, are eligible for nomination to the rank of Officer. This must have been for a significant time post-retirement.

B. Nomination Process & General Timing

1. It is expected that there will be an investiture every second year. The time from one investiture to another is referred to as "the Order cycle".

2. Once the window of time for nominations is open (approximately ten months before investiture) the appropriate nomination form is completed and signed then forwarded to the Bishop's office, attention the secretary of the Order, by the date published for that current Order cycle" (approximately six months before investiture).

3. *Nominations for Officer and Member may be submitted to the Bishop for consideration by the advisory council and in turn confirmed by the Bishop, at any time during the nomination period.*
4. *The Bishop may personally appoint in each Order cycle a maximum of two Officers and five Members not including honorary Officers and Members.*
5. *The Bishop may also appoint up to one honorary Officer and up to three honorary Members in any Order cycle.*
6. *Nominations for Officers may be submitted by any member of the diocese and supported by four other members of the diocese, each one from a different parish. At least two of the five nominators must be active clergy of the diocese. Nominations of Members shall be submitted by the rector of a parish on behalf of the parish with respect to one of their parish members.*
7. *The correct form must be used for either Officer or Member as they are different. The form may be modified from Order cycle to Order cycle.*
8. *As there are only five Officer awards in any Order cycle, it is strongly suggested that nominators not advise their nominee that their name has been put forward, in order to avoid disappointment. If the nomination is approved by the Bishop, the secretary will contact the individual to seek their approval to proceed.*
9. *Nominations for Officer and Member, (other than those within the Bishop's appointment pursuant to paragraphs 4 and 5, above), are passed to the advisory council to review and make recommendations to the Bishop.*
10. *No later than four months before the investiture service, (usually by June 30th) the secretary of the Order will communicate with the recipients about the Bishop's wish to bestow an award on them; in the case of Officer, to obtain their consent; and to advise all of the investiture arrangements.*
11. *The recipient will then confirm their acceptance no later than three months prior to the investiture, (usually by the end of July).*

C. Time and Place of the Investiture Service

1. *The Bishop invests new Members of the Order at an investiture service approximately once every two years.*

2. The investiture will usually be on a Saturday in the fall, close to All Saints, at Christ Church Cathedral. However, the Bishop may choose to have two investitures, one at Christ Church Cathedral for the lower Island and another in a location in or north of Nanaimo.

3. In the event that any new Officer or Member is unable to attend their prescribed region's investiture it is permissible with prior approval for them to be invested at the alternate location.

D. The Insignia

The insignia of the Order is based on the badge of the diocese. The badge was granted by the Chief Herald of Canada in 2017 and is a combination of both original and new symbols of the Diocese. The original part is the cross at its centre, which was part of the seal of the first bishop of the Diocese, George Hills, and became part of the diocesan coat of arms granted in 1859. The new part is the dragonfly a symbol that was adopted by the Diocese in 2016. First Nations in the Pacific Northwest consider the dragonfly to be a symbol of change, transformation and swiftness, traits the diocese strives towards. It is also respectful of the journey of reconciliation the diocese is on with its First Nations neighbours. This dragonfly was designed for the chief herald by Doug LaFortune of the Tsawout First Nation on the Saanich Peninsula.



E. The Regalia

1. The neck medallion is to be worn around the neck on the special ribbon it comes with. It is appropriate to wear the medallion at special occasions in parishes or at the diocesan level. Examples of this would be a worship service or event where the Bishop is present, at synod or diocesan services & events and at the investiture of new Officers and Members to the Order.

2. In addition to the medallion the Members of the Order are given a small lapel pin that can be worn with everyday dress.

3. Letters Patent that attests to the individual's membership and rank in the Order; that is signed by the secretary and registrar and bears the seal of the Order.

4. The regalia is given for the exclusive use of the recipient and as such can neither be sold or given away without the express written permission of the Bishop and upon termination in the Order must be dealt with in accordance with canon 11.11.

REGULATION R11.13.3 INSTRUMENT OF APPOINTMENT

A. Appointments to the Order shall be made by instrument signed by the secretary and registrar of the Order and sealed with the seal of the Order.

B. Unless otherwise provided in the instrument of appointment, an appointment shall take effect on the date on which the instrument of appointment is sealed.

REGULATION R11.13.4 POST NOMINALS

A. Officers of the Order may use the post nominal ODBC in parish and diocesan communications and elsewhere as is appropriate.

B. Members of the Order may use the post nominal MDBC in parish and diocesan communications and elsewhere as is appropriate.

C. Honorary Officers may use the post nominal ODBC (Hon) in parish and diocesan communications and elsewhere as is appropriate.

D. Members may use the post nominal MDBC (Hon) in parish and diocesan communications and elsewhere as is appropriate.

CANON 12 CEMETERIES

CANON 12.1 MANAGEMENT OF CEMETERIES

- A. The incumbent and churchwardens shall have the joint responsibility for the management and control of the parish cemetery, subject to provincial legislation, and shall appoint a cemetery committee from the members of the parish for the purpose of administering the cemeteries within the parish.
- B. In the case of a dispute between the incumbent and the churchwardens, an appeal may be made by either of them to the Bishop, whose decision shall be final.
- C. The cemetery committee may add up to an additional four members.
- D. Cemetery committees shall establish bylaws for the management and control of the cemeteries in their care.
- E. Every cemetery shall be accurately surveyed and mapped into burial spaces.
- F. The incumbent and churchwardens shall petition the Bishop for the consecration of the ground of a new or expanded cemetery, columbarium, vault or area for the scattering of ashes.
- G. Interment spaces may be sold in perpetuity for a sum to be fixed by the cemetery committee. Funds raised from the sale of right-to-inter spaces must be managed in accordance with regulation.
- H. Exhumation of interments of full body or ashes may only be carried out by legal warrant in accordance with provincial legislation.
- I. No burial service, interment, or scattering of ashes shall be held in the cemetery, except by the incumbent or with the consent of the incumbent.
- J. If a parish has an area where cremated remains are scattered which are not within legal cemeteries and this area is proposed to be sold or built upon, the issue shall be referred to the Bishop and diocesan council for decision.

REGULATION R12.1.1 REGULATION OF CEMETERIES

- A. At the time of sale of a burial plot right-to-inter a copy of canon 12 and this regulation, a copy of the cemetery committee's bylaws, and a receipt of payment shall be given to the family. The receipt of payment shall be signed by the incumbent or a churchwarden and shall be in the following form:*

“Received this ____ day of _____ 20__ from A.B., of _____
 the sum of _____ for the right to be interred in that piece of
 ground, part of the cemetery of the Anglican Synod of the Diocese of British
 Columbia at _____
 numbered _____ on the map of the cemetery, in the custody the of the
 incumbent and churchwardens of _____. The
 right to the above piece of ground to be held by the said A.B. and their heirs,
 subject to the diocese canons, regulations and cemetery bylaws for the time
 being in force for the management of the cemetery.”

- B. The interment or scattering of ashes within a cemetery, or the scattering of ashes by a cleric outside of a legal cemetery, shall be recorded by the cemetery committee in the burial register of the parish, indicating the general location of the interment or scattering.
- C. Burial plots which are not to be used by the purchaser or the purchaser’s heirs may be sold only to the parish at the original price.
- D. If a family decides not to erect a permanent memorial, the cemetery committee may place a permanent identification marker on the burial plot.
- E. The removal of cremated remains that are in containers shall only be done with the permission of the cemetery committee and the family, or pursuant to an order of the Supreme Court of British Columbia.
- F. The Regional Archdeacon may examine the historical and financial records of the cemetery from time to time.
- G. For the interment of ashes or scatterings, a section of the cemetery may be divided into small plots.
- H. Applications for the purchase of a right-to-inter, shall be made, in writing, to the cemetery committee, and the incumbent and churchwardens shall have the final decision, in consultation with the cemetery committee, on any application.
- I. The cemetery committee shall have the right to regulate the placement of monuments, memorials, and displays. In the absence of such regulation, no monument, gravestones or erection of any kind, shall be placed in any cemetery without the consent, in writing, of the incumbent, subject to an right of appeal to the Bishop. The incumbent or churchwardens may remove, at their discretion, any memorial decoration, monument, or display.

J. The position of graves, vaults, scattering locations, and the general layout of any cemetery grounds, shall be determined by the cemetery committee.

K. If there have been ashes scattered on a place on church property that is outside a cemetery, and that place is proposed to be sold, altered, or built upon, the issue shall be referred to the Bishop, and in consultation with diocesan council, the Bishop's decision is final.

REGULATION R12.1.2 DISESTABLISHED PARISHES WITH CEMETERIES

A. Where parishes recommended for disestablishment include cemeteries:

- 1. After consultation with the cemetery committee, the Executive Archdeacon will ensure that a local administrator of the cemetery is appointed.*
- 2. Existing bank accounts of cemetery funds will be transferred to the diocese, retaining the local administrator as principal signatory.*
- 3. Ongoing plot sales of right-to-inter, opening/closing for interments, and record keeping, will be overseen by the Executive Archdeacon, or their appointee, in collaboration with the local administrator.*
- 4. Maintenance of the cemetery will be managed on a contract basis, administered by the Executive Archdeacon or their delegate.*
- 5. The Executive Archdeacon will explore possible local private sector or municipal government agencies to assume the operation of the cemetery.*
- 6. The Executive Archdeacon, upon consultation with diocesan council, may revise cemetery bylaws and may appoint a local cemetery administrator and determine the administrator's responsibilities.*
- 7. If there is no Executive Archdeacon at the time of disestablishment, the Bishop may appoint a person to fulfill the roles under this regulation of an Executive Archdeacon.*