

## **A. Reform of Legislative Bodies - Draft Notices of Motion #1 - #3**

### **1. Size of Provincial Synod**

#### **Notice of Motion # 1**

Moved by: Charles Ferris (Fton)  
Seconded by: Margaret Jenniex (CN)

That Section 1(1) of the Constitution is repealed and replaced with the following:

1(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 in the absence of a Diocesan Bishop;

(c) Two clerical and two lay members from each diocese elected 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.

#### **Background**

This amendment of section 1 of the Constitution would address a concern about the size of Synod. It would provide that there would now be a reduction from ten (10) or eleven (11) members of Provincial Synod per Diocese to six (6) members of Provincial Synod per Diocese. The proposed Synod membership would include one (1) Bishop per Diocese, two (2) clergy and three (3) laity one of whom would be a lay member aged 16-25 (presently referred to as a lay youth member). There are presently one or more bishops from each Diocese and four (4) clerical and four (4) lay members of Synod per Diocese. This amendment would reduce the size of Synod by approximately 45 % and would make it a more cost-effective body.

The specific elements of the proposed amendment are as follows:

- (1) that in section 1(a) the word "Diocesan" be added before "Bishops" in the first line

- (2) that a new section 1(b) be added to read
  - 1(b) A Coadjutor, Suffragan or Assistant Bishop may attend and participate fully in the absence of a Diocesan Bishop.
- (3) that section 1(b) is renumbered as section 1(c)
- (4) that in section 1(c) the word “four” be replaced by the word “two” where it appears in the first line.
- (5) that section 1(c) be renumbered as section 1(d); that the word ‘lay’ replaces the word ‘youth’ therein’ and
- (6) that section 1(d) be renumbered as section 1(e).

## **Present Legislation**

### *The Constitution of the Provincial Synod of Canada*

#### *1. Membership*

##### *1(1) The Provincial Synod consists of:*

- (a) The Bishops of the Anglican Church of Canada holding Sees in, or discharging the functions of the episcopate as Coadjutor, Suffragan, or Assistant Bishop 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) Four clerical and four lay members from each diocese elected by the diocesan synods according to such rules as they adopt;*
- (c) One youth 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*
- (d) the officers of Synod.*

##### *1(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.*

## **2. Size of Provincial Council**

### **Notice of Motion # 2**

Moved by: Charles Ferris (Fton)  
Seconded by: Margaret Jenniex (CN)

That section 4(3) of the Constitution be repealed and replaced with the following:

4(3) The Provincial Council consists of:

- (a) the Bishops, as set out in section 1;
- (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; 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.

### **Background**

This amendment of section 4 of the Constitution would reduce the size of the Provincial Council from thirty-one (31) to twenty-two(22) (a 29 percent reduction). The present legislative provision for the election by Dioceses (at Synod) of one clerical and one lay member per Diocese in addition to three (3) members aged 16-25 would be replaced. The amendment would provide for the election by the entire (albeit smaller) Synod seven (7) Council members, with each Diocese being represented by at least one member, including at least three (3) clerical, three (3) lay and two (2) lay aged 16-25 Provincial Council members.

The specific elements of the proposed amendment are as follows:

That section 4 of the Constitution be amended as follows:

- (1) in section 4(3)(a) the words” as set out in section 1” be added after the word “Bishops”;
- (2) in section 4(3)(f) the words “ or in the absence of the Chancellor, the Vice-Chancellor” be added after the word “Chancellor”
- (3) sections 4 (3) (g) and 4(3)(h) be repealed and replaced by the following:
  - (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; 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.

### **Present Legislation**

*4(3) The Provincial Council consists of:*

*(a) the Bishops,*

*(b) the Prolocutor,*

*(c) the Deputy Prolocutor,*

*(d) the Secretaries,*

*(e) the Treasurer,*

*(f) the Chancellor,*

*(g) one clerical member and one lay member from each diocese, and*

*(h) three members elected by the Synod from among the youth members of the Synod*

### **3. Provincial Executive Eligibility for Election**

#### **Notice of Motion # 3**

Moved by: Charles Ferris (Fton)

Seconded by: Margaret Jenniex (CN)

1) That section 5(3) be repealed and replaced by the following:

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 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 to be a member of Synod by her or his Diocesan Synod.

2) That this amendment, if adopted, comes into force at the Provincial Synod held next after the adoption of this amendment.

#### **Background**

This Notice of Motion addresses a concern that there is insufficient renewal of leadership among the Officers who constitute the Provincial Executive; in particular, that an Officer may be re-elected to the Provincial Executive without being re-elected as a member of the Provincial Synod by her/his Diocesan Synod.

#### **Previous Legislation**

##### *5. Officers*

*5(3) A person who has been elected to the office of Prolocutor, Deputy Prolocutor or Secretary at two successive sessions of the Synod is not eligible for re-election to the same office.*

## **B. Legislative Offices – Metropolitan & Vice-Chancellor – Draft Notices of Motion #4 & #5**

### **4. Election of the Metropolitan by the Provincial Synod**

#### **Notice of Motion # 4**

Moved by: Charles Ferris (Fton)  
Seconded by: Margaret Jenniex (CN)

That section 1(1) of Canon Two be repealed and replaced by the following

1(1) When the Office of Metropolitan becomes vacant or will become vacant on a fixed future date, the Prolocutor shall

(a) if the vacancy occurs or will occur more than six months before the next regular meeting of the Provincial Synod, supervise the election of a Metropolitan by electronic means; or

(b) if the vacancy occurs or will occur less than six months before the next regular meeting of the Provincial Synod or during a regular meeting, convene the election of a Metropolitan during such meeting.

That section 1(3) of Canon Two be amended by replacing the word "Council" with the word "Synod" after the word "Provincial".

#### **Background**

This amendment to Canon Two – The Election, Office and Work of the Metropolitan Bishop – would provide for the election of the Metropolitan by the Provincial Synod rather than the Provincial Council. This proposal is consequential to the proposed reduction in size of the Provincial Synod and Provincial Council. These changes would arguably make it essential that a larger and more representative body be charged with this signal task. This proposed amendment would also clarify the circumstance where a vote by electronic communication would occur.

#### **Present Legislation**

*Canon Two*

*The Election, Office and Work of the Metropolitan Bishop*

- 1(1) When the Office of Metropolitan becomes vacant the diocesan bishop senior by consecration shall summon the Provincial Council to meet as an electoral college within six months of the vacancy occurring. If it is known that the office of Metropolitan is to become vacant at a future date, the diocesan bishop senior by consecration may summon the Provincial Council to meet as an electoral college not more than six months before the date of vacancy to elect the Metropolitan's successor.*
- 1(2) The Prolocutor shall preside at the election of the Metropolitan.*
- 1(3) The Provincial Council shall elect the Metropolitan from among the diocesan bishops of the province.*
- 1(4) The Election shall be by secret ballot taken by orders and the voting shall continue by consecutive ballots until a bishop receives a majority of those present and voting in each order.*

## **5. Appointment of a Vice-Chancellor**

### **Notice of Motion # 5**

Moved by: Charles Ferris (Fton)  
Seconded by: Margaret Jenniex (CN)

- (1) That section 3(1)(f) of the Constitution be amended by adding the words “ or, in his or her absence, the Vice-Chancellor” after the word “Chancellor”.
- (2) That section 3(10) and 3(11) be repealed and replaced with the following:
  - 3(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.
  - 3(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.
  - 3(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.
- (3) That Sections 3(12) to 3(19) shall be renumbered as sections 3(13) to section 3(20) respectively.

### **Background**

This amendment of section 3 of the Constitution would provide for the appointment of a Vice-Chancellor by the Metropolitan. Such an office presently exists at the General Synod and Diocesan levels of Church governance. The amendment would provide that



the Vice-Chancellor would only attend and vote at a Provincial Synod or Provincial Council as of right in the absence of the Chancellor.

### **Present Legislation**

#### *3. Officers*

*3(1) The officers of the Synod are*

*(a) the Metropolitan,*

*(b) the Prolocutor,*

*(c) the Deputy Prolocutor,*

*(d) two Secretaries,*

*(e) the Treasurer,*

*(f) the Chancellor or , and*

*(g) two Assessors.*

...

*3(10) The Metropolitan, in consultation with the Prolocutor, may appoint a Chancellor who*

*(a) need not be a member of Synod before being appointed,*

*(b) shall be a judge of a court of record or a member of the bar of at least ten years standing in a civil province within the Ecclesiastical Province, and*

*(c) shall hold office at the pleasure of the Metropolitan.*

*3(11) The Chancellor shall act as legal advisor to the Metropolitan, the Synod and the Council and shall assist the Assessors during sessions of the Synod.*

**C. Uniform Due Diligence & Best Practices – Misconduct & Privacy Policies –  
Notices of Motion #6 & #7**

**6. Provincial Misconduct Policy**

**Notice of Motion # 6**

Moved by: Charles Ferris (Fton)  
Seconded by: Margaret Jenniex (CN)

That the Province of Canada Sexual Misconduct Policy be repealed and replaced by the Provincial Misconduct Policy.

<http://www.province-canada.anglican.org/synod2012/Misconduct.pdf>

**Background**

This proposal would provide greater safety to persons working within the Ecclesiastical Province of Canada with respect to provincial functions. It would also provide a best practices model and a possible encouragement for uniform safe church protection throughout the all the Dioceses of the Province. Under present legislation this policy would replace the provincial sexual misconduct policy.

**Current Policy:**

<http://www.province-canada.anglican.org/canons/SexualMisconductPolicy.pdf>

## **7. Provincial Privacy Policy**

### **Notice of Motion # 7**

Moved by: Charles Ferris (Fton)  
Seconded by: Margaret Jenniex (CN)

That the present Province of Canada Privacy Policy be repealed and replaced by a revised Province of Canada Privacy Policy  
<http://www.province-canada.anglican.org/synod2012/Privacy.pdf>

### **Background**

This proposal would provide greater privacy protection to persons working within the Ecclesiastical Province of Canada with respect to provincial functions. This Policy would extend the present Policy by providing more explicit recourse to those who believe their privacy rights have been infringed, and would confer on the Provincial Privacy Officer the power to investigate complaints and to provide remedies.

### **Current Policy:**

<http://www.province-canada.anglican.org/canons/Privacy.pdf>

**D. Intentional Conversations on Fundamental Governance Reform for Eastern Canadian Anglicans – Number of Dioceses; Centralized administration; Refocusing of Mission Outreach into Canada – Notices of Motion # 8 - #10**

**8. Number of Dioceses**

**Notice of Motion # 8**

Moved by: Charles Ferris (Fton)  
Seconded by: Margaret Jenniex (CN)

Moved that this Synod request the Provincial Governance Task Force, in consultation with the Executive, Provincial Council, House of Bishops, and dioceses, to explore possible realignment of dioceses within the Province of Canada, with a view to reducing the number of dioceses to no fewer than three, and to report to the next meeting of Synod.

**Background**

This initiative recognizes the changing demographic of the Anglican Church within the ecclesiastical province of Canada in terms of both decreasing numbers and the increased cost of providing ecclesiastical services within our existing seven dioceses. From an objective perspective one can argue for the creation of single diocese within the civil provinces of Quebec and Newfoundland and Labrador and the creation of a single Maritime Provinces diocese.

## **9. Administrative Centralization/Coordination**

### **Notice of Motion # 9**

Moved by: Charles Ferris (Fton)

Seconded by: Margaret Jenniex (CN)

Moved that this Synod request the Provincial Governance Task Force, in consultation with the Executive, Provincial Council, House of Bishops, and dioceses, to examine, make recommendations and to report to the next Provincial Synod. with respect to:

- a) the desirability of transferring to the Synod of the Ecclesiastical Province of Canada, or otherwise sharing with it the current Diocesan administrative functions, including human resources, performance review, information technology, payroll and benefits; and
- b) the funding and staffing requirements attendant on such a transfer or sharing of administrative responsibilities.

### **Background**

This initiative recognizes the changing demographic of the Anglican Church within the Ecclesiastical Province of Canada in terms of both decreasing numbers and the increased cost of providing ecclesiastical services within our existing seven dioceses.

## **10. Provincial Mission Outreach**

### **Notice of Motion # 10**

Moved by: Charles Ferris (Fton)

Seconded by: Margaret Jenniex (CN)

Moved that this Synod request the Provincial Governance Task Force, in consultation with the Executive, Provincial Council, House of Bishops, dioceses, and the General Synod to examine, make recommendation and to report to the next Provincial Synod with respect to:

- a) the desirability of replacing or supplementing the present Companion Diocese and Companion Parish arrangements with similarly structured mission outreach initiatives directed to the Province's geographically remote northern and other communities;
- b) requesting that the General Synod refocus its northern Canadian ministry initiatives so that the Province assumes a special responsibility for the northern communities within its boundaries; and
- c) the funding and staffing requirements of such a transfer and assumption of administrative responsibilities.

### **Background**

This initiative recognizes the changing demographic of the Anglican Church within the Ecclesiastical Province of Canada in terms of both decreasing numbers and the increased cost of providing ecclesiastical services within our existing seven dioceses. Because of this reality, it is increasingly difficult for our Dioceses to extend the human and financial resources required to provide ministry to communities within the vast northern sector of the Province. These areas often include ethnic minorities, including Aboriginal persons or small Anglophone minorities within Francophone regions. Rather than leave these areas to the care of only two of the seven Dioceses (supported by the General Synod), the Notice of Motion proposes a mechanism by which the entire Province in conjunction and cooperation with the General Synod would accept responsibility. To achieve this outcome, it would also provide a mechanism for doing so by shifting emphasis away from the current companion Diocese and Companion Parish schemes (particularly the former) and by suggesting a possible shift in the manner in which the General Synod's northern ministry is fulfilled.