

CONVENING CIRCULAR PART 4 - NOTICES OF MOTION

Decision

			Decision
1) Pg 2	Resolution of Loyalty to the Queen	Mover: Ted Haslam Seconder: Kyle Wagner	
2) Pg 2	Resolution of Greetings to the Anglican Communion.	Mover: Rebecca Sample Seconder: Jennifer Parsons	
3) Pg 2	Resolution that Ecumenical visitors and the Primate be granted courtesies of the house.	Mover: Heather MacEachern Seconder: Reid Moore	
4) Pg 3	Resolution that Committee Reports be received by Synod.	Mover: Debra Burlison Seconder: Victor Henrikson	
5) Pg 3	Resolution to change sections of the Constitution of Synod to implement the Diocesan restructuring.	Mover: John Cooper Seconder: Gordon Redden	
6) Pg 10	Resolution to amend the Constitution of Synod to change lay representation to Synod.	Mover: Tammy Hodge Seconder: Andrew Mortimer	
7) Pg 10	Resolution to amend the Constitution of Synod to change clergy representation to Synod.	Mover: Tammy Hodge Seconder: Carl Fraser	
8) Pg 11	Resolution to amend Canon 6 to include the expansion of the Registrar's record keeping and the addition of deconsecrations.	Mover: Daphne Beeler Seconder: Gordon Redden	
9) Pg 12	Resolution to amend Canon 8 regarding the election of delegates to General Synod.	Mover: John Clarke Seconder: Andrew Mortimer	
10) Pg 13	Resolution to amend Canon 10 to implement Diocesan restructuring.	Mover: Pauline Liengme Seconder: Reid Moore	
11) Pg 19	Resolution to amend Canon 37 to permit raffles as a revenue source.	Mover: Philip Milo Seconder: Liz Milo	
12) Pg 19	Resolution to amend Canon 16 to implement the Diocesan restructuring and add an exemption from allotment for clergy travel.	Mover: John Cooper Seconder: Daphne Beeler	
13) Pg 26	Resolution to amend Canon 17 to reflect the Diocesan restructuring as it relates to nominations and appointments at Synod to the Diocesan Council level.	Mover: Daphne Beeler Seconder: Gordon Redden	
14) Pg 27	Resolution to amend Canon 39 to provide flexibility to the existing Canon provisions regarding cemeteries and burial grounds and add new section to deal with columbaria.	Mover: Gordon Redden Seconder: John Cooper	
15) Pg 37	Resolution to amend Canon 24 to reflect the Diocesan restructuring as it relates to elections and appointments to the Archives Committee.	Mover: Gordon Redden Seconder: John Cooper	
16) Pg 38	Resolution to amend Canon 31 to extend the term for which Trustees can be appointed.	Mover: John Cooper Seconder: Daphne Beeler	
17) Pg 40	Resolution to amend Canon 35 to define more clearly the definition of a Rector.	Mover: Daphne Beeler Seconder: Gordon Redden	
18) Pg 47	Resolution to amend Canon 41 to incorporate various changes suggested by the commission of inquiry.	Mover: John Cooper Seconder: Daphne Beeler	
19) Pg 51	Resolution to amend Canon 37 to bring current practices of the Diocese in line with other institutions and charities.	Mover: Eric Thompson Seconder: Garth Watt	
20) Pg 52	Resolution to amend Canon 16 to change to the definition of Gross Receipts	Mover: Eric Thompson Seconder: Garth Watt	
21) Pg 53	Resolution to amend Section 4 of Canon 16 as it relates to Exemptions in the Budget regarding bequests and income from hall rentals.	Mover: Eric Thompson Seconder: Garth Watt	
22) Pg 53	Resolution to amend Section 4 of Canon 16 as it relates to housing allowance and building maintenance and capital expenditures.	Mover: Eric Thompson Seconder: Garth Watt	

1 Resolution of Loyalty to the Queen

Mover: Ted Haslam

Secunder: Kyle Wagner

Resolved that Synod request the Governor General of Canada extend to Her Majesty, Queen Elizabeth II, the Queen of Canada and Head of the Commonwealth, loyalty, affection and devotion.

Commentary:

This resolution pledges loyalty to the Queen. The Synod of the Diocese of Nova Scotia and Prince Edward Island, the oldest Diocese in the Anglican Church of Canada, assembled in Halifax on May 30 to June 1, 2013, requests that His Excellency, the Right Honorable David Johnston, the Governor General of Canada, extend to Her Majesty, Queen Elizabeth II, Queen of Canada and head of the Commonwealth, our warmest expressions of affection, loyalty and devotion. We wish Her Majesty God's blessing and pray that God will guide and protect her in all her endeavors. We wish to assure Her Majesty of our sincere goodwill and affection and wish her continued good health and every blessing for the future.

2 Resolution of Greetings to the Anglican Communion

Mover: Rebecca Sample

Secunder: Jennifer Parsons

Resolved that Synod send to the Archbishop of Canterbury greetings to the Anglican Communion.

Commentary:

This resolution requests that we send to the Archbishop of Canterbury the following memorial: Greetings in the name of our Saviour, Jesus Christ. The Synod of the Diocese of Nova Scotia and Prince Edward Island meeting in its 144th Session affirm our continued love and support to you and the Anglican Communion.

3 Resolution that Ecumenical visitors and The Primate be granted courtesies of the house.

Mover: Heather MacEachern

Secunder: Reid Moore

Resolve that ecumenical visitors and The Primate be granted courtesies of the house.

Commentary:

This resolution acknowledges ecumenical visitors and The Primate and grants them courtesies of the house which includes a voice but no vote.

4 Resolution to receive Committee Reports.

Mover: Debra Burleson

Secunder: Victor Henrikson

Resolve that the Committee Reports published in the Convening Circular be received.

5 Resolution to change sections of the Constitution of Synod to implement the Diocesan restructuring.

“Resolved that Synod remove sections of the Constitution of Synod with lines running through them and adding sections that are underlined as set out below.”

Mover: John Cooper

Secunder: Gordon Redden

Commentary:

The Constitution and Canons Committee was asked by Diocesan Council to propose changes to the Constitution and Canons of Synod in an effort to develop a common language for and implement the new diocesan structure and governance process, as developed in a visioning process begun some years ago with the help of a consultant, Janet Marshall, and as agreed by Synod in 2011.

The Committee based its changes to the Constitution and nine (9) Canons on the changes recommended in the report, ‘Fulfilling Our Mission: Vision, Strategy & Resource Allocation, February 2009’ which followed from an earlier report ‘Organizational Effectiveness Review Report, October 19, 2007, and which was approved by Diocesan Synod in 2011.

The recommended changes to the Constitution and to the nine (9) Canons will enable Diocesan Council to establish, direct and oversee the working committees and groups of the Diocese in a structure that is flexible and readily changeable according to the need. The proposed changes to the Constitution and to the nine (9) Canons will enable Diocesan Council to continue the implementation of the restructuring process it started in 2011.

The Committee has reported its ongoing work to the Diocesan Council.

Note: Only those sections in the Constitution in which changes are proposed are included in this resolution. At Synod 2011, the Synod voted to deal with the structural changes gradually. Synod 2011 gave Diocesan Council the authority to do away with the Transitional Appendices when all the new structures had come into place. Diocesan Council took that action at the April 2013 meeting, so the Transitional Appendices have already been removed from the Constitution. This resolution has been retyped to reflect that the Transitional Appendices are already gone.

**CONSTITUTION OF THE SYNOD OF THE DIOCESE OF
NOVA SCOTIA AND PRINCE EDWARD ISLAND**

~~Amended by Synod 2004, 2006, 2009 and 2011~~

2 Jurisdiction of Synod

(2) In particular, it may legislate in respect to

(f) the financial affairs of the Diocese, Synod, the ~~parishes~~Parishes therein and all funds in any way connected with the Diocese or ~~parishes~~Parishes including assessments and apportionments on the ~~parishes~~Parishes or the members of the clergy;

(g) the admission of candidates for Holy Orders and the reception into the diocese of clergy, their appointment or election to the ~~parishes~~Parishes, their transfer, retirement or resignation, and the instruction and licensing of layreaders;

5 Lay Representatives

(1) In this Section and in Section 6,

(a) “~~pastoral unit~~Parish” means

(i) ~~a pastoral unit as defined in Canon 35 a congregation, served by a member of the clergy licensed by the Bishop to minister only to such congregation in a territory or district allotted by the Bishop for the purpose; and~~

~~(ii) the congregation worshipping in the Cathedral Church of All Saints, Halifax, and two or more congregations that are, for the purpose of ministry, grouped together, served by a member of the clergy licensed by the Bishop in a territory or district allotted by the Bishop for the purpose; or~~

~~(iii) two or more Parish corporations that are, for the purposes of ministry, grouped together served by a member of the clergy licensed by the Bishop in a territory or district allotted by the Bishop for the purpose.~~

(b) “~~parish~~Parish eCouncil” includes the Committee of Consultation and Advice of the Cathedral Church of All Saints, Halifax.

(2) Number: Each ~~pastoral unit~~Parish may elect or appoint three lay representatives.

~~(3) Qualifications: Each lay representative shall be a communicant of a congregation that forms part of a Parish who attends worship services regularly and is of the full age of 16 years before his or her election or appointment and who is also qualified to vote at meetings of the Parish he or she is to represent. and regular attender of the full age of 16 years before his or her election or appointment who is also qualified to vote at meetings of the pastoral unit he or she is to represent.~~

(4) Genders and Age Groups: In electing or appointing lay representatives, a ~~pastoral unit~~ Parish shall take into account the genders and age groups of the members of the ~~pastoral unit~~ Parish.

~~(5) Election or Appointment: The lay representatives shall be elected at a~~ congregational meeting of the ~~pastoral unit~~ Parish called for that purpose. The ~~parish council~~ Parish Council of the ~~pastoral unit~~ Parish (or a coordinating committee of ~~parish council~~ Parish Councils of a ~~pastoral unit~~ Parish consisting of a combination of ~~parishes~~ Parishes) shall fill any vacancies that have not been filled at the congregational meeting.

(6) Alternates: Each ~~pastoral unit~~ Parish may elect or appoint an alternate for each lay representative or youth delegate elected or appointed.

(7) Credentials: The Chair of the meeting at which Lay Representatives and alternates are elected or appointed shall as soon as possible after the close of the meeting forward to the Executive Secretary of Synod a certificate stating

(a) the number of communicants in the ~~pastoral unit~~ Parish;

(b) the names of the persons elected or appointed as Lay Representatives and alternates and their respective post office addresses; and

(c) that all the Lay Representatives and alternates have the qualifications set out in this Section.

(8) Term: Lay representatives shall continue in office until their successors are elected or Appointed but may resign at any time by submitting a letter of resignation to the Bishop and will not serve more than two terms consecutively where ever possible. Be it further resolved that this has effect at the next election of ~~s~~ Synod delegates at an annual meeting of a Parish ~~Parish Council~~ General Meeting.

(9) Casual vacancy: If any lay representative dies, resigns, declines to serve, secedes from the Church, ceases to be qualified for election as a lay representative under this Section or becomes incapable of carrying out the duties of a lay representative, his or her alternate shall take his or her place as a lay representative but, if there is no alternate or if the alternate also becomes incapable of carrying out the duties of a lay representative, the ~~pastoral unit~~ Parish that elected or appointed the lay representative or the alternate shall fill the vacancy for the unexpired portion of the term of the lay representative and the Chair of the meeting at which the replacement lay representative is elected or appointed shall forward a supplementary certificate to the Executive Secretary of Synod.

6 Youth Delegates

(1) Number: Each ~~pastoral unit~~ Parish may elect or appoint one youth delegate.

(2) Qualifications: Each youth delegate shall be a communicant and regular attender who will be at least sixteen years of age upon the opening of Synod and under the age of twenty-five years upon the conclusion of Synod and who is also qualified to vote at meetings of the ~~pastoral unit Parish~~ he or she is to represent.

~~(3) Election or Appointment: The youth delegate shall be elected at a special~~ meeting of the ~~pastoral unit Parish~~ called for that purpose or appointed by the ~~parish council~~ Parish Council (or a coordinating committee of ~~parish council~~ Parish Councils of a ~~pastoral unit Parish~~ consisting of a combination of ~~parishes~~ Parishes).

(4) Alternate: Each ~~pastoral unit Parish~~ may elect or appoint an alternate youth delegate.

(7) Casual Vacancy: If a youth delegate dies, resigns, declines to serve, secedes from the Church, ceases to be qualified for election as a youth delegate under this section, or otherwise becomes incapable of carrying out the duties of a youth delegate, his or her alternate shall take his or her place as the youth delegate. If there is no alternate, or if the alternate also becomes incapable of carrying out the duties of a youth delegate, the ~~pastoral unit Parish~~ shall fill the vacancy for the unexpired term of the youth delegate and the Chair of the meeting at which the replacement youth delegate is elected or appointed shall forward a supplementary certificate to the Executive Secretary of the Synod.

12 Officers of Synod

(2) The Executive Secretary shall be appointed by the Bishop, subject to ratification by Synod, for a term of ~~three two~~ years and may serve for up to ~~two three consecutive additional~~ terms.

(3) The Assistant Secretary, who shall be a member of Synod, shall be ~~elected appointed by the Bishop three months prior to date of Synod at each session of Synod~~ and shall serve until the ~~election appointment~~ of his or her successor.

13 Executive Secretary – Duties

The Executive Secretary shall

(a) attend all meetings of Synod and ensure that the minutes of these meetings are recorded and preserved;

(b) attend all meetings of Diocesan Council, set the agenda in consultation with the Bishop and ensure that the minutes of these meetings are recorded and preserved and prepare the Report of Diocesan Council for Synod;

(i) ensure that ~~every clerical and lay representative is notified of notice in respect of~~ all meetings of Synod is publicly posted on the website of the Diocese of Nova Scotia and Prince Edward Island, and that notice thereof is given to all Parishes;

(j) ensure that the Convening Circular, Synod Minutes and other relevant materials are prepared and distributed [and publicly posted on the website of the Diocese of Nova Scotia and Prince Edward Island, and that notice thereof is given to all Parishes;](#)

16 Registration

The Executive Secretary shall arrange for the registration [and for the check-in](#) of each member of Synod before the member enters the session of Synod.

17 First Day - Order of Business

On the first day of the session, after prayers

(a) the Chair shall lay on the table the report of the Standing Committee on Credentials;

(b) when necessary, the ratification of the appointment of an Executive Secretary;

(c) the ~~election~~ [ratification of the appointment](#) of an Assistant Secretary;

(d) the appointment of an Agenda Committee and other Committees.

(e) the consideration of the report of the Committee on Nominations.

21 Committees and Other Groups [of Diocesan Council](#)

(1) Unless otherwise prohibited by the Constitutions and Canons, the Diocesan Council may by resolution establish vision teams, committees, sub-committees, task forces or other groups (collectively, 'Groups', and each, a 'Group') for any purpose within the scope of its powers, and define each Group's membership, the terms of office of its members, chair, quorum, and terms of reference, including the functions that it is to fulfill under the canons and policies of the Diocese.

(2) The Diocesan Council shall report all resolutions that it adopts pursuant to subsection (1) in its annual report and in its report to Synod.

(3) The Chair of a Group established by the Diocesan Council for which the Bishop is not an ex-officio member shall send notice of each meeting to the Bishop. The Bishop, or the Bishop's delegate, may attend any meeting of the Group and may participate in its discussions.

[\(4\) A Constitution and Canons Committee shall be appointed by the Bishop, with such terms of reference, roles and responsibilities as may be established by the Bishop from time to time.](#)

[\(5\) An Audit Committee shall be appointed by the Diocesan Council, with such terms of reference, roles and responsibilities as may be established by the Diocesan Council from time to time.](#)

(6) An Archives Committee shall be appointed in accordance with the provisions of Canon 24, to carry out the functions set out in Canon 24.

(7) An Appointments Committee shall be appointed by the Diocesan Council with such terms of reference, roles and responsibilities as may be established by the Diocesan Council from time to time.

22 Responsibility for Funds

Not later than the first day of May in each year, Diocesan Council or other Group having charge of any funds of Synod requiring contributions from the ~~parishes~~Parishes shall furnish to the body responsible for preparing the annual budget the statement of the amount which will be required for its funds for the next ensuing year with full information in respect to the state of such funds.

24 Regional Deans – Report on Memorials

Regional Deans shall, not later than four months prior to a regular meeting of Synod, provide the Executive Secretary of Synod with the names of all members and former members of Synod who have died since the last annual meeting of Synod with a brief and appropriate notice respecting each.

24 ~~25~~ Other Committees of Synod

(1) The Bishop may appoint such committees of Synod at such times and for such purposes as the Bishop deems advisable, such as a Synod Arrangements Committee, an Agenda Committee and a Resolutions Committee.

(2) The membership and duties of the Committee on Nominations are defined in Canon 17.

~~(3) The Committee on Deceased Members shall be composed of the Regional Deans and such other members as Synod shall appoint and shall present to Synod at its annual meeting the names of all members and former members of Synod who have died since the last meeting of Synod with brief and appropriate notice respecting each.~~

25 ~~26~~ Special Committees of Synod

(1) Synod may appoint any special committee that it deems necessary or desirable.

(2) The mover of the resolution under which any special committee has been appointed, shall be a member of such committee, unless other provision be ~~14~~ made in the resolution appointing the committee.

~~26-27~~ All Committees of Synod - quorum, vacancies, reports, etc.

~~27-28~~ Requirements for a Motion

28-29 Rules of Order and Debate

29 30 Evidence

(1) For all purposes, matters and things subject to the control of Synod and concerning which it has power to make Canons, rules and regulations, the printed Journals of Synod for each and every the past sessions thereof, certified by the signature of the Bishop of Nova Scotia and Prince Edward Island, or Executive Secretary or Assistant Secretary of Synod to be the record of the proceedings, acts and Canons of the said Synod shall be taken to be and shall have the force and effect of the original and authentic records of all the proceedings, acts, minutes, Journals and Canons of Synod, to all intents and purposes.

(2) All copies and extracts, written or printed, certified by the signature of the Executive Secretary or Assistant Secretary of Synod for the time being, to be true copies of or extracts from the Journals of Synod, shall be received as proof in matters over which Synod has authority or jurisdiction, without any other evidence being necessary as to the contents thereof and shall be held authentic and correct until the contrary be proved.

30 31 Transitional Provisions

(1) A standing committee of Synod in existence before a resolution of Diocesan Council is adopted under Section 21 of the Constitution ('Committees and Other Groups') that replaces that standing committee with a Group or Groups created by the Diocesan Council shall continue to fulfill its functions until that resolution is adopted and comes into effect, and then that standing committee and the regulation or regulations of Synod relating to it shall cease to exist. The sections of the Constitution and regulations relating to the standing committees of Synod will be appended to the Constitution for reference until the last of the standing committees has been replaced.

(2) A reference in a canon or policy to a standing committee of Synod that is replaced in accordance with subsection (1) shall be read as a reference to the relevant Group or Groups created by Diocesan Council.

(3) The amendments to the Constitution relating to the re-organization of committees shall come into effect on the adoption of a resolution of Synod approving them, with the exception of the repeal of subsections (1), (3), (4), (5), (6), (7), (8), and (9) of the former section 21, Standing committees of sSynod, which repeal shall come into effect by resolution of Diocesan Council.

Resolution:

BE IT RESOLVED THAT where, by an amendment to the Constitution of the Synod or to the Canons, any provision of the Constitution or Canons is renumbered or relettered, any reference in the Constitution or Canons to what was the number or letter of that provision before the amendment comes into force, shall, with respect to any subsequent transaction, matter or thing, be deemed to be a reference to the new number or letter given that provision by the amendment.

6 Resolution to amend the Constitution of Synod to change lay representation to Synod.

Resolved that the Constitution of the Synod of the Diocese of Nova Scotia and Prince Edward Island be amended so that the following provisions of the Constitution which define the lay representation to Synod be amended by removing the sections of the Constitution of Synod with lines running through them and adding sections that are underlined as set out below.

Mover: Rev. Tammy Hodge
Rev.tammyhodge@gmail.com

Seconded: Rev. Andrew Mortimer

29 Westwood Blvd. Upper Tantallon NS B3Z 1H4

Commentary:

In an effort to make our Diocesan synod more effective I resolve that we amend the Constitution of the Synod of the Dioceses of Nova Scotia and Prince Edward Island so that those articles of the constitution which define the lay representation to synod be changed as below:

Section 5 Lay Representatives

(1) In this Section and in Section 6,

(a) “pastoral unit” means

(i) a pastoral unit as defined in Canon 35, and

(ii) the congregation worshipping in the Cathedral Church of All Saints, Halifax, and

(b) “parish council” includes the Committee of Consultation and Advice of the Cathedral Church of All Saints, Halifax.

(2) Number: Each pastoral unit may elect or appoint three-two lay representatives.

7 Resolution to amend the Constitution of Synod to change clergy representation to Synod.

Resolved that the Constitution of the Synod of the Diocese of Nova Scotia and Prince Edward Island be amended so that those provisions of the Constitution which define the clerical representation to Synod be amended by removing the sections of the Constitution of Synod with lines running through them and adding sections that are underlined as set out below.

Mover: Rev. Tammy Hodge
Rev.tammyhodge@gmail.com

Seconded: Rev. Carl Fraser

29 Westwood Blvd. Upper Tantallon NS B3Z 1H4

Commentary:

Some parishes in our diocese have large numbers of clergy attached to them who are entitled to attend Synod. This can give these parishes a disproportionate representation in any Synod votes. In an effort to make parish representations more balanced across the diocese and also to make our Diocesan Synod more effective the above motion has been proposed.

Section 4 Clerical Members

The Executive Secretary under the direction of the Bishop and in consultation with

the Registrar shall compile a list of all members of the clergy entitled, pursuant to this Constitution, to seats on Synod as clerical members. Of the entitled clergy of a parish no more than two clerics should attend each Synod, one of whom should be the rector or incumbent.

#8 Resolution to amend Canon 6 to include the expansion of the Registrar’s record keeping and the addition of deconsecrations.

Resolved that Canon 6 entitled, The Registrar, be amended by removing the sections of Canon 6 with lines running through them and adding the sections underlined as set out below.

Mover: Daphne Beeler

Secunder: Gordon Redden

Commentary:

The changes to the Diocesan Registrar’s duties include the expansion of the Registrar’s record keeping to include both electronic and hard copy format. It also adds the recording of deconsecrations as an official record of Synod.

**CANON 6
THE REGISTRAR**

1. The Bishop shall appoint a Registrar who shall hold office during-at the pleasure of the Bishop.
2. (1) The Registrar shall keep suitable books, to be provided by Synod, in which he or she shall record records and indices in electronic and/or hard copy format (the “Records”) for the purpose of recording such official acts of the Bishop or of the Synod as required record or registration.
 - (2) It shall be his or her the Registrar’s special duty to enter and record:
 - (a) A short description of the boundaries of the Diocese and of the several archdeaconries, regional deaneries and parishes therein.
 - (b) A list of the Clergyclergy of the Diocese from time to time, with their academic standing and the respective dates of their admission as deacons or priests and a list of the different parishes or stations in which they have served.
 - (c) The election or appointment of clergy or laypersons to any Diocesan office ~~in the diocese~~, such as chancellor, dean, archdeacon, canon, honorary canon, registrar, or regional dean.
 - (d) All Bishop’s instruments, letters of orders, licenses, letters of institution, mandates of induction, and the returns thereto, and other official

instruments issued by the Bishop to the clergy of the Diocese from time to time.

(e) A record of all confirmations of individuals and of all ~~and~~ consecrations and deconsecrations of ~~Churches~~ churches and cemeteries.

(3) ~~He or she~~ The Registrar shall be the proper custodian of all grants, deeds, conveyances, probates or certified copies of wills, or parts thereof, in any way relating to ~~and or~~ property granted, conveyed or devised for the benefit or use of the Church in the Diocese, and shall enter in ~~books provided by the~~ Synod Records the date of every such grant, conveyance or will, ~~and~~ the names of the grantors or testators, and the name of the grantee or devisee, together with; ~~also~~ a short description of the property, and a memorandum of the trust or object of the grant or devise.

3. The Registrar shall from time to time, on application give a certificate of any entry of baptism, marriage or burial entered in any parish register or of any other record or document in ~~his or her~~ the Registrar's custody.

4. ~~He or she~~ The Registrar shall make a report annually to the Synod of ~~his or her~~ the Registrar's acts during the year.

9 Resolution to amend Canon 8 regarding the election of delegates to General Synod.

Resolved that Section 2 of Canon 8 of the Diocese of Nova Scotia and Prince Edward Island in respect of the “Provincial” Synod of Canada be amended by removing sections of Canon 8 with lines running through them and adding sections that are underlined as set out below.

Mover: Rev. John Clarke

Seconded: Rev. Andrew Mortimer

Commentary:

In a cost saving measure and an attempt to make Provincial Synod more effective the Provincial Synod of the Ecclesiastical Province of Canada in September 2012 reduced the number of delegates elected or appointed in each diocese from 11 to 5 (plus the bishops). It used to be that each diocese sent 5 clergy, 5 laity and 1 youth. Now each diocese will send 2 clergy, 2 laity and 1 youth. Currently, our Canons guarantee Region 1, Prince Edward Island a delegate to Provincial Synod. Given the changes to the delegate count at Provincial Synod Region 1, Prince Edward Island, at a meeting of the Diocesan Church Society of PEI, relinquished this guarantee. This motion removes the guarantee of a delegate to Provincial Synod for Prince Edward Island but does not change the guarantee for a delegate to General Synod.

mutatis mutandis = “changing [only] those things which need to be changed”

Section 2

The provisions of Canon 7 on the election of delegates to the General Synod, including the provisions with the exception of Section 3 thereof providing for the election of a resident of

Prince Edward Island, shall apply *mutatis mutandis* to the delegates and substitute delegates to the Provincial Synod, their election and certification.

#10 Resolution to amend Canon 10 to implement Diocesan restructuring.

Resolved that Canon 10 entitled, The Administration and Finance Committee, be amended by removing sections of Canon 10 with lines running through them and adding the sections underlined as set out below.

Mover: Pauline Liengme

Seconder: Reid Moore

Commentary:

The resolution is brought forward to implement the diocesan restructuring approved by Synod in 2011. In particular, the Standing Committee formerly known as The Administration and Finance Committee has been replaced by the Financial Management and Development Vision Strategy and Support Team (VSST), which reports directly to Diocesan Council. Changes to the Canon include the name change, governance process, and the new Terms of Reference for the Financial Management and Development VSST approved by Diocesan Council.

CANON 10
~~**THE ADMINISTRATION AND FINANCE COMMITTEE**~~ **FINANCIAL MANAGEMENT**
AND DEVELOPMENT
VISION STRATEGY AND SUPPORT TEAM

~~SECTIONS 1, 2, and 3, REPEALED 1994~~

1. Terms of Reference

(1) The mandate and terms of reference of the Financial Management and Development VSST (the "Financial Management and Development VSST") shall be the terms of reference approved from time to time by Diocesan Council and attached hereto as Schedule "A" (the "Terms of Reference").

2. Composition of Financial Management and Development VSST

(1) The membership of the Financial Management and Development VSST shall be as set out in the Terms of Reference.

3. Meetings

(1) The Financial Management and Development VSST shall hold meetings in accordance with the provisions of the Terms of Reference.

4. **Powers and Responsibilities of the Financial Management and Development VSST**

- (1) Subject to the appropriate authority (the Synod, Diocesan Council, Bishop) the ~~Committee~~ Financial Management and Development VSST shall have the role and responsibilities set out in the Terms of Reference and the following powers and ~~responsibility~~ responsibilities:
- (a) to purchase, accept, hold, sell, exchange, mortgage, lease, collect, manage, invest, administer, expend, or otherwise deal with any real or personal property of the Synod or ~~which that~~ Synod may hold in trust;
 - (b) to invest and keep invested from time to time such funds of the Synod as may be necessary in such securities as are allowed for the investment of trust funds by the laws of the Province of Nova Scotia or the Province of Prince Edward Island, as applicable, ~~for the investment of trust funds,~~ or by ~~The~~ the Anglican Church Acts Act of Nova Scotia or the Anglican Church Act of Prince Edward Island, as applicable;
 - (c) to invest from time to time such funds as the Synod may hold in trust in such securities as are permitted for the investment of trust funds by any instrument creating the trust or failing which as are allowed by the laws of the Province of Nova Scotia or the Province of Prince Edward Island, as ~~the case may be~~ applicable, ~~for the investment of trust funds~~ or as are allowed by the Anglican Church Act of Nova Scotia or the Anglican Church Act of Prince Edward Island, as applicable;
 - (d) to review at least twice ~~in~~ each year the portfolio of investments belonging to the said funds;
 - (e) to recommend to the appropriate authority any action considered necessary to protect the ~~interest~~ interests of the Anglican Church in this Diocese, or the property or ~~investment~~ investments of the Synod, or to improve the administration of the affairs of Synod;
 - (f) to make, or concur in, any settlement or agreement made in relation to the property or investment of the Anglican Church or Synod;
 - (g) ~~(h)~~ to appoint as agent or custodian for the Synod, any bank or trust or investment company for the management and investment of the money, securities and property of Synod or which are held by Synod in trust, and to make such banking arrangements as it may deem advisable from time to time;
 - (h) ~~(i) to appoint a Diocesan solicitor with~~ With the approval of the Diocesan Council, to appoint a Diocesan solicitor and to employ such other legal counsel ~~whereas it may select when deemed necessary in the opinion of the~~ Committee Financial Management and Development VSST;

- (i) ~~(j)~~ to review from time to time and to make recommendations to the Diocesan Council with respect to compensation provided to persons, (other than clergy), employed within the Diocese;
 - (j) ~~(k)~~ to appoint two of its members to the Budget ~~Sub-Committee~~ Task Group;
 - (k) ~~(l)~~ to create a ~~Grants Unit~~ committee or task group, such as a mortgage, loan, and property task group and appoint its members thereto, ~~to include including~~ representation from various parts of the Diocese, which committee or task group shall be responsible to the ~~Administration & Finance Committee~~ Financial Management and Development VSST for making grants to Parishes or Ministries, in accordance with guidelines approved by Synod or Diocesan Council;
 - (l) ~~(m)~~ to create such ~~Units and Task Forces~~ other committees and task groups as may be deemed necessary in the opinion of the ~~Committee~~ Financial Management and Development VSST;
 - (m) ~~(n)~~ to provide a financial report to the Diocesan Council at each of its regular meetings together with a written report of its activities, and otherwise as required;
 - (n) to cooperate with and assist other Vision Strategy and Support Teams responsible for making grants to Parishes or Ministries;
 - (o) ~~(p)~~ to do and perform such other work as is assigned to it by the Constitution, or which may be assigned to it by Canon or resolution of the Synod, or by the Diocesan Council;
- (2) ~~(2)~~ The ~~Committee~~ Financial Management and Development VSST shall from time to time establish such procedures and policies as it may deem necessary for the investment, collection, custody and security of the funds of the Synod; the discharge of the duties of the Chairperson, Vice—Chairperson, Treasurer, Secretary, any bank, trust company, solicitor, or agent; the frequency, time and place of holding meetings; the appointment and duties of ~~Units and Task Forces~~ committees or task forces; bonding of employees; banking and accounting matters and all other matters regarding the administration of such funds. All such procedures and policies and any other matters pertaining to the discharge of the ~~Committee~~ Financial Management and Development VSST's responsibilities shall be subject to revision by the Diocesan Council.

5. Trust Funds

- (1) The ~~Committee~~ Financial Management and Development VSST may deal with funds held in trust as one general trust fund. Notwithstanding the investment of funds as one general trust fund nothing herein shall alter the trusts upon which the funds are now vested in or held by the Synod.
- (2) Separate and distinct accounts of each and every trust fund shall be kept and the interest and profits received and accruing from the investment of the whole of the general trust fund shall be divided amongst the several trusts pro rata in the proportion borne by each

separate trust fund to the general trust fund after deducting from such receipts the expenses of management, investment and administration.

6. Other Funds

- (1) The ~~Committee~~ Financial Management and Development VSST may recommend to the Diocesan Council the creation of such segregated funds or the annual budgeting of funds for such special purposes as it may consider appropriate or necessary to further the work of the Synod, including, but not to restrict the generality of the foregoing, a car loan fund, a clergy aid fund, a fund for the granting of mortgages or loans to parishes, funds for the making of grants to parishes, and funds for the creation of pension benefits.
- (2) The ~~Committee~~ Financial Management and Development VSST may create subcommittees to administer any such funds in accordance with guidelines approved by the ~~Committee~~ Financial Management and Development VSST and Diocesan Council.

7. Signing Authority

- (1) All payments made on behalf of the Synod or of any funds held in trust by the Synod shall be by cheque signed by any two of the Bishops, any assistant ~~Assistant~~ or Suffragan Bishop, the ~~Treasurer~~ Diocesan Controller, the Executive Secretary and such additional persons as the ~~Committee~~ Financial Management and Development VSST may from time to time approve. Receipts for funds received on behalf of the Synod or any funds held by the Synod may be issued by any of the foregoing.
- (2) Any instrument to be executed on behalf of the Synod shall be executed by affixing the seal of Synod attested to by the signatures of ~~anyone~~ any one of the Bishop, any assistant ~~Assistant~~ or Suffragan Bishop, the Chancellor, the Vice Chancellor, or the ~~Chairman~~ Chair of the ~~Administration and Finance Committee~~ Financial Management and Development VSST, together with the Executive Secretary or the ~~Treasurer~~ Diocesan Controller of Synod.

SCHEDULE "A"

Terms of Reference

Financial Management and Development VSST Mandate

The Financial Management and Development VSST's vision is to develop the mechanism to sustain the financial support of the Christ-centred mission-minded programs and services of the Diocese for the benefit of Regions, Parishes and Parishioners and for the secular communities that the Diocese and Parishes reside.

The Financial Management and Development VSST assists Diocesan Council and Diocesan staff by providing visioning, oversight and recommendations on matters pertaining to the financial management and development of the Diocese. The VSST initial efforts will be to

stabilize the Diocesan finances and then to promote the growth of the finances through investments, allotment revenue, special appeals and bequests. The VSST will be guided by current policies and practices and will review and recommend changes to promote efficiency and effectiveness. The VSST will develop strategies to address short term and long term needs of the Diocese.

The VSST works co-operatively, collaboratively and consultatively with other VSST's, particularly the Human Resource VSST to ensure that joint recommendations are made where spheres of responsibility overlap and to resolve conflicts and issues before going to Diocesan Council or the Bishop. The VSST will establish standing sub-committees to address issues such as budget or investments and will establish Task Groups to address short term specific needs.

The Financial Management and Development VSST responsibilities include:

- Parish Support – providing Diocesan-run services including central payroll, health care plan, Diocesan programs and Diocesan support (fiscal, personnel, policies and practices and infrastructure) to Regional and Parochial events and activities.
- Revenue – providing oversight of the development of the Diocesan budget and promotion of the compliance with the allotment set by Diocesan Council. Oversight of the development of an investment strategy, which fits with the Diocesan vision, that provides growth in revenue available to the Diocese and Parishes. Oversight and guidance on the development of special appeal strategies to address short term needs and long term sustainment of Diocesan programs. Promotion of and support of Diocesan planned giving strategies.
- Compensation and Benefits: working in collaboration with the Human Resource VSST to develop attractive and fiscal responsible compensation and benefits packages that will attract persons to ordained ministry and lay service to the Diocese.
- Financial Organization and Structure – working in collaboration with other VSSTs and Diocesan staff to develop a Diocesan financial structure that is dynamic and flexible and to recommend adjustments to the structure to meet new or developing needs. To eliminate duplication of effort in the provision of financial support or development.
- Measurement – developing financial performance measurement tools and guidelines on the outputs of the Financial Management and Development VSST, reviewing these annually and communicating the review to the Diocese

The Financial Management and Development VSST will be composed of:

- Team Leader – ordained or lay active member of the Diocese with financial background;
- Members – 6 to 8 lay or ordained with interest in, and expertise about, financial management or financial development, appointed by Diocesan Council;
- Other supports – The Diocesan Controller is the staff support person to the Financial Management and Development VSST. The chairs of the Task Groups of the Financial Management and Development VSST may be members of the VSST or they may

participate as resource people for particular meetings. Other VSST Team Leaders would be invited to attend when the finances concerning their work were being discussed e.g. the Chair of the Human Resource VSST would be expected to attend when the cost of compensation and benefits were being discussed by the Financial Management Development VSST.

Terms of Appointed Members of the Financial Management and Development VSST

- The Team Leader shall be appointed by the Bishop, approved by Diocesan Council, and made a Co-opted member of Diocesan Council by the Bishop.
- The Team Leader shall be appointed for a two year term and may be appointed for not more than two additional consecutive terms of two years each.
- One half of the initial members shall be appointed by the Diocesan Council for one year terms and thereafter their replacements shall be appointed for two year terms, and the other half of the initial members shall be appointed for two year terms, such that the members shall have staggered terms that do not all end at the same time. Members may be appointed for not more than two additional consecutive terms of two years each.

The Financial Management and Development VSST will:

- Meet quarterly at least three weeks in advance of the Diocesan Council meeting
- Meet to address specific issues with two weeks' notice of the meeting
- Conduct meetings in person or by teleconference
- Hold meetings normally at the Diocesan Centre although meetings in other venues are permitted.

The Financial Management and Development VSST will:

- Report at the regular meeting of Diocesan Council;
- Report to the Diocesan Synod;
- Provide an annual summary the measurement of its objectives to the Diocese;
- Provide input to Regions on an as required basis;
- Conduct workshops as required or requested.

The Financial Management and Development VSST will be supported by:

- Budget Task Group;
- Mortgage, Loan, and Property Task Group;
- Investment Task Group;
- Planned Giving and Development Task Group;
- The Diocesan Insurance Advisor.

11 Resolution to amend Canon 37 to permit raffles as a revenue source.

Resolved that Section 23 of Canon 37 of the Diocese of Nova Scotia and Prince Edward Island be amended by deleting those words that are shown as struck out and adding those words that are underlined.

Mover: Philip Milo

P.O. Box 224

Lawrencetown, NS B0S 1M0

Email: phil.milo@ns.sympatico.ca

Secunder: Liz Milo

Commentary:

Gambling proceeds are often seen as a possible revenue source for charities. Our diocese encourages church members to practice good stewardship and support the work of the church through offerings from their own financial resources. No church body or organization in our diocese should engage in any fundraising gambling activity that may cause harm to others. This motion is the result of a discussion in the Western Valley Region ACW annual meeting. It was unanimous amongst those attending to change the canon to allow raffles. This was taken to the Valley Regional Council which voted to submit a resolution to Synod to amend Canon 37 section 23 to permit raffles. The economic and demographic reality in many parishes makes it necessary to reach beyond their current memberships for financial resources. Donated items may presently be auctioned or sold directly, but raffles may meet or even surpass the real value of donated items.

Previous Synods have dealt with fundraising through gambling, and the result has been divisive. Gambling is not illicit when it meets these 4 criteria: that which is staked belongs to the participant and is at his/her free disposal; the participant acts freely without unjust compulsion; there is no fraud in the transaction or game; and there is equality between the parties. It is essential that the conditions are fair and transparent. Raffles do not cause hardship on individuals and families in the same way as casinos, lotteries, VLTs, sports betting or other forms of gambling. The church should not participate in any gambling activity that would cause harm.

Section 23. Raffles of donated items are permitted if government required licensing is obtained. Lotteries, ~~raffles,~~ games of chance and any form or other forms of gambling in connection with church sales or entertainments as a means of raising money for financing diocesan or parochial needs are ~~absolutely~~ prohibited.

12 Resolution to amend Canon 16 to implement the Diocesan restructuring and add an exemption from allotment for clergy travel.

Resolved that Canon 16 entitled, Budget, be amended by removing sections of Canon 16 with lines running through them and adding the sections underlined as set out below.

Mover: John Cooper

Secunder: Daphne Beeler

Commentary:

The resolution is brought forward to implement the diocesan restructuring approved by Synod in 2011. The changes to the Canon include the implementation of the new accounting procedures and reporting structure to Diocesan Council and the role of the Financial Management and Development Vision Strategy and Support Team. Section 4(1)(i) also adds an exemption from allotment for clergy travel reimbursement by a Parish in excess of the average reimbursement for clergy travel by all Parishes in the diocese for the previous year. For 2011 the Diocesan average for travel was \$4,500 and 34 parishes exceed that amount and would qualify for an allotment exemption if the resolution were passed. The net effect would be \$11,500 in allotment reduction.

**CANON 16
BUDGET**

Amended by Synod 1996, 1999, 2006, 2008, and 2009

**indicates amendments passed in 2009*

1 Definitions

- (1) "Budget" is the total amount required to be raised annually for the work of the Diocesan Synod.
- (2) "Allotment" is that proportion of parish income which each parish is required to share for the wider work of the Church, as determined under the provisions of this Canon.
- (3) "Basic Year" is that last calendar year for which statistics have been reported.
- (4) "Gross Receipts" is the receipts of a parish from all of the following sources:
 - (a) the amounts received by all congregations of the parishes from all sources, including amounts earned on all investments and principal sums expended.
 - (b) all amounts received by all parish organizations, after deducting the cost of raising such amounts.
- (5) "Assessable Income" is gross receipts less allowable exemptions.
- (6) "~~e~~Capital ~~e~~Expenditure" means an expenditure made on new construction or major improvement or reconstruction, that is other than normal repairs, maintenance or of a fixed asset, and that adds materially to the scope of or use of a facility and includes expenditures that is defined by regulations of the Diocesan Council from time to time as a ~~capital expenditure~~Capital Expenditure for the purposes of this Canon.

- (7) "~~m~~Memorial ~~d~~Donation" means a donation or contribution made in memory of a particular person or group of persons and specified by the donor for the purchase of a specific memorial or directed by the donor to be paid to a specific memorial or endowment fund.

2 **Budget ~~Sub-Committee~~ Task Group**

- (1) The Budget ~~Sub-Committee~~ Task Group shall be a sub-committee of, and responsible to, the ~~Administration and Finance Committee~~ Financial Management and Development VSST.

- (2) *Membership of the Budget ~~Sub-Committee~~ Task Group

- (a) *Two members appointed by the ~~Administration and Finance Committee~~ Financial Management and Development VSST from its membership.

- (b) Two members appointed by the Regional Deans from their membership.

Provided that if a person who has been appointed pursuant to this subsection ceases to be a Regional Dean, the person shall continue as a member until the earlier of the next meeting of Synod or the appointment of a successor by the Regional Deans.

- (c) Not more than two clerical and two lay members may be co-opted by the Budget Sub-Committee.

- ~~(d) — The Director of Finance in an advisory capacity.~~

- ~~(e)~~(d) Appointed under ~~2(e) and 2(d)~~ 2(a), 2(b) and 2(c) for a three year term and may serve two terms

- (3) Election of Chairperson and Vice-Chairperson.

The Chairperson and Vice-Chairperson shall be elected at the first meeting of the Sub-Committee after each annual meeting of Synod.

- (4) Quorum

A Quorum of the Sub-Committee shall be ~~seven members present~~ a majority of its members.

- (5) The Diocesan Controller shall attend all meetings of the Budget Task Group in an advisory capacity, without the right to vote.

3 **Responsibilities of the Budget ~~Sub-Committee~~ Task Group**

Unless otherwise determined by ~~Administration and Finance Committee,~~ the Financial Management and Development VSST, the Budget ~~Sub-Committee-Task Group~~ shall be responsible for:

- (1) The review of annual parochial returns and all the financial statements of the parishes;
- (2) The provision of a standard financial return form to indicate the complete finances of the parish;
- (3) The securing of planned budget requirements for Diocesan Synod needs and Responsibilities;
- (4) The adjusting and coordinating of all estimates in consultation with appropriate bodies;

~~(5) The recommending of an allotment rate for the next calendar year;~~

~~(6)~~(5) The periodic review of the allotment rate with responsibility to recommend any change;

~~(7)~~(6) The submission of a draft budget, with a suggested and a recommended allotment rate as one of the key components, to the ~~Administration and Finance Committee~~ Financial Management and Development VSST;

~~(8)~~(7) The study and interpretation of policy and the recommendation of policy change to the ~~Administration and Finance Committee~~ Financial Management and Development VSST;

~~(9)~~(8) The approval of exemptions.

~~(10)~~(9) Such other duties as may be assigned to it by the ~~Administration and Finance Committee~~ Financial Management and Development VSST.

4 Exemptions

(1) Exemptions will be allowed as follows:

(a) Basic Exemption. A basic exemption for each parish ~~or pastoral unit~~ will be determined each year by the Budget ~~Sub-Committee-Task Group~~ in conference with the Parish Relations ~~Committee-Task Group~~ applied automatically by the Diocesan Office;

(b) All flow-through funds collected or spent for assistance to the poor and needy, appeals as approved by the Diocesan Council, or collected for other

organizations and agencies which will be transmitted outside the parish. Monies raised from fund raising activities by Parish Sponsored Youth Organizations (Scouts, Guides, J.A.'s, G.A.'s, C.B.L., etc.) and expended by these groups on their program activities will be treated as flow-through funds;

- (c) Funds contributed or interest earned on funds contributed specifically to a Cemetery Fund which are placed in that fund. Capital or interests may not be withdrawn from Cemetery Funds for any purpose other than for cemetery maintenance or development (See Canon 39: I 0-12);
 - (d) Bequests that are placed in endowment funds. Capital and interest withdrawn for any purpose must be included in parish income for that year. Exemptions claimed must be in accordance with this Canon;
 - (e) Grants, including operating grants, government grants for non-operating activities or projects in the parish, and monies received from non-parish sources as compensation for damages to church property (e.g. insurance proceeds).
 - (f) Income from fund-raising events, hall rentals and similar income generating activities is reported as the net income for each event. ~~T~~the cost of earning such income is exempt.
 - (g) All amounts in excess of \$5000 paid as a housing allowance.
 - (h) All building maintenance and ~~capital expenditure~~Capital Expenditures that are described in the Parochial Return, except that regular janitorial services and associated materials or outside maintenance such as plowing, grass cutting and related activities are not exempt.
 - (i) All clergy travel reimbursement by a Parish in excess of the average reimbursement for clergy travel by all Parishes in the diocese for the previous year.
- (2) Memorial Donations: The Parish Relations ~~Sub-Committee~~Task Group of the Healthy Parishes VSST may reduce the assessable income of a Parish for any year by an amount equal to a ~~memorial donation~~Memorial Donation or expenditure from a memorial investment pursuant to Clause 4(1)(d) of this Canon.
- (3) Exemption through allotment appeal. Any income received for a special purpose, ~~which that~~ amounts to more than 10% of the assessable income of a parish ~~or pastoral unit~~ for the previous year and ~~which that~~ is not a regular or annual occurrence, provides grounds for an Appeal to the Parish Relations ~~Committee~~Task Group, as specified in paragraph 8(4) of this Canon, to reduce the assessable income on which allotment is based.

- (4) Any exemption claimed in the Parochial Return shall include receipts or other appropriate documentation, to enable the Parish Relations ~~Committee~~ Task Group to determine that the request is consistent with the criteria for these exemptions.

5 Expenses or Income Which are Not Exempt

~~In accordance with Diocesan Policy, No~~ no-exemptions shall be approved for any donations, gifts or income from any source (including interest or other income accruing from any endowment, investment or other fund or bequest), or for any memorials, expenditures, moving expenses, repairs or renovations, except as specified in paragraph 4 above.

6 Budget Preparation and Allotment Rate

- (1) The allotment rate for the Budget for the next year shall be computed as the percentage that the amount to be raised (the net budget) is of the Assessable Income of all parishes for the previous year.
- (2) In the construction of the annual budget, the Budget ~~Sub-Committee~~ Task Group should take full account of all factors that may affect
- (a) the income of the Diocese; and
 - (b) the working capital requirements of the Diocese.
- ~~(3) Any surplus of any year, shall be included in the revenues of the budget of the succeeding, or next succeeding, year by the Budget Sub-Committee, having due regard for the working capital requirements of the Diocese.~~
- ~~(4) The deficit of any year must be included in the budget of the succeeding, or next succeeding year.~~
- (3) Deficit financing is absolutely prohibited.
- ~~(5)~~(4) The Financial Management and Development VSST shall present the proposed Budget and allotment rate to Diocesan Council, which shall approve the allotment rate and the budget with or without amendments.
- ~~(6)~~(5) Surplus financing is absolutely prohibited, excepted in so far as the committee has included an amount demonstrably required to increase working funds, as in (2)b- (2)(b) above.
- ~~(7) If in any year, after the budget has been adopted, and the suggested rate approved by the Administration and Finance Committee and the Diocesan Council, and after the parishes have been notified of the rate for the budget year, the audited~~

~~financial statements presented to the Administration and Finance Committee show a substantial surplus for the preceding year, then the Administration and Finance Committee shall be empowered to advise the Diocesan Council that it recommends a certain reduction in the rate of the current year, taking into account the basis of calculating the rate in section 1 above.~~

~~(8)(6)~~ (6) If at any time during the year it appears that expenditures should be made which are in excess of that provided in the budget, notification shall be made as soon as possible to the ~~Administration and Finance Committee~~ Financial Management and Development VSST, so that it can ~~decide and~~ advise and make recommendations to Diocesan Council.

~~(9)(7)~~ (7) Once the ~~Budget Sub-Committee~~ Diocesan Council has ~~determined~~ approved the rate for any year in accordance with this Canon, ~~no senior committee, except as specified in Canon Law, should subsequently alter the rate except as permitted under this Canon, unless it is in receipt of certain knowledge not known at the time the rate was set; in which case, in varying the rate, it should follow the procedures laid down in this Canon for the Budget Sub-Committee in initially setting the rate~~ Diocesan Council, unless it is in receipt of certain knowledge not known at the time the rate was set, shall not alter the rate except in accordance with the procedures laid down in this Canon for initially setting the rate.

7 Annual Parochial Returns

- (1) On or before the 31st of March of each year, unless required earlier by some regulation of Synod or a Committee of Synod, every parish of the Diocese shall furnish an audited financial report for the previous year, ending the 31st of December, reporting Gross Receipts and Assessable Income as defined in Section 1, sub-section 4 and 5.
- (2) The information required by the foregoing sub-section shall be furnished by the parish officers on a form supplied by the Budget ~~Sub-Committee~~ Task Group.
- (3) The Budget ~~Sub-Committee~~ Task Group may call for any further information deemed necessary.
- (4) The Budget ~~Sub-Committee~~ Task Group, with the approval of the ~~Administration and Finance Committee~~ Financial Management and Development shall have the right to examine the records and accounts of any parish, any congregation or organization of a parish.

8 Payment

- (1) The allotment rate for the next year shall become effective and binding on all parishes ~~On~~ the adoption of the Budget for the next year by the Diocesan

Council; ~~the allotment rate for the next year shall become effective and binding on all parishes.~~

- (2) The allotment rate for the next year shall be applied to the Assessable Income of the parish for the previous year. The allotment amount so determined shall be remitted to the Synod in twelve equal monthly payments in the next year.
- (3) Any amount of allotment unpaid at the end of any year shall be considered as debt outstanding and shall be payable in full to the Synod on such terms and conditions as may be negotiated between the delinquent parish and the Synod.
- (4) A parish which would suffer undue hardship in paying its allotment amount may appeal to the Parish Relations Sub-Committee in accordance with guidelines established by the ~~Administration and Finance Committee~~ Financial Management and Development VSST. The Parish Relations Sub-Committee shall have the power to adjust the amount of the allotment or to adjust the payment schedule.

9 Other

- (1) No special appeals for funds outside a parish shall be made without the consent of the Diocesan Council with the concurrence of the Bishop.
- (2) ~~Note the "Budget" does not include pension assessments and Development allocations.~~

13 Resolution to amend Canon 17 to reflect the Diocesan restructuring as it relates to nominations and appointments at Synod to the Diocesan Council level.

Resolved that Canon 17 entitled, Nominations and Elections, be amended by removing the sections of Canon 17 with lines running through them and adding the sections underlined as set out below.

Mover: Daphne Beeler

Secunder: Gordon Redden

Commentary:

The resolution is brought forward to reflect the changes in the diocesan restructuring approved by Synod in 2011. The changes include the removal from Diocesan Synod of the nominations and elections of Diocesan Council members and the Appointments Committee. Elections and appointments to Diocesan Council are now done in accordance with Canon 11, generally at the Regional Council level, and elections and appointments to the Appointments Committee are now done at the Diocesan Council level.

CANON 17 NOMINATIONS AND ELECTIONS

1. The Committee on Nominations shall consist of seven lay members of Synod, the Regional Deans and the Executive Secretary. They shall meet at some convenient time and place may be fixed by the Executive Secretary, who shall convene the Committee.

2. (1) Any member of Synod, any regional council and any parish may file the name of any members of the Synod, either clerical or lay, they may desire to submit for election by the Synod at a date to be determined by the Executive Secretary. Regional Deans shall be eligible for nomination to any committee except those committees to which the Regional Deans elect from among their own numbers. Nominations may be made for the following:
 - (a) General Synod;
 - (b) Provincial Synod;
 - ~~(c) Diocesan Council;~~
 - (d) Nominations Committee;
 - (e) Elected members of any other committee, board, council or commission;
 - ~~(f) Appointments Committee.~~

14 Resolution to amend Canon 39 to provide flexibility to the existing Canon provisions regarding cemeteries and burial grounds and add new section to deal with columbaria.

Resolved that Canon 39 entitled, Parochial Cemeteries and Burial Grounds, be amended by removing the sections of Canon 39 with lines running through them and adding the sections underlined as set out below.

Mover: Gordon Redden

Secunder: John Cooper

Commentary:

This amendment would provide flexibility to the existing Canon provisions dealing with cemeteries and burial grounds, and would add a new section dealing with columbaria. It would also make certain grammatical and stylistic changes. For example the references to "parochial corporation" have been replaced with references to "parish corporation".

Part "A": Cemeteries and Burial Grounds

The existing section of the Canon has been placed into Part "A", Cemeteries and Burial Grounds. Section 5 of Part "A" is amended to permit the sale by a parish corporation of a portion of its churchyard or other property set apart for burial purposes, but only with the prior written approval of the Bishop and on such terms and conditions as the Bishop may determine.

Problems have arisen as parish churches are increasingly being deconsecrated and sold in rural areas. Often, there are graves adjacent to the church, and it is not possible because of subdivision regulations to subdivide and sell the church building separately from the adjacent

churchyard where graves are situated. For example, in the Parish of Baddeck, there were six graves on lands adjacent to the church and the proposed sale of the church property to the Baddeck Library Society almost fell through because of the provision in Canon 39 prohibiting the conveyance of any portion of the churchyard set apart for burial purposes. In the end, the transaction was restructured as a lease of the church lands for a 250 year term, with the parish retaining the right to have access to the graves for the purpose of maintaining and caring for the burial plots. Such a solution to the problem, based on a long term lease, will not always be acceptable to a purchaser.

The amendment would give the Bishop the power to approve and impose terms and conditions on any sale of parish property involving burial plots. Moreover, the provincial *Cemeteries and Monuments Protection Act*, SNS 1998, c.9, as amended, would also operate to protect burial grounds that were conveyed away by a parish. That statute provides that no person may use a cemetery for any purpose other than for the burial or permanent placement of human remains or memorialisation, and that every person who desecrates, damages, or destroys a cemetery or monument is guilty of an offence.

Section 6 of Part “A” provides that burial lots may be made available to members of all faiths, as determined by a resolution of the Parish Council. This would allow a Parish Council to authorize the burial of a non-Anglican spouse, for example, next to a deceased Anglican spouse in a family burial plot.

Part “B”: Columbaria

Part “B” of the Canon is new and deals with columbaria. It provides a similar system for the approval and regulation of parish columbaria as now exists for parish cemeteries. It provides that the conveyance of the niches would be by way of a declaration of trust, as is the case for the conveyance of burial lots. It would establish a columbarium fund, similar to a cemetery fund, in which the proceeds of niches disposed of by the parish would be kept invested.

Schedule “A” to the amended Canon is a revised Model Form for the Conveyance of Burial Lots. Apart from some changes of wording and style, the main change is the incorporation of provisions expressly limiting the liability of the parish for claims in respect of loss or damage to the burial lots.

Schedule “B” is a Model Declaration of Trust and Agreement for the Conveyance of a Niche in a columbarium. It provides that the conveyance of a niche would be by way of declaration of trust, provides for the keeping of a register of the names and locations of the persons whose ashes are interred, sets out provisions limiting the liability of the parish in respect of damage or destruction of the niche or urns stored in the columbaria, and sets out certain regulations respecting the columbarium. It expressly reserves to a parish the right to enlarge or re-model the columbarium in the existing location or any new location, and authorizes the parish to substitute another niche of substantially like size and character in another location, to address the situation where a church with a columbarium may need to be deconsecrated and sold.

CANON 39
PAROCHIAL PARISH CEMETERIES AND BURIAL
GROUNDS AND COLUMBARIA

Part "A" Cemeteries and Burial Grounds

1. ~~Any parochial corporation~~Any Parish Corporation with the approval of a meeting of the parishioners previously obtained, may set apart and lay out into lots for burial purposes, any portion of its church yard or other property held in trust ~~for~~for such purpose.
2. One month's notice of such meeting of parishioners shall be given in the manner provided by the Canon on ~~Parochial~~Parish Government for the calling of annual meetings of parishioners, and a plan of the portion of such church yard or other property showing the proposed division of said land into burial lots shall be posted ~~up~~up at the entrance to the ~~parish~~Parish church, and in all churches or chapels connected with the said ~~parish~~Parish, during said period of notice.
3. (1) Said meeting may revise or amend, approve or reject said plan, and a record of all resolutions respecting said plan shall be entered in the minutes of said meeting.
(2) On the final approval of said plan, a certificate to that effect shall be endorsed thereon by the Rector or Incumbent and the Secretary of the meeting.
4. After the enactment of this Canon no lot or portion of any church yard ~~or~~ other property held by any ~~parochial corporation~~Parish Corporation shall be disposed of for burial purposes except such as is ~~shown~~shown on a plan previously submitted to and approved by a meeting of parishioners, as hereinbefore provided.
5. ~~No parochial corporation~~No Parish Corporation shall hereinafter sell or convey in fee simple any portion of its churchyard or other property set apart or laid out for burial purposes without the prior written approval of the Bishop, and only on such terms and conditions as the Bishop may determine.
- ~~5-6.~~ Burial lots may be made available to members of all faiths, as determined by a resolution of the Parish Council.
- ~~6-7.~~ Every conveyance of burial lots forming part of any churchyard or other property shall be by way of a declaration of trust in the form annexed hereto as Schedule "A".
- ~~7-8.~~ Such lots shall be conveyed on application to the ~~church wardens~~Church Wardens for the time being, who upon the payment of the price agreed upon, shall give a

conveyance of the same; and no burial shall take place in any such lot, nor any conveyance be given until such price shall have been paid.

~~8.9.~~ ~~The parochial corporation~~The Parish Corporation shall have power to fix and determine prices to be paid by persons desirous of acquiring one or more of said lots and burial fees in respect of interments therein. The ~~parochial corporation~~Parish Corporation shall have power to set apart a portion of any cemetery property for the burial of persons whose friends are unable to pay for a lot, but no person shall be buried in said portion, or without burial fees, except with the approval of the Rector and ~~church wardens~~Church Wardens.

~~9.10.~~ The proceeds of all burial lots disposed of by the ~~corporation~~Parish Corporation shall be kept in a special Cemetery Fund and invested under the direction of the ~~parochial corporation~~Parish Corporation.

~~10.11.~~ (1) The income arising from the investment of said moneys shall be used for defraying the cost of conveyance of said lots, the registration of burial lots and graves, the up-keep and repair of said cemetery property, including the fences, paths and enclosures, the up-keep and repair of any chapel used solely for mortuary purposes, the drainage of said property, the care of the trees, the employment of a caretaker and the general improvement and beautification of the property.

(2) Any burial fees received by ~~said corporation~~the Parish Corporation after deducting therefrom the cost of opening the grave and incidental to any interment shall be added to the income of said fund.

(3) Any surplus of income remaining at the end of the year and not required for the purposes defined in this section shall be added to and form part of the principal of said Cemetery Fund, except that, if the surplus income for a year, expressed as a percentage of the market value of the Cemetery Fund at the beginning of the year, exceeds the rate of inflation, as measured by the percentage change in the Consumer Price Index (all items) for Canada for the previous year, then the excess surplus income may be paid first toward the ~~parish~~Parish's allotment arrears, and second toward the Parish's allotment.

~~11.12.~~ (1) The ~~parochial corporation~~Parish Corporation with the approval of a meeting of parishioners, shall have power to devote a sum not exceeding one half of the principal of such Cemetery Fund for the ~~necessary~~ enlargement of said property or the acquisition of other property for burial purposes, its division into burial lots in accordance with this Canon, and the initial improvement of said property.

(2) Except as in the foregoing subsection provided, no portion of the principal or income of said ~~fund~~Cemetery Fund shall be used for the purchase of

property, the building or repair of any church, or other building, in said ~~parish~~Parish, the payment of salaries, or other general ~~parochial~~Parish purposes.

Part “B” Columbaria

1. A Parish Corporation must make an application to the Bishop to construct a Columbarium (a vault with niches for urns containing ashes).
2. A Parish Corporation, with the approval of a meeting of the parishioners previously obtained, may propose to set apart a portion of its cemetery or burial ground, or a portion of a church building or other structure, for use as a Columbarium.
3. One month’s notice of such meeting of parishioners shall be given in the manner provided by the Canon on Parish Government for the calling of annual meetings of parishioners, and plans and specifications of the Columbarium, and of its proposed location, shall be posted at the entrance to the Parish church, and in all churches or chapels connected with said Parish, during the said period of notice.
4. The meeting of parishioners may revise or amend, or approve or reject a proposed Columbarium, and a record of all resolutions respecting the Columbarium shall be entered in the minutes of the said meeting.
 - (1) On the final approval by the meeting of parishioners of the proposed Columbarium, a certificate to that effect shall be endorsed thereon by the Rector and the Secretary of the meeting.
5. The Columbarium must be located on church property, and it may be a “free standing” building or structure or form part of an existing church building. The space being provided should allow for future expansion.
6. The Parish Corporation must obtain any necessary provincial and municipal approvals, and must provide satisfactory evidence to the Bishop that all such approvals have been obtained.
7. Niches may be made available for single, double, or family purposes.
8. The Bishop must approve in writing the plans, specifications, and location of a proposed Columbarium before a Parish Corporation can proceed with the construction of a Columbarium.
9. The Columbarium must be insured for fire and theft in such amounts and with such other coverage as may be required by the Bishop.
10. The Columbarium may be made available to members of all faiths, as determined by resolution of Parish Council.

11. The Parish Corporation shall be responsible for the cost of constructing the Columbarium.
12. Every conveyance of niches forming part of a Columbarium shall be by way of a Declaration of Trust and Agreement in the form annexed hereto as Schedule "B".
13. Such niches shall be conveyed on application to the Church Wardens for the time being, who upon the payment of the price agreed upon and upon the execution of the Declaration of Trust and Agreement in the form annexed hereto, shall thenceforth hold the niche in trust for the grantee; and no interment of ashes shall take place in any such niche nor any such Declaration of Trust and Agreement be made until such price shall have been paid.
14. The Parish Corporation shall have power to fix and determine the prices to be paid by persons desirous of acquiring one or more of such niches and interment fees in respect of interments in the Columbarium. The Parish Corporation shall the power to provide a niche for the interment of ashes of persons whose friends or family are unable to pay for a niche, but no person shall be interred in such niche with, or without burial fees, except with the approval of the Rector and Church Wardens.
15. The proceeds of all niches disposed of by the Parish Corporation shall be kept in a special Columbarium Fund and invested under the direction of the Parish Corporation.
16. (1) The income arising from the investment of said money shall be used for deferring the cost of constructing the Columbarium, the registration of the niches, the cost of the interment of ashes in the Columbarium, the up-keep and repair of the Columbarium and the building or structure in which it is housed, and the employment of persons to provide such services.
 - (2) Any fees received by the Parish Corporation after deducting the expenses of constructing, operating, and repairing the Columbarium shall be added to the income of the Columbarium Fund.
 - (3) Any surplus of income remaining at the end of year and not required for the purposes defined in this section shall be added to and form part of the principle of the said Columbarium Fund, except that, if a surplus income for a year, expressed a percentage of the market value of the Columbarium Fund at the beginning of the year, exceeds the rate of inflation, as measured by the percentage change in the Consumer Price Index (all items) for Canada for the previous year, then the excess surplus income may be paid first toward the Parish's Allotment arrears and second toward the Parish's allotment.

17. (1) The Parish Corporation, with the approval of a meeting of parishioners, shall have power to devote a sum not exceeding one half of the principal of such Columbarium Fund for the enlargement of the said Columbarium.

(2) Except as in the foregoing sub-section provided, no portion of the principal or income of said Columbarium Fund shall be used for the purchase of property, for the building or repair of any building other than the building of which the Columbarium is housed in said parish, the payment of salaries, or other general Parish purposes.

18. The use of the Columbarium shall be subject to the applicable laws of the Province of Nova Scotia and the Province of Prince Edward Island, as applicable.

SCHEDULE "A"

(MODEL)- FORM FOR THE CONVEYANCE OF BURIAL LOTS

We, **the Rector, Wardens and Parish Council** of the Parish of St. James in the ~~Town of Plymouth~~ Province of Nova Scotia/Prince Edward Island, a body corporate under the Anglican Church Act, hereinafter referred to as the ~~Parochial~~ **"Parish Corporation"**, in consideration of the sum of dollars to us in hand, well and truly paid, do hereby declare that we hold the following property, viz:-

All and singular burial lots 1 and 2 in Block A, as shown on a plan of the churchyard property ~~(cemetery property)~~ of St. James Church at Plymouth aforesaid, County of •, Province of •.

In trust for John James Doe (the "Grantee"), his heirs and assigns for their use and benefit, to be used by him or them for burial purposes and for no other purpose, subject always to the following conditions:

- a) The title to said lands shall remain forever in said ~~parochial corporation~~ Parish Corporation subject to this ~~declaration~~ Declaration of trust.
- b) The use of said lots includes the use of the paths and roadways between the main highway and said lots.
- c) The privilege hereby granted does not include any right to use any church or chapel in said ~~parish~~ Parish.
- d) Any interment in said lot shall be in accordance with the rites of the Anglican Church of Canada except with the consent of the Rector or Incumbent of the Parish to another rite, and no ceremony shall be conducted or service read within said churchyard except with the consent of the Rector or ~~incumbent~~ Incumbent of said ~~parish~~ Parish, previously obtained.
- e) ~~The parochial corporation~~ The Parish Corporation hereby undertakes to keep a record of all interments in said lot, designating any grave on a plan to be kept by said corporation and in the ~~parish~~ Parish register of burials.

- f) Any stone, tomb, or monument erected on the lot shall be subject to the approval of the Rector or ~~incumbent~~Incumbent for the time being.
- g) ~~The parochial corporation~~The Parish Corporation hereby undertakes to invest the price paid for the privilege and use of said lot, and to use the income therefrom for maintenance of said cemetery in accordance with the Canons of the Diocesan Synod of Nova Scotia.
- h) No body interred in said lot shall be removed therefrom except with the consent of ~~the parochial corporation previously obtained and subject to the regulations of the Provincial or Local Board of Health~~ the Parish Corporation previously obtained and subject to the laws and regulations of the Province of Nova Scotia/Prince Edward Island.
- i) We agree to use reasonable care to maintain the burial lot(s) but the Parish shall not be liable to the Grantee, or his or her heirs, executors, administrators or permitted assigns, with respect to any loss or damage in respect of the burial lot(s) or the remains interred therein caused or contributed to by us or by anyone acting under the authority of the Parish, or in connection with anything done or not done with respect to the burial lot(s) by us or by anyone acting under the authority of the Parish; and the Grantee releases the Parish from any claims with respect thereto.

In witness whereof the ~~Parochial~~Parish Corporation has hereto set its corporate seal and executed these presents by the hands of the Rector, Wardens and Parish Council ~~Clerk~~Secretary.

DATED: _____ **Parish of •**
 By:
 _____ Rector
 _____ And:
 _____ Warden
 _____ And:
 _____ Warden
 _____ And:
 _____ Warden

I, the Grantee, agree to, and covenant to comply with, the terms and conditions respecting the use of the burial lot(s), as described above. This agreement shall be binding on my heirs, executors, administrators, and permitted assigns. I also agree that the Parish shall not be liable to me, or my heirs, executors, administrators and permitted assigns, with respect to any loss, damage or destruction to the remains buried in the burial lot(s), or in connection with anything done or not done with respect to the burial lot(s) by the Parish or by anyone acting under the authority of the Parish..

SCHEDULE "B"

ST. • COLUMBARIUM IN THE PARISH OF •
(MODEL) DECLARATION OF TRUST AND AGREEMENT

Niche Number “ ”

We, the Parish of • , in the Province of Nova Scotia, a body corporate under the Anglican Church Act (the “Parish”), in consideration of the sum of \$ (the “Niche Consideration”) paid to us by (the “Grantee”) declare that we hold the above-described niche in St. • Columbarium in trust for the Grantee, and his or her heirs, executors, administrators and permitted assigns, for their use and benefit, to be used by him or her or them to store the ashes of • person(s) and for no other purpose, subject to the following terms and conditions:

- (a) The title to the niche and the lands upon which the niche is situate and the Columbarium stands shall remain forever in the Parish subject to this Declaration of Trust.
- (b) The rights of the Grantee, and his or her heirs, executors, administrators and permitted assigns, to control and use the niche, or to sell or transfer it, or any interest in it, shall be as set forth in the regulations respecting the Columbarium made by the Parish, as amended from time to time (the "Regulations").
- (c) We agree to keep a register of the name and address of each grantee of a niche in the Columbarium and of each transfer from one grantee to another.
- (d) We agree to keep a separate register, available for public inspection, of the name of every deceased person whose ashes are interred in the Columbarium, the location of the ashes, the date of the interment and the particulars of every disinterment or removal of ashes.
- (e) After deducting an amount established by the Parish for each niche with respect to the initial capital cost of the Columbarium, we agree to invest the balance of the sum paid for the use of the niche, and to use the income from it, for the maintenance of the Columbarium and the building or structure, if any, housing the Columbarium in accordance with the Canons of the Diocesan Synod of Nova Scotia & Prince Edward Island, the legislation governing the Parish as amended from time to time, and the Regulations.
- (f) We agree to use reasonable care to preserve the ashes entrusted to us but the Parish shall not be liable to the Grantee, or his or her heirs, executors, administrators or permitted assigns, with respect to any loss or damage in respect of the niche or Columbarium caused or contributed to by us or by anyone acting under the authority of the Parish, or with respect to the destruction of urns or ashes stored in the Columbarium, or in connection with anything done or not done with respect to the Columbarium caused or contributed to by us or by anyone acting under the authority of the Parish; and the Grantee releases the Parish from any claims with respect thereto.

(g) The Parish reserves the right to itself to enlarge or remodel the Columbarium in the existing location or in a new location and to abandon the use of the existing Columbarium. In any of these cases, if the above described niche is affected, we will substitute another niche of substantially like size and character, in which case the Grantee, and his or her heirs, executors, administrators and permitted assigns, shall have the same rights in the substituted niche as are granted by this Declaration of Trust.

(h) Use of the niche shall also be subject to the applicable laws of the Province of Nova Scotia, or the Province of Prince Edward Island, as applicable.

DATED: _____ **Parish of •**
..... By:
_____ Rector
_____ And:
_____ Warden
_____ And:
_____ Warden
_____ And:
_____ Warden

I, the Grantee, agree to, and covenant to comply with, the terms and conditions respecting the use of the burial lot(s), as described above. This agreement shall be binding on my heirs, executors, administrators, and permitted assigns. I also agree that the Parish shall not be liable to me, or my heirs, executors, administrators and permitted assigns, with respect to any loss, damage or destruction to the remains buried in the burial lot(s), or in connection with anything done or not done with respect to the burial lot(s) by the Parish or by anyone acting under the authority of the Parish.

Grantee

Signed, sealed and delivered in the presence of:

Regulations Respecting the St. • Columbarium in the Parish of •

We, the Parish of •, with the approval of the Bishop of Nova Scotia and Prince Edward Island, make the following regulations respecting St. • Columbarium in • Church:

- (i) **Space priority:** The individual niches will all be a standard price regardless of location. They will be assigned by us on a first come, first served basis.
- (ii) **Uniformity:** Each niche will have an [oak] face with a [brass] plaque supplied by us, incised by us with names, date of birth, and dates of death, to ensure that all niches

will have a uniform appearance. No additional memorial of any type will be permitted in the Columbarium.

(iii) **Permission required:** The interment of ashes will be permitted only with the written permission of the Grantee, his or her heirs, executors, administrators, or permitted assigns, except in cases where the Grantee, heir or assign has died and his or her ashes are to be interred.

(iv) **Committal Services:** Any interment of ashes in the niche, and any ceremony conducted or service read within the Parish, shall be in accordance with the rites of the Anglican Church of Canada, except with the prior consent of the Rector or Incumbent of the Parish to another rite.

(v) **Access:** The use of the niche includes the right to reasonable access to the niche, as determined from time to time by us, for the Grantee, his or her heirs, executors, administrators, permitted assigns, family and the public.

(vi) **Privileges:** Other than the right to reasonable access, the use of the niche does not include any greater privileges with respect to the use of the Church than are available to other members of the congregation or the public, as the case may be.

(vii) **Flowers:** Flowers are permitted in the Columbarium area in accordance with Parish policy.

(viii) **Removal:** No ashes interred in the niche shall be removed except with our written permission.

(ix) **Sale or Transfer:** No transfer, whether by sale or otherwise, of a niche shall be registered unless and until we have been notified of the proposed transfer in writing and have not exercised our option to repurchase the niche for the original Niche Consideration within 60 days of such notification, and then only if the transferee signs a conveyance and agreement in the form approved for use by us at the time.

(x) **Amendment:** With the approval of the Bishop, we may amend or add to these regulations from time to time.

#15 Resolution to amend Canon 24 to reflect the Diocesan restructuring as it relates to elections and appointments to the Archives Committee.

Resolved that Canon 24 entitled, Archives, be amended by removing the sections of Canon 24 with lines running through them and adding the sections underlined as set out below.

Mover: Gordon Redden

Seconded: John Cooper

Commentary:

The resolution is brought forward to reflect the changes in the diocesan restructuring approved by Synod in 2011. Elections and appointments to the Archives Committee are now done at the Diocesan Council level.

**CANON 24
ARCHIVES**

1. There shall be a Committee of the ~~Synod~~Diocesan Council known as the “**Archives Committee**”, hereinafter called the “**Committee**”.

2. (1) Membership

The Committee consists of:

- (a) four persons appointed by the ~~Appointments Committee~~Diocesan Council, each for a term of four years to a maximum of two consecutive terms;
- (b) the Diocesan Archivist;
- (c) the Diocesan Registrar; and
- (d) the Executive Secretary of Synod.

#16 Resolution to amend Canon 31 to extend the term for which Trustees can be appointed.

Resolved that Canon 31 entitled, Trusteeship Canon, be amended by removing the sections of Canon 31 with lines running through them and adding the sections underlined as set out below.

Mover: John Cooper

Secunder: Daphne Beeler

Commentary:

The resolution is brought forward to extend the term for which Trustees can be appointed from three months to such term not exceed one year as the Bishop deems appropriate and the Diocesan Council approves. Experience has shown that three months is too short a time for Trustees to complete their services under the Canon, which has generally resulted in the need for several consecutive renewals of Trustees' Commissions. This amendment will give the Bishop and Diocesan Council greater flexibility in establishing a realistic term for Trustees, based upon the circumstances of the Parish.

The amendment would also make it possible for an annual general meeting or a special meeting of a parish to elect one or more Trustees to the office of warden, secretary, or treasurer of the parish, for a term not to exceed the term of the Trustees' Commission. In some cases involving parishes with small congregations, it has become difficult to find congregation members

prepared to serve as wardens, secretary, or treasurer, which creates a problem for the governance of the parish until such time as the parish officers required by Canon 35 can be elected. This amendment would enable the congregation of the Parish to elect a Trustee or Trustees to such parish offices in circumstances where parishioners are not available to fill these positions.

CANON 31 TRUSTEESHIP CANON

~~Enacted-2009~~ Interpretation

3. In this Canon:

Parish in Distress means any Parish, ~~which~~^{that} is, in the opinion of Diocesan Council, dysfunctional and, without limiting Diocesan Council's discretion, a Parish is dysfunctional where:

Approval of Diocesan Council

6. A Commission issued by the Bishop under this Canon has ~~a term of three months, which is renewable~~ such term not to exceed one year as the Bishop deems appropriate and the Diocesan Council approves (the "**Term**"), which Term may be renewed by the Bishop with the consent of Diocesan Council;

Powers and Responsibilities of the Trustees

11. Notwithstanding any other provision of the Canon law including without limitation Canon 35, an annual general meeting or special meeting of a Parish may elect one or more Trustees to the office of Warden, Secretary, or Treasurer of the Parish for a term not to exceed the Term of the Trustees' Commission.

Reporting

12. ~~11.~~ During the term of the Commission, the Trustees shall make interim reports on their work to Diocesan Council at such intervals as may be determined by Council, and shall also submit a final report to the Bishop and to Council at the end of the Commission.

13. ~~12.~~ Upon receipt of the Trustees' final report by the Bishop and Council, the Archdeacon responsible for the Parish in Distress shall call a special meeting of the Parish Council of that Parish, and at that meeting:

(1) the Trustees shall present their final report to the Parish Council; and

- b. the Corporation and the Parish Council shall be entitled to exercise all their rights, powers, prerogatives and responsibilities without being subject to direction from the Trustees.

Expenses and Disbursements

- 14. ~~13.~~a. The Trustees shall not receive any remuneration.
- b. Any reasonable expenses or disbursements incurred by the Trustees in fulfillment of their Commission, including without limitation the fees and disbursements of any Administrator whom they may appoint, shall be paid by the Parish in Distress or, if the Parish in Distress does not have sufficient assets, shall be paid by the Diocese.

Notice to the Corporation

- 15. ~~14.~~Any notice which must be given to the Corporation under this Canon shall be deemed to be validly given and received at the earlier of:
 - (2) the actual receipt of the written notice by any member of the ~~Corporation~~ Parish Council; or
 - (3) 48 hours after the notice is sent by registered mail to any member of the ~~Corporation~~ Parish Council.

Immunity

- 16. ~~15.~~The Bishop, the members of Diocesan Council individually and corporately, the Trustees individually and corporately and any Administrator appointed by them shall benefit from immunity as against the Corporation and no action or recourse lies against them by the Corporation for anything done or not done by them in good faith under the terms of this Canon.

17 Resolution to amend Canon 35 to define more clearly a Rector.

Resolved that Canon 35 entitled, Parish Government, be amended by removing the sections of Canon 35 with lines running through them and adding the sections underlined as set out below.

Mover: Daphne Beeler

Secunder: Gordon Redden

Commentary:

The resolution is brought forward to define more clearly a Rector to include an incumbent such as a priest-in-charge. As well, some grammatical errors were corrected.

CANON 35
PARISH GOVERNMENT

~~Revised Canon adopted by Synod 2001; Amended by Synod 2006~~

TABLE OF CONTENTS

TOPIC

No change.

BASIS OF CANON AND PURPOSE OF A PARISH

No Change.

INTERPRETATION

- 1**
- (1) (A) to (J) No change.
 - (k) [“Rector” includes the Rector, priest-in-charge or other incumbent of the parish.](#)
 - (2) A reference in this Canon to a parish corporation of a parish is a reference to the parish corporation that is formed
 - (a) by the Anglican Church Act of Nova Scotia constituting, as a body corporate, the ~~rector~~[Rector](#), wardens and the other members of the parish council of the parish; or
 - (b) by the Anglican Church Act of Prince Edward Island constituting, as a body corporate, the ~~rector~~[Rector](#), wardens and, the other members of the parish council of the parish.
 - (3) To the extent that this Canon applies in Nova Scotia, a reference in this Canon to
 - (a) No change.
 - (b) a parish corporation as consisting of the ~~rector~~[Rector](#), wardens and other members of a parish council shall be read as a reference to the parish corporation consisting of the ~~rector~~[Rector](#), wardens and vestry of the parish,

until there are in force amendments to the Anglican Church Act of Nova Scotia that change references in that Act from parochial corporations to parish corporations and that change the composition of those corporations from the ~~rector~~[Rector](#), wardens and vestry of a parish to the ~~rector~~[Rector](#), wardens and other members of the parish council of the parish.
 - (4) To the extent that this Canon applies in Prince Edward Island, a reference in this Canon to

- (a) No change.
- (b) a parish corporation as consisting of the ~~rector~~Rector, wardens and other members of a parish council shall be read as a reference to the parish corporation as consisting of the ~~rector~~Rector, wardens and vestry or vestrymen of the parish,

until there are in force amendments to the Anglican Church Act of Prince Edward Island that change references in that Act from parochial corporations to parish corporations and that change the composition of those corporations from the ~~rector~~Rector, wardens and vestry or vestrymen of a parish to the ~~rector~~Rector, wardens and other members of the parish council of the parish.

- (5) No change.

PARISHES AND CONGREGATIONS AS FUNCTIONING PARTS OF REGIONS

- 2 No change.

PARISH CORPORATIONS

- 3
 - (1) No change.
 - (2) No change.
 - (3) The parish corporation of a parish consists of the ~~rector~~Rector, wardens and the other members of the parish council of the parish.
 - (4) All documents, including deeds, mortgages, leases and contracts, shall be executed on behalf of a parish corporation under the seal of the corporation and shall be signed by the ~~rector~~Rector, two parish wardens and the secretary, but any document relating to real property, including a deed, mortgage or lease, is ineffective unless and until it is approved, in writing, by the Bishop.

PARISH COUNCILS

- 4 No Change
- 5 No change.
- 7A No Change.

- 6
 - (1) A parish council consists of
 - (a) the ~~rector~~Rector ~~or incumbent~~ serving the parish for which the parish council is established;
 - (b) each member of the clergy canonically appointed by the Bishop to serve the parish;
 - (c) subject to subsections 1(A), and 1(B) no ~~less~~ fewer than two and no more than three wardens, elected by an annual meeting of the parish;
 - (d) No change;
 - (e) No change;
 - (f) subject to subsection (3), not ~~less~~ fewer than three and no more than

twelve of the parishioners who constitute the parish elected by an annual meeting of the parish;

- (g) No change;
- (h) No change.

- (1A) No change.
- (1B) No change.
- (1C) No change.

- (2) No change.
- (3) No change.
- (4) No change.
- (5) No change.
- (6) No change.

(7) For greater certainty, nothing in subsection (6) authorizes the number of wardens to be ~~less~~-fewer than two nor more than three.

- (8) No change.
- (9) No change.
- (10) No change.
- (11) No change.

(12) For greater certainty, nothing in subsection (11) authorizes the number of persons elected pursuant to clause (1)(e) to be ~~less~~-fewer than three nor more than twelve.

(13) No change.

(14) A person may be re-elected pursuant to clause (1)(f), where, on an average Sunday, the congregation is ~~less~~-fewer than 50 people. For larger congregations, no parish council member shall be re-elected, following 2 consecutive 3 year terms, without a break for one year.

- 7 (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

8 No change.

CHURCH COUNCILS

11 No change.

12 No change.

- 13 (1) A church council shall consist of
 - (a) the ~~rector~~Rector or incumbent of the parish of which the church for which the council was established is a part;
 - (b) No change;
 - (c) No change;

- (d) No change;
- (e) No change;
- (f) no ~~less-fewer~~ than three and no more than twelve of the parishioners that constitute the church, elected at an annual meeting of the church;
- (g) No change.

- (2) No change.
- (3) No change.
- (4) No change.
- (5) No change.
- (6) No change.
- (7) No change.
- (8) No change.
- (9) For greater certainty, nothing in subsection (8) authorizes the number of persons elected pursuant to clause (1)(f) to be ~~less-fewer~~ than three nor more than twelve.
- (10) No change.
- (11) No change.
- (12) No change.
- (13) No change.
- (14) No change.
- (15) No change.
- (16) No change.
- (17) No change.

WARDENS

- 14**
- (1) No change.
 - (2) No change.
 - (a) No change;
 - (b) discussing the concerns of the community with the ~~rector~~Rector of the parish;
 - (c) subject to the direction of the Bishop, and in compliance with the applicable Canons, overseeing and providing leadership where there is no ~~rector~~Rector or while the ~~rector~~Rector is absent;
 - (d) when necessary, discussing with the ~~rector~~Rector and communicating to the Bishop the concerns of the wardens regarding the ministry of lay or ordained leaders;
 - (e) No change;
 - (f) No change;
 - (g) No change;
 - (h) No change;
 - (i) No change.
 - (3) No change
 - (4) No change.
 - (5) No change.

SECRETARY

15 No change.

TREASURER

16 No change.

MEETINGS

- 17
- (1) No change.
 - (2) No change.
 - (3) No change.
 - (4) A special meeting of a parish or a church that forms a part of the parish shall be held upon the request of
 - (a) the ~~rector~~Rector or the priest in charge of the parish
 - (b) No change; or
 - (c) No change.
 - (5) No change.
 - (6) No change.
 - (7) No change.

18 No change.

19 No change.

- 20
- (1) No change:
 - (a) No change;
 - (b) No change;
 - (c) No change;
 - (d) No change;
 - (e) No change;
 - (f) No change;
 - (g) No change;
 - (h) No change;
 - (i) No change;
 - (j) No change;
 - (k) No change;
 - (l) the report of the ~~rector~~Rector;
 - (m) No change;
 - (n) No change;
 - (o) No change;
 - (p) No change;
 - (q) No change;
 - (r) No change;
 - (s) No change;
 - (t) No change;

- (u) No change;
- (v) No change;
- (w) No change;
- (x) No change;
- (y) No change.

- (2) No change:
 - (a) No change;
 - (b) No change;
 - (c) No change;
 - (d) No change;
 - (e) No change;
 - (f) No change;
 - (g) No change;
 - (h) No change;
 - (i) No change;
 - (j) No change;
 - (k) the report of the ~~rector~~Rector;
 - (l) No change;
 - (m) No change;
 - (n) No change;
 - (o) No change.

- (3) No change;
- (4) No change.

MINISTRIES

- 21 (1) No change.
- (2) No change.
- (3) No change:
 - (a) No change.
 - (i) no change,
 - (ii) no change,
 - (iii) no change,
 - (iv) no change,
 - (v) assisting the wardens of the parish where necessary, in providing worship services during the vacation or absence of the ~~rector~~Rector of the parish from duty,
 - (vi) no change,
 - (vii) no change;
 - (b) No change.
 - (c) No change.
 - (i) providing for a regular inspection of all buildings and grounds owned by the parish corporation, including, cemeteries and, at a

time agreed upon by the ~~rector~~Rector and the committee, regular inspections of the rectory,

- (ii) no change,
- (iii) no change,
- (iv) no change,
- (v) no change;

(d) No change

(e) No change

(f) Stewardship, by the cultivation of a greater awareness of the Anglican Church's mission and ministry and the resources required to fulfill its gospel mandate, including:

- (i) no change;
- (ii) no change;

(g) No change.

(h) No change;

(i) No change.

(4) No change.

TRANSITIONAL PROVISIONS

No change.

18 Resolution to amend Canon 41 to incorporate various changes suggested by the commission of inquiry.

Resolved that Canon 41 entitled, Parochial Difficulties, be amended by removing the sections of Canon 41 with lines running through them and adding the sections underlined as set out below.

Mover: John Cooper

Secunder: Daphne Beeler

Commentary:

This Canon has been amended to incorporate various changes suggested by the last commission of inquiry appointed by the Bishop to carry out an investigation in a parish.

In addition to changes involving wording and style, the amendment would do the following:

- (a) Change the number of individuals in a parish who may request an investigation from an absolute number, five, to a percentage, to reflect the fact that the Canon applies to parishes of varying sizes in the Diocese. The number of individuals who could request the investigation would be set at not less than 20% of the communicants in the parish as reported to the Diocese in the parish's last annual parochial return.

- (b) The person or persons requesting the investigation are required to provide written reasons when making a request in writing to the Bishop for an investigation.
- (c) The amendment would require the Investigator to contact the Incumbent, the Parish Council, and the Petitioners. There was concern in the previous inquiry that the Parish Council was not involved sufficiently in the process.
- (d) The amendment sets out certain requirements of due process and natural justice to be followed by an investigator, which would be required by the courts in any review of actions taken under the Canon. These include the right to be advised of the reasons for the requested investigation and allegations made, and an opportunity to make written and oral submissions in respect of them.
- (e) The amendment would provide the Bishop with greater flexibility so that, in addition to appointing a commission of inquiry, the Bishop may appoint a mediator to work with the Parish Council, Petitioners, and Incumbent, or a mentor to assist the Incumbent in addressing the concerns raised.
- (f) In the event a commission of inquiry is appointed, the amendment sets out the requirements of due process and natural justice, and provides for public meetings with an opportunity for the incumbent and members of the congregation to make written or oral submissions, and to obtain copies of all written submissions. The amendment further provides that the incumbent shall be given an opportunity to respond to all written and oral submissions made to the commissioners.

CANON 41

~~PAROCHIAL-PARISH~~ DIFFICULTIES

1. Whenever the Bishop believes from trustworthy information laid before him or her that differences have arisen between a rector or other member of the clergy in charge of any parish or mission in the diocese (the "Incumbent"), and communicants resident in the said parish or mission (the "Parish"), or that the condition of the ~~parish or mission~~ Parish is in any respect such as to require investigation, the Bishop may:
 - (a) upon his or her own motion;
 - (b) ~~or~~ upon a request in writing signed by ~~five persons qualified to vote at parish meetings according to the provisions of the Canon on ParochialParish Government, who are also communicants~~ (the "Petitioners"), ~~or~~ not fewer than 20% of the Communicants (the "Petitioners") in the Parish as reported to the Diocese in the Parish's last annual parochial return;
 - (c) upon a request made by the ~~said member of the clergy~~ Incumbent; or

(d) upon the request made by ~~an~~ the archdeacon or the regional dean

appoint a regional dean, an archdeacon or a committee consisting of one clerical and one lay member of the Synod of the Diocese (the "**Investigator**"), whose duty it shall be to proceed to the parish or mission, and endeavor, if possible, to bring about a settlement of the difference existing therein or the removal of any grievances or cause of scandal, or other hindrances to the peace or prosperity of the parish or mission. Parish, carry out an investigation, and report to the Bishop.

2. The person or persons requesting the investigation shall provide written reasons when making a request in writing to the Bishop for an investigation.

3. The Investigator shall contact the Incumbent, the Parish Council, the Petitioners, and any other persons whom the Investigator wishes to consult, and shall make enquiries and endeavour, if possible, to bring about a settlement of the differences existing in the Parish or the removal of any grievances or cause of scandal, or other hindrances to the peace or prosperity of the Parish.

4. The Investigator shall advise the Incumbent, the Parish Council, and the Petitioners, as the case may be, of the reasons for the requested investigation as provided to the Bishop, and shall give the Incumbent, the Parish Council, and the Petitioners, as the case may be, an opportunity to make written and oral submissions in respect of the reasons.

5. ~~2.~~ Within one month of ~~their~~ the appointment the ~~said regional dean, archdeacon or said committee~~ Investigator shall report in writing to the Bishop, and if the ~~said regional dean, archdeacon or committee~~ by their said report declare that they Investigator declares that the Investigator has failed to bring about a settlement of the differences or a satisfactory condition of affairs, and that for causes named in the report (not being subjects for investigation under the Canon on Discipline), the ~~said regional dean, archdeacon or committee~~ consider Investigator considers that it may be detrimental to the interests of the church that such rector, or other member of the clergy, ~~should continue to remain in charge of such parish or mission, and recommend that~~ Parish that the differences not be addressed, the Investigator may recommend that a mediator, a mentor, or a commission of inquiry be issued appointed to enquire into such ~~complaints made by communicants of the church resident in the parish or mission~~ differences in the Parish as may be recited in said report, ~~the Bishop may issue a commission to two members of the clergy and two members of the laity (one of whom shall be either the Chancellor of the Diocese or some other member of the Synod, being a barrister of a least ten years standing, and who shall be the chair of the said commission) empowering the commissioners therein named to hold an investigation.~~

6. Upon receiving the report and any recommendation from the Investigator, the Bishop may do one or more of the following:
- a. Appoint a mediator, who may be a clergy or lay communicant residing in another Parish in the Diocese, to work with the Petitioners, the Parish Council, and the Incumbent to resolve the concerns giving rise to the request for an investigation;
 - b. Appoint a mentor to assist the Incumbent in addressing the concerns raised; and
 - c. Issue a commission to two members of the clergy and two members of the laity (one of whom shall be either the Chancellor of the Diocese or some other member of the Synod, being a Barrister of at least 10 years standing, and who shall be the chair of the said commission) empowering the commissioners therein named to hold an investigation.
7. 3. As soon as conveniently may be after the issue of the commission, the commissioners shall give notice to the ~~member of the clergy~~Incumbent in charge of such ~~parish or mission~~Parish, and to the ~~church wardens and lay representatives~~Parish Council thereof, and to the ~~petitioners~~Petitioners for the commission of enquiry (if any), of the time and place at which the commissioners will hold their meetings.
8. 4. The commissioners may proceed ~~in~~with the ~~matter~~of enquiry *ex parte* if either, or any one or more of the parties affected thereby, refuse or neglect to attend before them after due notice of not less than twenty days, to be given by service by registered mail or personal servicedelivery if the person ~~proceeded against~~ is known to be in Nova Scotia or Prince Edward Island; if not, the notice is to be posted on the Parish church door for thirty days.
9. The commissioners shall hold their meetings in public and shall provide an opportunity for the Incumbent and communicants of the Parish to make written or oral submissions in respect of the differences and the reasons provided in the request for an investigation submitted to the Bishop. The members of the congregation attending the meeting, and the Incumbent, shall be provided with copies of all written submissions.
10. The Incumbent shall be given an opportunity to respond to all written and oral submissions made to the commissioners, which the Incumbent may do orally or in writing.

11. ~~5.~~ The commissioners, or a majority of them, shall report with all convenient speed to the Bishop the result of their enquiry and may recommend that such action be taken as they may deem advisable.

12. ~~6.~~ The Bishop may take such action and make such order upon the report of the commissioners as may seem ~~to him or her~~ desirable to the Bishop, and ~~he or she~~ the Bishop may suspend or remove the ~~incumbent~~ Incumbent of such ~~parish or mission~~, Parish from his or her benefice upon a day to be fixed by the Bishop, allowing him or her what the Bishop may consider reasonable time to seek employment elsewhere.

13. ~~7.~~ Any member of the clergy neglecting or refusing to obey any order so made by the Bishop under this Canon shall be punishable as for contumacy under the Canon of Discipline.

19 Resolution to amend Canon 37 to bring current practices of the Diocese in line with other institutions and charities.

Resolved that Section 23 of Canon 37 be amended by removing sections of Canon 37 with lines running through them and adding the sections underlined as set out below.

Mover: Eric Thompson

Seconded: Dr. Garth Watt

Commentary:

The intention of the amendment is to bring the practices of the Diocese into line with current practices of other institutions and charities. Of these funds 5% would be used by the Diocese in its outreach programs. The respective parishes would then use the remaining funds for their purposes.

Other gambling and games of chance would still not be permitted. The amendment further provides the Diocese the opportunity to approve such fund raising projects.

~~Section 23. Lotteries, raffles, games of chance and any form of gambling in connection with church sales or entertainment as a means of raising money for financing diocesan or parochial needs are absolutely prohibited.~~

Section 23. Lotteries and raffles, excluding any other games of chance and any other form of gambling, are permitted in connection with church sales or entertainment as a means or raising money for financing diocesan or parochial needs, subject to the following:

(i) Governmental lottery approval is first obtained;

(ii) Approval and registration of the event is obtained from the Diocesan Controller; and

(iii) The Parish shall pay five (5) percent of the net proceeds to the Diocese to be used in the Diocesan outreach programs.

#20 Resolution to amend Canon 16 to change to the definition of Gross Receipts

Resolved that the definition of Gross Receipts in Paragraph 1 (4) of Section 1 of Canon 16 be amended by removing sections of Canon 16 with lines running through them and adding the sections underlined as set out below.

Mover: Eric Thompson

Seconder: Dr. Garth Watt

Commentary:

The clear intention of this amendment is to designate what sums the allotment will apply to. The allotment will no longer apply to any principal or interest used by the Parish in balancing their financial statements annually as in most cases these funds have already had an allotment paid previously. Fund raising is excluded from allotment and replaced by the license fee paid to the Diocese.

The offerings and rents received, less existing deductions, will still be the bases for the allotment.

1 Definitions

- (1) "Budget" is the total amount required to be raised annually for the work of the Diocesan Synod.
- (2) "Allotment" is that proportion of parish income which each parish is required to share for the wider work of the Church, as determined under the provisions of this Canon.
- (3) "Basic Year" is that last calendar year for which statistics have been reported.
- (4) "Gross Receipts" is the receipts of a parish from all of the following sources:

- (a) ~~the amounts received by all congregations of the parishes from all sources, including amounts earned on all investments and principal sums expended.~~
 - (b) ~~all amounts received by all parish organizations, after deducting the cost of raising such amounts.~~
 - (a) The amounts received by all congregational organizations of the parishes from all sources excluding all amounts earned on all investments, principal sums expended, and all amounts received from all Parish fund raising.
-

#21 Resolution to amend Section 4 of Canon 16 as it relates to Exemptions in the Budget regarding bequests and income from hall rentals.

Resolved that the Exemptions in Paragraph (1) (d) and (f) of Section 4 of Canon 16 be amended by removing sections of Canon 16 with lines running through them and adding the sections underlined as set out below.

Mover: Eric Thompson

Seconded: Dr. Garth Watt

Commentary:

Paragraph (1)(d) and (f) of Section 4. This amendment is necessary as a result of the proposed changes to Canon 16, Paragraph (4)(a)(b) of Section 1.

4 Exemptions

(1) Exemptions will be allowed as follows:

(d) Bequests that are placed in endowment funds. Capital and interest withdrawn for any purpose must be ~~included in~~ excluded from parish income for that year. Exemptions claimed must be in accordance with this Canon.

(f) Income from ~~fund-raising events~~ hall rentals and similar income generating activities is reported as the net income for each event; the cost of earning such income is exempt.

22 Resolution to amend Paragraph (1)(g) and Paragraph (1)(h), Section 4 of Canon 16 as it relates to housing allowance and building maintenance and capital expenditures.

Resolved that the Exemptions in Paragraph (1) (g) and (h) of Section 4 of Canon 16 be amended by removing sections of Canon 16 with lines running through them and adding the sections underlined as set out below.

Mover: Eric Thompson

Seconded: Dr. Garth Watt

Commentary:

Paragraph (1)(g) of Section 4: This amendment is necessary to provide Parishes which own and use a rectory with benefits similar to those provided to non-rectory Parishes. Paragraph (1)(h) of Section 4: This amendment is being submitted as many Parishes are paying for these specific maintenance items. They need to exercise due diligence for several reasons. The Parish may be renting its facility or its parishioners are becoming more mature resulting in more caution in snow cleaning. Also the municipalities are fining property owners who do not keep their properties clear of snow and also their yards properly maintained. To do otherwise, reflects poorly on the respective Parishes some of whom are on very busy streets.

4 Exemptions

(1) Exemptions will be allowed as follows:

(g) All amounts in excess of \$5,000 paid as housing allowance. In addition any Parish which owns its own rectory where the Parish rector resides, and provided the said Parish does not pay a housing allowance, any costs which exceed \$5,000 annually incurred by the Parish related to the occupancy of the Parish rectory including but not limited to taxes, insurance, utilities, telephone services, and maintenance.

(h) All building maintenance and capital expenditures that are described in the Parochial Return, except for that regular janitorial services and associated materials. or outside maintenance such as plowing, grass cutting and related activities are not exempt.