

CONSTITUTION

The Anglican Church of Canada L'Église Anglicane du Canada

The Ecclesiastical Province of Canada

Constitution as amended by the Provincial Synod 2012 and 2021

1. PURPOSE

The Rights, Responsibilities and Prerogatives of this Provincial Synod shall include the following, namely:

A. The providing of occasions for fellowship and of a forum for the consideration of topics of particular concern within the Province, including: faith, witness, ministry and liturgical worship; the political, economic, educational and social dimensions of the Ecclesiastical Province; both those common to the whole and those of a more local nature; the relationship of the Church to governments in all matters affecting the quality of life and of community within the Ecclesiastical Province. In order better to fulfill the above functions, Provincial Synod shall call upon speakers and scholars to inform them in seminar and worship on these matters.

B. The planning and promotion of teamwork among bishops, clergy and laity within the Province.

C. The exercise of canonical and legislative authority and jurisdiction in all matters affecting the general interests and well-being of the Church within the Province in the following matters:

- the election of the Metropolitan and the definition of the duties, responsibilities and authority of the Metropolitan;
- the constitution and organization of the Synod, including the regulation of the time and place of its meetings, the order and conduct of its proceedings, and the appointment, functions and duties of its officers, Provincial Council and committees for the proper conduct of its affairs;

- matters referred to it by the General Synod, the diocesan synods in the province and the House of Bishops of the province;
- the ordering and directing of matters liturgical, and in particular, the authorization of special forms of prayers, services and ceremonies for which no provision has been made under the authority of the General Synod or the House of Bishops of the Anglican Church of Canada;
- with the consent of the General Synod and of any diocese affected, the adjustment of the boundaries of the province;
- with the consent of the General Synod and of the dioceses affected, the division of the province into dioceses, the establishment of missionary dioceses within the province, the division of existing dioceses and the adjustment or rearrangement of diocesan boundaries;
- the Constitution of the Provincial Court of Appeal, with original and appellate jurisdiction, including the procedure therein and enforcement of its decrees and judgments;
- the ecclesiastical discipline and trial of bishops; the regulation of the ministrations of the clergy and others;
- including the oaths and subscriptions of clergy;
- the administration of any fund or trust established in respect of the province or the Synod;
- the confirmation of the election, consecration, and resignation of bishops;
- the relations of the church to the civil authorities and to public education within the Province;
- the formation and constitution of provincial branches of organizations and societies established by the General Synod for the promotion of the work of General Synod;
- the consideration, promotion and advancement of any object or matter for the general advantage of the Church in Canada or in the province, referred to the Synod by the General Synod.

D. The supervision of the programme of the Advisory Council for Postulants for Ordination within the province.

2. IN ORDER TO EFFECT THE RIGHTS, RESPONSIBILITIES AND PREROGATIVES OF THE SYNOD OF THE PROVINCE OF CANADA AS HEREINBEFORE SET FORTH IT IS PROVIDED AS FOLLOWS.

3. MEMBERSHIP

3(1) The Provincial Synod consists of:

(a) The Bishops of the Anglican Church of Canada holding Sees in the Ecclesiastical Province of Canada which comprises the Dioceses of Nova Scotia and Prince Edward Island, Quebec, Fredericton, Montreal, Eastern Newfoundland and Labrador, Central Newfoundland, and Western Newfoundland;

- (b) A Coadjutor, Suffragan or Assistant Bishop may attend, participate fully and vote as of right.
- (c) Two clerical and two lay members from each diocese elected or appointed by the diocesan synods according to such rules as they adopt;
- (d) One lay member, appointed by each Diocesan Synod according to such rules as they adopt, such person being between the age of sixteen and twenty-five years; and
- (e) the Officers of Synod.

3(2) Each diocesan synod shall provide for the election or appointment of substitute clerical and lay members to represent the diocese in the Provincial Synod.

3(3) The election or appointment of the clerical and lay members shall be certified under the hand and seal of the Bishop of the diocese or, in the absence of the Bishop, by the secretaries of the diocesan synod, and such certificate is conclusive.

3(4) The secretaries of the Diocesan Synods shall forward the certificates to the secretaries of the Provincial Synod who shall send a copy thereof to the Prolocutor.

3(5) If any member is unable to attend a meeting of the Provincial Synod the Bishop, or in the absence of the Bishop the secretaries of the diocesan synod, shall certify that fact and the name of the substitute who is authorized under the rules adopted by the diocesan synod to fill the place of the member and such certificate is conclusive whether presented before or during the meeting of synod.

3(6) A certificate respecting a lay member or substitute shall certify that the member or substitute is a communicant member of the Anglican Church of Canada.

4. MEETINGS

4(1) The Synod shall meet in every third year, or at the request of any two bishops, or the Bishop and one-half of each of the clerical and lay members from a diocese, or the Provincial Council.

4(2) The Metropolitan in consultation with the Prolocutor shall decide the time and place of each meeting.

4(3) The Metropolitan is the President of the Synod.

4(4) In the absence of the Metropolitan, or at the Metropolitan's request, the Prolocutor or Deputy Prolocutor shall preside.

4(5) A quorum of the Synod consists of a majority of the diocesan bishops, one-third of the clerical members and one-third of the lay members.

4(6) Each meeting of the Synod and the business of each day shall begin with prayer for divine guidance and blessing.

4(7) The Metropolitan, in consultation with the Bishop of the host diocese, shall have charge of the arrangements for worship during meetings of the Synod.

5. OFFICERS

5(1) The officers of the Synod are

- the Metropolitan,
- the Prolocutor,
- the Deputy Prolocutor,
- two Secretaries,
- the Treasurer,
- the Chancellor or in his or her absence, the Vice-Chancellor, and two Assessors.

5(2) At each triennial meeting of the Synod the members present shall by majority vote elect the Prolocutor, the Deputy Prolocutor and the two Secretaries from among the clerical and lay members of the Synod and shall elect the Treasurer who may, but need not, be a member of the Synod before being elected.

5(3) A person who has been elected to the office of Prolocutor, Deputy Prolocutor or Secretary

a) shall not be re-elected to such office unless she or he has been re-elected or re-appointed to

be a member of Synod by her or his Diocesan Synod;

b) shall not serve more than two successive terms in any such office; and

c) is not eligible for election to any other office unless that person has been re-elected or reappointed to be a member of Synod by her or his Diocesan Synod.

Note 5(3) This article comes into force at the Provincial Synod held next after the 2012 Synod.

5(4) If the Prolocutor is of the order of clergy, the Deputy Prolocutor shall be elected from the order of laity, and if the Prolocutor is of the order of laity, the Deputy Prolocutor shall be elected from the order of clergy.

5(5) One Secretary shall be elected from each of the orders of clergy and laity.

5(6) The Prolocutor, Deputy Prolocutor, Secretaries and Treasurer shall remain in office until immediately prior to the prorogation of the meeting of the Synod at which their successors are elected.

5(7) If a vacancy occurs in the office of Prolocutor, the Deputy Prolocutor shall perform the duties of the office until the Prolocutor elected at the next meeting of the Synod takes office.

5(8) If a vacancy occurs in the office of Deputy Prolocutor, the Provincial Council shall elect a Deputy Prolocutor who shall perform the duties of the office until the Deputy Prolocutor elected at the next meeting of the Synod takes office.

5(9) If a vacancy occurs in the office of either Secretary the Provincial Council shall elect a Secretary from the same order as the person whose office has become vacant and that person shall perform the duties of the office until the Secretaries elected at the next meeting of the Synod take office.

5(10) The Metropolitan, in consultation with the Prolocutor, shall appoint a Chancellor and a Vice-Chancellor, each of whom

- (a) shall be a communicant member of the Church;
- (b) shall be either a lawyer of at least ten years' standing, or a judge of a court of record;
- (c) need not be a member of the Synod before being appointed; and
- (d) shall hold office at the pleasure of the Metropolitan.

5(11) The Chancellor shall advise and assist the Metropolitan, the Synod and the Council, and shall assist the Assessors during the sessions of the Synod.

5(12) The Vice-Chancellor shall

- (a) assist the Chancellor, and shall act in case of the absence or incapacity of the Chancellor, or when the office of Chancellor is vacant; and
- (b) attend and vote as of right at a meeting of the Synod, the Council or the Executive only in the absence of the Chancellor.

5(13) If a vacancy occurs in the office of Treasurer the Metropolitan, in consultation with the Prolocutor, shall appoint a Treasurer who need not be a member of the Synod and who shall perform the duties of the office until the treasurer elected at the next meeting of the Synod takes office.

5(14) The Metropolitan, in consultation with the Prolocutor and the Deputy Prolocutor, shall appoint two Assessors from among any lawyers or judges who are members of the Synod.

5(15) If there are not two lawyers or judges among the members, one or both Assessors may be appointed from among the Chancellors and Vice-Chancellors of the dioceses in the Province.

5(16) The Assessors shall act as legal advisors to the Chair on the constitution and rules of order, procedure and debates of the Synod.

5(17) The Secretaries shall:

- keep regular accounts of all proceedings;
- preserve memorials and other documents under the direction of the President and Prolocutor, attest all public acts of the Synod, and deliver over all records and documents to their successors;
- file with the archivist appointed by the Synod two or more copies of the printed Journal of each meeting with a statement attached to each mentioning the number of pages and certifying the same to be a true copy of the original minutes and proceedings, of which it is the printed copy, signed by the Prolocutor and Secretaries;
- furnish without fee certified copies of each Synod Journal and send the same to the proper officer of the General Synod, and of each Ecclesiastical Province, for preservation among their records; and
- forward to the Registrar of the General Synod a certificate of every consecration or installation of a Bishop or Metropolitan within the Province.

5(18) The Treasurer shall:

- receive and disburse all monies of the Synod, under the authority of the Synod or Provincial Council;
- perform such other duties as may be prescribed by Canon or resolution of the Synod; and present to each meeting of the Synod an audited financial statement.

5(19) The signing officers of the Synod are any two of the Treasurer, the Metropolitan and the Prolocutor.

5(20) Auditors shall be appointed at each triennial session of the Synod.

6. THE PROVINCIAL COUNCIL

- 6(1) The Provincial Council shall, between meetings of the Synod, carry on the work of the Synod and shall exercise the authority and jurisdiction of the Synod in all matters except:
- the enactment of additions or amendments to the Constitution, the Canons, or the Rules of Order;
- the consideration of changes in the Declaration of Principles of General Synod or of Canons of General Synod dealing with doctrine, worship or discipline;
- the adjustment of the boundaries of the province, the creation, division and rearrangement of provinces, the division of the province into dioceses, the establishment of missionary dioceses, the division of existing dioceses and the adjustment or rearrangement of diocesan boundaries;
- and
- any question relating to the jurisdiction of Provincial Synod or its Declaration of Principles.

6(2) The Synod may delegate to the Provincial Council authority to act in respect of any specific matter falling within the subjects enumerated in paragraphs 6(1)(b),(c) and (d)

6(3) The Provincial Council consists of:

- (a) the Bishops, as set out in section 3;
- (b) the Prolocutor,
- (c) the Deputy Prolocutor,
- (d) the Secretaries,
- (e) the Treasurer,
- (f) the Chancellor or, in the absence of the Chancellor, the Vice-Chancellor,
- (g) one member elected by the Synod from among the clergy and lay members of each Diocese, provided that there be not fewer than three clergy and not fewer than three lay persons elected; [see note at end of the Constitution for the schedule A of which diocese elects from which House] and
- (h) two lay members elected at the Synod from among and by those members being between the age of sixteen and twenty-five years.

6(4) The clerical and lay members of the Provincial Council and substitutes therefore shall be elected by the synod from among members nominated by the clerical and lay members from the respective dioceses.

6(5) If both a member of the Provincial Council and the substitute for that member vacate their positions the Bishop of their diocese shall appoint a member of the

Provincial Council from among the members of the same order who represented the diocese at the previous meeting of the Synod.

6(6) The Provincial Council shall meet

- at the conclusion of each meeting of the Synod,
- at such times and places as it determines,
- when summoned by the Metropolitan, or
- on the written request of two clerical and two lay members of the Council.

6(7) The Metropolitan is the Chair of the Provincial Council.

6(8) In the absence of the Metropolitan, or at the Metropolitan's request, the Prolocutor or Deputy Prolocutor shall preside.

6(9) Fifteen members of the Provincial Council constitute a quorum if seventy-five per cent of the dioceses are represented.

7. FINANCES

7(1) The expenses of the Synod shall be provided for by an annual assessment on the dioceses in the province.

7(2) The Provincial Council shall determine the basis on which the assessment shall be made and the amounts thereof.

7(3) Each diocese shall pay the amount of its annual assessment to the Treasurer who shall credit it to the Provincial Synod Expense Account.

7(4) The Treasurer shall pay out of the Provincial Synod Expense Account:

- the cost of printing and distributing convening circulars, reports, minutes and journals of the Synod and other printed materials required for the Synod, the Provincial Council or the House of Bishops;
- honoraria, expenses and presentations authorized by the Synod or the Provincial Council;
- the fees of auditors, solicitors and legal counsel when necessary in the opinion of Synod or the Provincial Council;
- the general administrative expenses of the Synod and the Provincial Council; and
- other amounts authorized by the Synod or the Provincial Council.

8. CANONS AND AMENDMENTS

8(1) A Canon may be enacted, amended or repealed and the Constitution may be amended by a two-thirds majority of each order if notice of the proposed enactment, amendment or repeal has been sent to the members of the Synod at least three weeks before the meeting of Synod, or by a majority of each order at two successive meetings of the Synod.

8(2) Notwithstanding subsection (1), a Canon or an amendment to the Constitution or a Canon proposed for the purpose of conforming the legislation of the Synod to the legislation of the General Synod may be adopted by a majority of each order at one meeting of the Synod if notice thereof has been sent to the members of the Synod at least three weeks before the meeting. Note to section 6 (3) (g) That in 2012 the following Dioceses shall elect clerical members of Provincial Council: Eastern Newfoundland & Labrador, Western Newfoundland, Fredericton and Quebec. The following Dioceses shall elect lay members to the Council: Central Newfoundland, Nova Scotia & Prince Edward Island, and Montreal. At the next Synod of the Province the dioceses shall elect from the other house to the Council. In the interest of insuring that the members between the ages of 16 -25 years have representations, that age group shall caucus and elect two members.

Appendix A Schedule of Elections

Election for the next 2 synods

Appendix A Schedule of Elections

Chart showing election for the next 4 synods.

2024, 2030

Clerical Members Dioceses of:
Eastern Newfoundland & Labrador
Western Newfoundland
Fredericton

Quebec Lay Members Dioceses of:
Central Newfoundland
Nova Scotia & Prince Edward Island
Montreal

2027, 2033

Clerical Members Dioceses of:
Central Newfoundland
Nova Scotia & Prince Edward Island
Montreal

Lay Members Dioceses of:
Eastern Newfoundland & Labrador
Western Newfoundland
Fredericton
Quebec

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