

**MINUTES OF THE 132ND SESSION OF THE DIOCESAN SYNOD  
OF NOVA SCOTIA AND PRINCE EDWARD ISLAND  
MAY 24, 25 AND 26, 2001**

**Thursday, May 23, 2001  
Opening Session - 1:00 p.m.**

Registration for the 132nd Session of the Diocesan Synod of Nova Scotia and Prince Edward Island took place on May 23rd, 2001, commencing at 9:00 a.m., Loyola Building, St. Mary's University, 1st Floor Foyer.

From 10:00 a.m. to 12:00 noon the Rev. Mary Wilkie conducted Orientation for first-time delegates. Orientation took place in McNally Auditorium.

Synod officially commenced at 1:00 p.m. in the McNally Auditorium with opening prayers and hymns.

**Report of Committee on Credentials**

The Rev. John Smith, Executive Secretary of Synod, reported that the following numbers of Clergy and Lay delegates were registered and this represented a quorum.

Clergy Delegates - 94  
Lay Delegates - 228

The Most Rev. Arthur G. Peters, Archbishop of Nova Scotia and Prince Edward Island, Metropolitan of the Ecclesiastical Province of Canada, declared the 132nd Session of Synod duly constituted.

The following persons sent regrets: The Rev. Valerie Hunt, The Rev. Karman Hunt, The Rev. John Ferguson, The Rev. Gary Alcock, The Rev. Everett Hill, The Rev. Fred Hinxman, The Rev. Gregory McMullin, The Rev. Brenda Drake-MacDonald, The Rev. Mark Pretty, The Rev. David Ferguson, The Rev. Donald Ruggles, The Rev. Rodney Stokoe, The Rev. Marilyn Newport, Mr. Kevin Gouchie, Mr. Jack Newitt, Mrs. Ethel Newitt, Mr. John Buchanan, Mrs. Anna Buchanan. The Rev. Canon Sid Davies, The Rev. Richard Walsh.

Archbishop Peters welcomed first-time members of Synod, and the Armed Service Chaplains and Ecumenical Observers.

**Ecumenical Observers**

The Rev. Dennis Walsh, Ecumenical Officer for the Diocese, introduced the Ecumenical Observers who had been appointed by their own church bodies to represent them at our Synod:

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Mr. Jim Feltham - United Church of Canada  
The Rev. W. Phil Heinze - Eastern Synod of the Evangelical Lutheran Church in Canada  
Captain Marina Jennings - Salvation Army  
The Rev. Don MacPherson - United Church of Canada  
Captain Clyde Osmond - Salvation Army  
Fr. David Poirier - Roman Catholic Church  
The Rev. Roger Prentice - United Baptist  
The Rev. R. Ritchie Robinson - Presbyterian Church

**Moved by Dennis Walsh**  
**Seconded by Paul Wilkie**

**"That the Ecumenical Observers at this 132nd Session of the Diocesan Synod of Nova Scotia and Prince Edward Island be extended the courtesies of Synod." Carried**

The Archbishop formally welcomed the Ecumenical observers.

**Moved by John Smith**  
**Seconded by Boyce Rice**

**"That Ms. Sheila McKeand, Finance Officer and Mr. Jarvis de Condé, Insurance Advisor, be extended the courtesies of the house at this 132nd Session of Synod." Carried**

<b>The Resolution of Loyalty to Her Majesty the Queen</b>
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**Moved by Jamie Cochran**  
**Seconded by Carolyn Chenhall**

**The following Resolution of Loyalty to Her Majesty the Queen:**

**"To Her Excellency, the Governor General of Canada,**

**Your Excellency: The Synod of the Diocese of Nova Scotia and Prince Edward Island, the oldest Diocese of the Anglican Church of Canada, assembled here in Halifax, May 24-26, 2001, requests that you extend to Her Majesty, Queen Elizabeth II, Queen of Canada and Head of the Commonwealth, our warmest expressions of affection, loyalty and devotion.**

**We appreciate Her Majesty's wisdom, patience, understanding and leadership during these challenging times. We wish Her Majesty God's blessing and pray that He will guide and protect Her in all Her endeavors.**

**We wish to assure Her Majesty of our sincere goodwill and affection and extend our congratulations on the celebration of her 75th birthday this year. We wish her continued good health and every blessing for the future.**

To this expression of loyalty and devotion we add greetings to the Queen Mother, Prince Philip and all the Royal family.

May God guide, strengthen and protect Your Majesty in all your endeavors." Carried

The singing of "God Save The Queen" and "O Canada" followed this resolution.

### **Ratification of Appointment of Executive Secretary**

Moved by John Smith

Seconded by Anthony Chapman

"That in accordance with Section 12(2) and 17(b) of the Constitution, this 132nd Diocesan Synod of Nova Scotia and Prince Edward Island hereby ratifies the appointment by the Archbishop of the Reverend Canon Frederick Krieger as Executive Secretary of Synod." Carried

### **Election of Assistant Secretary**

Moved by Randy Townsend

Seconded by Boyce Rice

"That Mr. Joel Archibald, Parish of Bridgewater, be the Assistant Secretary in accordance with Section 12(3) of the Constitution." Carried

### **Appointment of Sessional Committees**

The Rev. John Smith read the list of nominees for Sessional Committees of Synod as follows:

#### Agenda Committee:

The Rev. Randy Townsend

The Rev. John C. Smith

Mr. Joel Archibald

#### Resolutions Committee:

Mr. Carl Holm

Mr. Anthony Chapman

Mr. James Travers

#### Committee to Approve the Minutes of the 132nd Session of Synod:

Mr. Joel Archibald, Assistant Secretary

Mrs. Joyce Williams, St. Mark's, Halifax

Mr. Gerry Nelson, Holy Spirit, Dartmouth

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The Rev. Canon Fred Krieger, Cathedral

Physical Arrangements:

The Rev. Randy Townsend  
Mr. Boyce Rice

Scrutinizers:

Mr. Boyce Rice  
Mrs. Joyce Williams  
Ms. Stacey Renouf  
Ms. Lisa Vaughn  
The Rev. Liz Earley  
Mrs. Lorraine Wainwright  
Nichol Parkpoulas  
Mrs. Judith Beaver  
Ms. Carolyn Howard  
Mr. Tom Henderson  
Mrs. Marjorie Keddy  
Ms. Karen Wood  
Mr. David Dellapinna

Mr. Wayne Hamlin  
Mr. Patrick Burgomaster  
Mr. Matthew Sponagle  
The Rev. Mary Wilkie  
Mr. Gene Wertman  
Mr. Frank Moore  
Miss Jillian Findley  
Ms. Cara Josey  
Mr. Jim Soward  
Mr. Carl Fraser  
Ms. Rose Wilson  
Ms. Catherine Desloges  
Jay MacDonald

Floor Scrutinizers:

Mr. Boyce Rice  
Mrs. Joyce Williams  
Mr. Patrick Burgomaster

Mr. Wayne Hamlin  
The Re. Stacey Renouf

**Moved by John Smith**  
**Seconded by Anthony Chapman**

**"That the foregoing be the Sessional Committees for the 132th Session of the Diocesan Synod of Nova Scotia and Prince Edward Island." Carried**

<b>Atlantic School of Theology</b>
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Archbishop Peters introduced the President of the Atlantic School of Theology, The Rev. Dr. Bill Close, to speak to the Synod.

Dr. Close took this opportunity to bring greetings from the School and speak to the Synod with regards to funding cuts and the outlook for the School.

Dr. Close spoke in his capacity as the President of "our School". He believes that the School is moving in a positive direction and that adequate funding is likely.

One of the reasons for the positive outlook for the School is because of the prayerful support of the Founding Parties. The Chair of the Founding Parties, Bishop Hiltz, has taken us through these "dark days". Personal thanks were given to Bishop Hiltz and also to Archbishop Peters for their support through the past year, and for their ministry to himself and AST.

Dr. Close is proud of the Anglican students and graduates of the School, and the life they bring to the School.

He reported that The Rev. Canon Fred Krieger is retiring as a member of the faculty and that the Rev. Pamela Bishop has resigned as Anglican Formation Director. He took this opportunity to thank these two people for their great contribution to the School. They will be missed.

The school is alive and well, and is getting stronger. He encouraged people to take this opportunity at Synod to look at the display table.

Dr. Close extended his best wishes to those moving on in their careers in ministry.

The Archbishop thanked Dr. Close for his presentation.

### **Synod Arrangements - The Rev. Randy Townsend**

The Rev. Randy Townsend announced 'Housekeeping' items and reminded delegates to submit their nominations from the floor on forms provided and to place them in the boxes at the front of the Auditorium before 4:00 p.m.

On behalf of the Synod Arrangements Committee he welcomed all delegates to this 132nd Session. Greetings from St. Mary's University also were given to all.

Mr. Townsend informed the Synod of a Prayer Vigil during the whole of Synod. The room is available to anyone who would like quiet time or prayer.

### **Agenda Committee**

The Rev. Randy Townsend noted changes in the agenda. There are no major changes to the agenda. There is a misprint on the agenda. Friday Evening, the service of light begins at 9:10 pm, but will go beyond 9:30. Fellowship will follow the service.

### **Report of Nominations Committee**

The Rev. John Smith gave the report of the Nominations Committee. Nominations cease at 3:30 this afternoon.

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**Motion of Consent**

The Rev. Canon Eric MacDonald, spoke on behalf of the Human Sexuality Task Force. Recommendations were not ready in time for the Convening Circular. This report, with the recommendations included, was circulated to all Synod Delegates at the time of registration.

**Moved by the Eric MacDonald**  
**Seconded by Peter Armstong**

**"That the recommendations submitted in a report by the Human Sexuality Task Force be placed on the agenda for this 132nd Session of Synod." Carried**

This motion of consent will be placed before the Agenda Committee and the recommendations will be brought before Synod.

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**Reception of Printed Reports of Committees, Exclusive of Resolutions**

**Moved by Cathy Lee Cunningham**  
**Seconded by Alan Turner**

**"That we receive the reports of the Committees as printed in the Convening Circular." Carried**

Questions, comments and concerns about the printed reports should be submitted to the Executive Secretary and will be dealt with at this Synod if possible.

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**Motion #1 - Electoral Synod**

**Moved by John Smith**  
**Seconded by Fred Krieger**

**"The Executive Secretary stated that The Most Reverend Arthur Peters, Archbishop of the Diocese of Nova Scotia and Prince Edward Island, has signified his intention to resign that office, and is of the opinion that the Diocese requires a Coadjutor Bishop,**

**Be it resolved that the Synod concurs in the opinion of the Archbishop that the Diocese requires a Coadjutor Bishop." Carried**

**Motion #2 - Canon 35**

**Appendix I - Canon 35**

**Moved by Molly Gammon  
Seconded by Eric MacDonald**

**"BE IT RESOLVED that Synod enact a new Canon 35, Parish Government, in the form annexed hereto: See Appendix I**

Molly Gammon, in her capacity as Chairperson of this Task Force on Canon 35, thanked all the members of the Task Group who had done a fine job working on this canon. In addition, she thanked Mr. Arthur Fordham who was a tremendous help with the legal language.

**Moved by Carolyn Chenhall  
Seconded by Flo Hare**

**"That on page 56, in Section 24 (2)(c)(i) and (ii), the words, Director of Finance be changed to Finance Officer and Director of Administration be changed to the Executive Assistant to the Bishop."**

The Rev. Canon Eric MacDonald said that this change could be incorporated.

**It was recommended by Tony Bidwell**

**"that Section 3(5) be deleted and Section 18(7) be reworded to use size of congregation and not a name designation."**

It was agreed by the mover and seconder that these recommendations be incorporated.

It was also agreed that Section 3(5), and Section 18(7) be reworded.

**Moved by James. Travers  
Seconded by Madonna Fradsham**

**"That Sub-section (8)8 be deleted and replaced with 'no person may be re-elected as a warden of a parish unless a period of one year has elapsed from the date upon which that person has ceased to be a warden.'" Defeated, amendment lost.**

**Moved by David Tinker  
Seconded by Henry Spurr**

**"That in Section #21 of Canon 35, except in Sub-Sections #2 and #3, specifically #3 (excluding 3(c) and 3(I)) , the word "parish" be replaced by the phrase 'parish or church'."**

After some clarification from the Chancellor Mr. Tinker and Mr. Spurr agreed to withdraw the amendment.

**Moved by Jay MacDonald**  
**Seconded by Madonna Fradsham**

**"That in Section 3(1)(h), 'parishioner' is any member of a congregation as defined in 3(1)(f)."**

**3(1)(i) A 'voting Parishioner' for the purpose of Parish Government is any Parishioner**

**(a) who has attained the age of 16 years**

**(b) who is a communicant of a congregation that forms part of the parish who customarily attends worship services in the parish**

**(c) who contributes to the support of the parish either financially or by participating in the ministry of the parish.**

**3(1)(j) 'parish' - renumbered from 3(1)(i)."**

Mrs. Gammon said that the Task Force would be glad to incorporate this.

**Moved by Peter Armstrong**  
**Seconded by Linda Hendrey**

**"That Section 8(14) be amended as follows, adding 'where on an average Sunday the congregation is less than 50 people. For larger congregations, no Parish Council Member shall be re-elected, following two consecutive three year terms, without a break for one year.'"**  
**Carried**

**Moved by Stephen Ashton**  
**Seconded by Elaine Laurie**

**"That Motion #2, Canon 35, be referred to the next regular meeting of Synod."**  
**Motion defeated (188 for, 228 against).**

Mr. Gerald Nelson commended the Task Force on the work done on Canon 35. He asked that the format of the Canon be changed to make it more user friendly, i.e. similar to that of Draft #6 of the Canon presented to the 1999 Synod.

**Moved by Ted Morgan**  
**Seconded by Arthur Nash**

"That Section 8(1) be amended to add '(i) all persons named as such by the bishop as candidates for ordination' and Section 13(1) be amended to add '(h) all persons named as such by the bishop as candidates for ordination.'" Defeated.

Vote was called and the motion with the appropriate amendments to Canon 35 was carried.

**Motion #3 - Amendment, Church Act, Nova Scotia**

**Appendix II - Church Act, Nova Scotia**

Moved by Anthony Chapman

Seconded by Jim Travers

"BE IT RESOLVED THAT Archbishop Peters or some person designated by him request a member of the Nova Scotia Legislature to introduce into the Nova Scotia Legislature a Bill that would

(a) amend the Anglican Church Act of Nova Scotia, Chapter 130, Acts 1967, by removing from that Act those words shown crossed out on the attached sheets and by adding to that Act those words shown underlined on the attached sheets; or

(b) make amendments to that Act that would have the same legal effect."

The following amendments and corrections to the Act were accepted by the mover and seconder:

Section 2(1)(e): definition of 'parishioner' and all other definitions in and references to Canon 35 be amended to be consistent with the wording of that Canon.

Sections 10(1) and 10(1A): delete 'or regulations adopted from time to time by the Diocesan Council of the Diocese.'

Section 10(1AB): add '(g) sue and be sued' and '(h) manage the temporalities of the corporation and conduct its affairs.'

Section 10(3), line 4: delete 'clergyman' and add 'member of the clergy.'

Section 11, lines 2 and 4: delete 'he' and add 'the Bishop.'

The motion was put and carried.

**Motion #4 - The Anglican Church Act of Prince Edward Island**

**Appendix III - Church Act, Prince Edward Island**

Moved by Jim Travers  
Seconded by Anthony Chapman

"BE IT RESOLVED that Archbishop Peters or some person designated by him request a member of the Prince Edward Island Legislature to introduce into the Prince Edward Island Legislature a Bill that would

(a) amend the Anglican Church Act of Prince Edward Island, Chapter 53, Bill No. 14, by removing from that Act those words shown crossed out on the attached sheets and by adding to that Act those words shown underlined on the attached sheets; or

(b) make amendments to that Act that would have the same legal effect." Carried

The mover and seconder added that the various changes in Motion #3 will be incorporated in this motion, as well as a correction to Section 5(e): St. Thomas Church is in Springbrook, not French River. Carried

**Motion #5 - Anglican Church Acts Of NS and PEI**

Moved by Anthony Chapman  
Seconded by Jim Travers

"That when amendments to the Anglican Church Act of Nova Scotia come into force that change the reference in that Act to the corporation of a parish from parochial corporation to parish corporation, the Canons of Synod, to the extent they apply in Nova Scotia shall, with respect to any subsequent transaction, matter or thing, be read as if they were amended by striking out "parochial" wherever it appears and substituting in each case, "parish".

And that when amendments to the Anglican Church Act of Prince Edward Island come into force that change the reference in that Act to the corporation of a parish from parochial corporation to parish corporation, the Canons of Synod, to the extent they apply in Prince Edward Island shall, with respect to any subsequent transaction, matter or thing, be read as if they were amended by striking out "parochial" wherever it appears and substituting in each case, "parish"." Carried

## **Motion #6 - Constitution of Synod**

Moved by Molly Gammon  
Seconded by Eric MacDonald

"That the Constitution of Synod be amended by striking out those words shown as crossed out on the attached sheet and by substituting those words underlined on the attached sheet.

### **Section 5**

#### **(1) In this Section and in Section 6**

##### **(a) "pastoral unit" means**

**(I) a pastoral unit as defined in Canon 35, a single church parish, a multi-church parish or a combination of parishes sharing the services of the clergy, but each retaining varying degrees of parish autonomy.**

**(II) the congregation worshipping in the Cathedral Church of All Saints, Halifax." Carried**

## **Synod Arrangements**

Details about the Synod Service in the Cathedral were announced as well as housekeeping items. The Logos hearing will not be presented.

### **Thursday, May 24, 2001 Evening Session**

The Synod Service was held in the Cathedral Church of All Saints at 7:30 p.m. with a reception following in Worrell Hall, Anglican Diocesan Centre.

### **Friday, May 25, 2001 Morning Session**

The Friday, May 25, 2001, Session began at 7:30 a.m. with a Breakfast hosted by the Archbishop and Suffragan Bishop for the Ecumenical Observers.

The Morning Session for all delegates started with Eucharist and Meditations by the Rev. Dr. Jody Clarke.

## Synod Arrangements

The Rev. Randy Townsend, Chair of the Synod Arrangements Committee, made housekeeping and other announcements.

## Planned Giving

The Planned Giving Committee performed a 'Commercial break.'

## Diocesan Strategy for Congregational Development

The Rev. Jack Risk spoke to the Synod about a book available at the Book Room display on Congregational Development. The title is, "An Invitation to Dialogue - Regional Ministry Development."

## Elections

The Rev. John Smith, Executive Secretary of Synod, explained the process for elections.

## Hearings

The delegates were asked to attend Hearings that were being presented on a number of topics.

The Hearings presented were as follows:

- Ministry Renaissance in Northern Michigan
- Residential Schools
- Jubilee - Right Relations - The Land
- Spiritual Direction...An Invitation
- E.M.M. - Esther, Moses, Mark? - Every Member Ministry?
- Bible, Sex, Person - Christians Exploring Sexual Values and Attitudes
- Welcome the Stranger - A Response to the Gospel's Call
- Letting Go: Our Calling by Virtue of our Baptism
- Budgeting and the Allotment
- LOGOS (cancelled)
- Cape Breton Congregational Development

Lunch was served from 12 noon until 1:30 p.m. when the hearings were held for a second time.

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**Regular Session of Synod Reconvened at 2:45 p.m.**

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Bishop Hiltz brought the session to order with a hymn and prayer.

Announcements were made that all delegates were asked to note in their calendars.

Bishop Hiltz announced that on February 1 and 2, 2002, events are being planned to mark the 20th Anniversary of Archbishop Peters' consecration as a Bishop. A dinner party is planned for February 1st at the Westin Hotel, and a service of Thanksgiving is planned for February 2nd at the Cathedral.

Mr. George Dunn, former staff person of the Diocese, died in the Parish of Timberlea-Lakeside today. Synod observed a moment of quiet to remember George, his family and his ministry.

After announcements the Synod moved into Synod business.

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**Human Sexuality Task Force**

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The Rev. Canon Eric MacDonald, Chair, presented the report of the Human Sexuality Task Force. Canon MacDonald introduced the members of the Task Group. The Mandate was read. A review of books and Curricula was undertaken.

Ms. Susan Coulter and Ms. Jan Henry continued the presentation. (Courtesies of house were extended to Susan and Jan.)

**Moved by Eric MacDonald**  
**Seconded by Peter Armstrong**

**"That Diocesan Council:**

- I. Establish a Task Group to enable the widespread use of the values clarification workshop developed by the Human Sexuality Task Group, and to develop other workshops or educational events or materials to encourage further study of sexuality issues throughout the diocese;**
- II. Establish a Task Group, composed of the many shades of opinion in the diocese, to conduct a public dialogue on theological questions raised by issues of sexuality;**
- III. Establish a Task Group composed of gay and lesbian and gay-and-lesbian positive Anglicans to help introduce the diocesan family to gay and lesbian people and their pastoral needs and concerns as members of the church;**
- IV. Establish a Task Group to study issues of marriage and related issues (such as "living together"), and the role of sexuality in singleness; and that recommendation (I) be implemented by Diocesan Council at its next meeting, and that recommendations (II)-(IV) be referred to the Diocesan Council for implementation in the 2002 Budget Year, and that each task group be asked to report to the next meeting of Diocesan Synod." Carried**

**Motion #7 - Anglican Church Act**

Moved by Carolyn Chenhall  
Seconded by Flo Hare

"That Archbishop Peters or some person designated by him request a member of the Nova Scotia Legislature to introduce into the Nova Scotia Legislature a Bill that would  
(a) amend Section 4(1) of the Anglican Church Act of Nova Scotia, Chapter 130, Acts of 1967, by removing from that Act those words shown as crossed out on the attached sheet, and by adding a new section 4(1)(A) to that Act those words shown underlined on the attached sheet, or

(b) make amendments to that Act that would have the same legal effect.

4(1) The Synod, ~~consisting of the Bishops, the Clergy and the representatives of the laity of the Anglican Church of Canada in this Province~~, having been constituted a body politic and corporate by the name of "The Diocesan Synod of Nova Scotia" is hereby continued on and from the fourteenth day of May, 1999, as a body corporate and politic under the name "Diocesan Synod of Nova Scotia and Prince Edward Island" and by that name may take, receive, purchase, acquire a gift or otherwise, and hold real and personal estate, and may let, sell, mortgage, convey or otherwise dispose of and manage the same, or any part thereof and may adopt a constitution and under said constitution enact, amend and repeal Canons, bylaws and regulations for the government of the affairs of said Church in the Diocese of Nova Scotia and Prince Edward Island and for the enforcement of discipline in said Church.

4(1)(A) The Synod consists of

- (a) the Bishop; and
- (b) such representatives of
  - (i) the Clergy, and
  - (ii) the laity.

of the Anglican Church as are determined by the constitution of Synod.

And be it further resolved that if it is, in the opinion of legal counsel for the Diocese, necessary to make the same amendment to the Anglican Church of Prince Edward Island, that the Bishop, or some person designated by him request a member of the Legislature of the Province of Prince Edward Island to introduce a Bill in the Prince Edward Island Legislature making such an amendment." Carried.

**Motion #8 - Amendment, Canon 38, Parochial Property**

Moved by David Reid

Seconded by Frank Likely

"That Canon 38, Section 9, Parochial Property, be amended by striking out those words crossed out below and by substituting those words underlined.

~~9(1) the Parochial Corporation shall keep the buildings insured in an amount not less than the replacement cost pursuant to the Diocesan Insurance Program or by a policy of insurance which provides the same coverage which the corporation would have had if the corporation had obtained insurance coverage by selecting a form of coverage provided pursuant to the Diocesan insurance Program and in default of the corporation doing so, the incumbent shall effect such insurance and make the charge against the parish.~~

~~(2) All insurance shall be written in the name of owner of the building with loss payable to the owner of the building together with any mortgagee who may require that, as a condition of making a loan secured by a mortgage on the building, the policy show loss payable to that mortgagee.~~

~~(3) Notwithstanding sub section (1), the parochial corporation may provide insurance for a smaller building or only for demolition and site clearance, provided it does so with the written consent of the Bishop~~

9. All parishes shall insure their property and liability risks pursuant to a Diocesan Insurance Program approved by the Administration and Finance Committee, and as amended from time to time or as deemed advisable and necessary by the Administration and Finance Committee."  
Carried

Mr. Jarvis de Condé, Diocesan Insurance Advisor, spoke to the motion.

**Motion #9 - Presentation on becoming a Jubilee Diocese**

Moved by Susan Moxley

Seconded by David Olding

"This Synod endorses and ratifies the decision of the Diocesan Council to declare the Diocese of Nova Scotia and Prince Edward Island to be a Jubilee Community, and commends to all

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parishes a program of study and action to implement the goals and objectives of being a Jubilee Community." Carried

**Motion #10 - Weekend Synods**

Moved by Randy Townsend  
Seconded by Carl Fraser

"This Diocesan Synod advises the Bishop in consultation with the Diocesan Council to schedule future regular meetings of Synod on Friday, Saturday and Sunday." Defeated.

**Motion #11 - Regular Meetings of Synod as Business Synods**

Moved by Carl Fraser  
Seconded by Randy Townsend

"That this Diocesan Synod advises the Bishop in consultation with the Diocesan Council to arrange regular meetings of Synod as Business Synods, unless the Bishop directs otherwise, and that program and information meetings be conducted under some arrangement other than a Synod convened under the Constitution of the Diocese." Defeated.

Synod was adjourned until 7:00 p.m. when there will be the Program, "Symposium on Rural and Town Ministry", followed by the Service of Light led by the Youth of Synod.

**Saturday, May 26, 2001**

**Holy Eucharist and Meditation**

**Announcements:**

There will be a memorial Service for the Rev. Jacques Smith who died earlier this week.

Archbishop Peters shared his reflections on the symposium on Rural and Town Ministry.

The Rev. Randy Townsend spoke about the evaluation forms and stressed their importance in planning for the next Synod. Collection boxes for the forms were provided.

Mrs. Carolyn Chenhall, on behalf of the Strategy Planning Committee, asked that all delegates fill out and return the tri-fold questionnaire, "30 Minutes of Your Time = 10 Year Vision", that was provided in each package at registration.

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**Synod Business/Motions**

**Motion #12 - General Synod - Licensing (Canon XVII)**

Moved by Rod Gillis

Seconded by. Ron Appleton

"This Diocesan Synod of Nova Scotia and Prince Edward Island requests the Council of General Synod and General Synod of the Anglican Church of Canada to review Canon XVII and propose revisions with a view to:

- a) Specifying parameters for use of the power to revoke a license or allow it to lapse;
- b) Adding a process of appeal and other provisions of natural justice;
- c) Defining guidelines for fair severance." Carried

**Motion #13 - Licensing Canon. Tabled.**

Mover of. Ron Appleton

Seconded by Rod Gillis

"That this Diocesan Synod of Nova Scotia and Prince Edward Island directs the Committee on Constitutions and Canons to prepare a detailed opinion for circulation to the Diocesan Council, parishes, and clergy of the diocese, outlining the following:

- a) The constitutional relationship which exists between the Diocese of Nova Scotia and Prince Edward Island and the General Synod of The Anglican Church of Canada, and between the Diocese of Nova Scotia and Prince Edward Island and the Synod of the Ecclesiastical Province of Canada in the area of Canon law.
- b) The potential implications for the Diocese, its parishes, and those holding the license of the Diocesan Bishop, should the Canons on Discipline and Licensing become the subject of civil litigation in either the Province of Nova Scotia or the Province of Prince Edward Island."

Discussion indicated concerns with the wording of this motion. The Chancellor was asked to address these concerns as well as giving some direction. A re-worded motion will be considered by this Synod at a later time.

Moved by Rod Gillis

Seconded by Tim Appleton

"That this motion be tabled and brought back to the floor of this Synod after some of the concerns have been addressed." Carried

**Motion #14 - Canon 37.23**

Moved by Valeria Rhymes  
Seconded by Elizabeth Ferguson

"That this Synod authorizes the Diocesan Council to establish a task group to:

- (1) consider the limitations imposed by Canon 37.23;
- (2) survey the problem Canon 37.23 causes parishes in their financial stewardship by dialoguing with the parishes and their organizations;
- (3) consider alternative forms of fund-raising that would be acceptable in our changing ethos;
- (4) consider, instead of proscribing particular activities, the description of standards consistent with our theology; and,
- (5) report back at the next regular meeting of Synod." Carried

**Motion #15 - Compensation for Travel**

Moved by Tony Bidwell  
Seconded by Mary Monk

"That compensation for the use of privately owned motor vehicles by Diocesan committee Members for travel to and from committee meetings be 20 cents per km." Carried

**Response to the Bishop's Charge**

The Rev. Marian Burns said she was delighted to provide the response to the Bishop's Charge read at the Synod Service Thursday Evening. The Bishop's Charge is attached to these minutes as Appendix IV.

**Saturday, May 26, 2001  
Afternoon Session**

The regular session of Synod re-convened at 1:15 p.m.

As the Archbishop called the session to order he paid honor to The Rev. Canon Russell Elliott and The Rev. Canon Carl Tufts. Both men have been ordained for 60 years and have given much to the life of the church. Archbishop Peters took the opportunity to present them with certificates and they received a standing ovation from the Synod.

### **Motion #16 - Restorative Justice and Half-way Houses (Revised)**

**Moved by David Olding**

**Seconded by Gary Thorne**

**"That this Synod re-commits itself to the principles of restorative justice and recognizes these principles to be operative in half-way houses which serve as effective means of assimilating offenders back into mainstream society. Therefore this Synod encourages Correction Services of Canada to establish new half-way houses wherever the need exists, and in particular this Synod supports the efforts to provide permanent half-way houses to replace the temporary and inadequate half-way houses now in existence in HRM." Carried**

### **Referral of Notion of Motion #17 - Episcopal Guidelines**

Archdeacon Rod Gillis offered clarification of this motion and it was agreed by the mover and the Rev. Tim Appleton, seconder, and members of Synod, that this motion be referred to the Diocesan Council.

**"This Diocesan Synod requests the Diocesan Bishop to issue Episcopal guidelines outlining the moral standards and professional conduct required in the area of human sexuality by all those holding the license of the Bishop. The Bishop is asked to include the Committee on Constitution and Canons, The Human Resources Advisory Sub-Committee, The Bishop's (Advisory) Council, and The Regional Deans in any consultative process used in the development of such guidelines. Such guidelines shall:**

- 1. be consistent with the Discipline Canon(s) and the Licensing Canon**
- 2. articulate any requirements for the professional or vocational screening of those holding the license of the Bishop**
- 3. take pre-emptive priority over any sexual misconduct policies that may be implemented in the diocese from time to time."**

**Motion to refer to Diocesan Council was carried.**

**Motion #13 - Licensing Canon. Revised.**

Moved by Rod Gillis  
Seconded by Ron Appleton

"That this Synod put back on the table Motion #13." Carried

Revised motion #13 was lifted from the table:

"This Diocesan Synod of Nova Scotia and Prince Edward Island directs the Committee on Constitutions and Canons to prepare a detailed opinion for circulation to the Diocesan Council, parishes, and clergy of the diocese, outlining the following:

a) The constitutional relationship which exists between the Diocese of Nova Scotia and Prince Edward Island and the General Synod of The Anglican Church of Canada, and between the Diocese of Nova Scotia and Prince Edward Island and the Synod of the Ecclesiastical Province of Canada in the area of Canon law.

b) The potential implications for the Diocese, its parishes, and those holding the license of the Diocesan Bishop, should the Canons on Discipline and Licensing become the subject of civil litigation in either The Province of Nova Scotia or the Province of Prince Edward Island." Carried.

**Election Results:**

The Executive Secretary was asked to present the election results as are posted.

**ELECTIONS RESULTS OF THE 132ND SESSION OF SYNOD**

**Provincial Synod (Clergy) 4**

- The Rev. Katherine Bourbonniere
- The Rev. Dianne Parker
- The Rev. Trevor Lightfoot
- The Rev. Heather Hamlin- Gravells

**Provincial Synod (Lay) 4**

- Mr. Wayne Hamlin
- Mr. Boyce Rice
- Ms. Katie Woodside
- Ms. Sarah Townsend

**Youth**

Mr. Arron Thorpe

**Diocesan Council (Clergy) 3**

- The Rev. Fred Rhymes
- The Rev. Dianne Parker
- The Rev. Jane Clattenburg

**Diocesan Council (Lay) 6**

- Mrs. Flo Hare - North Sydney
- Mrs. Judy Carpenter - Bible Hill
- Mr. Frank Young - Coxheath
- Mr. Allan Turner - Christ Church, Dartmouth
- Ms. Elaine Laurie - St Francis by the Lakes
- Ms. Dianne Falkenham - Mahone Bay

**Diocesan Council (Youth) 1**

- Mr. Tony Smith - Eastern Passage

**Appointments Committee (2)**

- The Rev. Jane Clattenburg - Digby/Weymouth
- Mr. Gordon Jeffrey - Truro

**King's College University (1)**

- The Rev. Peter Armstrong

**Nominations (7)**

- Mr. Joel Archibald - Bridgewater
- Ms. Ruth Blakeny - Musquodoboit
- Mr. William Witherall - North Sydney
- Ms. Penny Lockhart - Cornwallis
- Ms. Rose Nicholson - Springhill
- Mr. Boyce Rice - All Saints Cathedral
- Ms. Peggy Williams - St. Peter's Cathedral, Charlottetown

**Next Diocesan Council Meeting**

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Diocesan Council will meet on June 14<sup>th</sup>, 2001.

### **Official Observers' Closing Remarks**

Mr. Jim Feltham spoke on behalf of the Official Observers on their view of Synod.

Archbishop Peters thanked Mr. Feltham and the other ecumenical observers for attending Synod.

### **Procedural Closing Motions:**

### **Ratification Of Election Of Provincial Synod Delegates**

Moved by John Smith

Seconded by Joel Archibald

"That the clergy and youth delegates present at this session of Synod confirm the election of lay delegates to Provincial Synod.

That the lay and youth delegates present at this session of Synod confirm the election of clergy delegates to Provincial Synod.

That clergy and lay delegates to this session of Synod confirm the election of the youth delegate to Provincial Synod." Carried

### **Provincial Synod Delegates**

Moved by John Smith

Seconded by Boyce Rice

"That in accordance with the provisions of Canon 8, Provincial Synod, the persons elected at this 132nd Session of Diocesan Synod of Nova Scotia and Prince Edward Island as delegates to the next Session of Provincial Synod of 'Canada' be our delegates to the next Session of Provincial Synod, notwithstanding the possibility that there may be another regular session of Diocesan Synod prior to the next Session of the Provincial Synod of 'Canada'." Carried

### **Motion For Adoption of Synod Reports**

Moved by John Smith

Seconded by Denis Shaw

"That this Synod adopts the various reports of the Diocesan Committees as printed in the Convening Circular." Carried

### Report of the Appointments Committee- Motion of Ratification

Names printed in bold type are those persons whose appointments must be ratified by this Synod.

#### Administration and Finance

#### Term

The Rev'd Duanne Tanswell (Chair)	St. Philip's, Halifax	2
Mr. Reginald Beaver	St. Alban's, Dartmouth	2
Mr. Alvin Boutilier	Tangier	2
The Rev'd Marilyn Newport	Chaplain, I.W.K. -Grace	2
<b>Mr. Harry Churchill</b>	St. Peter's, Birch Cove	4
<b>The Rev. Trevor Lightfoot</b>	Clements/Rosette	4
<b>The Rev. Stephen Petrie</b>	Holy Spirit, Dartmouth	4
<b>Ms. Lynn Travers</b>	St. Paul's, Charlottetown	4

#### Ministry

The Rev. Mary Wilkie (Chair)	Emmanuel, Spryfield	4
The Rev. Stephen Ashton	New London	2
The Rev. Mark Kingsbury	St. Francis by the Lakes	2
Ms. Marjorie Petite	St. Mary's, Glace Bay	2
<b>Mr. Bill Bishop</b>	Musquodoboit	4
<b>The Rev. Cathy Lee Cunningham</b>	Christ Church, Dartmouth	2
<b>Mr. Jay MacDonald</b>	St. Paul's, Charlottetown	4
<b>Ms. Cynthia Pilichos</b>	All Saints' Cathedral	4

#### National and World Mission

The Rev. Katherine Bourbonniere (Chair)	Antigonish/Bayfield/Country Harbour	4
Mr. Bert Chestnut	Emmanuel, Spryfield	2
Ms. Ethel Cluett	Sydney Mines	4
Ms. Marjorie Davis	St. Luke's, Dartmouth	2
The Rev. Paul Findlay	Port Morien/Louisbourg	2
Ms. Penny Lockhart	St. John's, Port Williams	2
<b>The Rev. Barry Connor</b>	Emmanuel Church, Dartmouth	4
<b>Mr. Charles Williams</b>	St. Peter's, Charlottetown	4

#### Program Planning

Mr. Bernard Hart (Chair)	Holy Spirit, Dartmouth	2
Ms. Elaine Young	Coxheath	4

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<b><u>The Rev. Ron Appleton</u></b>	Falkland/Jollimore/Purcell's Cove	4
<b><u>Mr. David Hazen</u></b>	St. Paul's, Halifax	2
<b><u>The Rev. Gloria McClure Fraser</u></b>	New Germany	4

### Services to Parishes and Regions

The Rev. Carolyn Tomlin (Chair)	St. Luke's, Dartmouth	2
The Rev. Thomas Kerr	Tangier	4
Ms. Anne Stott	Blandford	4
Ms. Joanne Turner	Baddeck	4
<b><u>The Rev. William Harrington</u></b>	Maitland	2
<b><u>Mr. Kenneth M. Isles</u></b>	Beaverbank/Lakelands	2
<b><u>Ms. Patricia Wilson</u></b>	Port Dufferin	4
<b><u>The Rev. Ian Wissler</u></b>	All Saints by the Sea, Canso	2

### Strategy Planning

Mr. Paul Kent (Chair)	St. Andrew's.Cole Harbour	2
Mr. Joel Archibald	Bridgewater/Conquerall	4
Archdeacon E.J.E. Morgan	St. Paul's, Charlottetown	2
<b><u>Mr. David R. Coates</u></b>	Annapolis/Granville	4
<b><u>Ms. Arlene Mullan</u></b>	Coxheath	4

### Diocesan Times Management Board

Ms. Monica Graham (Chair)	St. James', Pictou
Ms. Margaret Barnard	All Saints Cathedral, Halifax
Mr. Edward Rattee	Holy Trinity, Yarmouth
The Rev. John Newton	St. Paul's, Halifax
<b><u>The Rev. Arthur Nash</u></b>	Hammond's Plains
<b><u>Ms. Lisa Vaughn</u></b>	St. John's, Fairview

### Archives

The Rev. Richard Walsh (Chair)	Hackett's Cove
Ms. Rosemary Barbour	PANS, Halifax
Mr. Lewis G. Billard	Christ Church, Dartmouth
Dr. Frank Jelkes	St. Paul's, Charlottetown
The Rev. Glen Kent	Christ Church, Sydney
The Rev. Thomas A.M. Kerr	Tangier
The Very Rev. Austin Munroe	St. Francis by the Lakes
Julie Morris	PANS, Halifax

**Moved by Gerald Nelson**  
**Seconded by Marjorie Keddy**

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**"That the report of the Appointments Committee be ratified as listed above." Carried**

### **Appointments by the Archbishop to the Appointments Committee**

**Moved by John C. Smith**

**Seconded by Wayne Hamlin**

**"That this Synod ratifies the appointments of the persons listed below to the Appointments Committee:**

**Ms. Carolyn Chenhall, Chair**

**The Rev. Glen Kent**

**Ms. Marjorie Keddy**

**Ms. Cathy Clarke**

**The Rev. Arthur Nash. " Carried**

### **Request of Youth Delegates**

Youth delegates asked that the minutes note their appreciation and thanks for the way they were welcomed and incorporated into the deliberations of Synod.

### **Diocesan Lay Readers Association**

Mr. Boyce Rice, President of the Lay Readers' Association, reminded the clergy and lay readers of the Annual Meeting that is taking place in North Sydney June 8 and 9<sup>th</sup>, 2001. and of the Annual Fall Conference that is taking place in Antigonish, November 2-4, 2001, at which The Rev. Dianne Parker will be the main speaker.

### **Thanks from the Archbishop**

The Archbishop took a final opportunity to thank all those who participated in this synod

He extended his thanks to Bishop Fred Hiltz for his participation and his part in the deliberations during the Synod; Mr. Carl Holm, Chancellor and Mr. Anthony Chapman for their guidance with the legal matters that needed to be addressed; The Rev. John Smith for his tireless efforts of planning and guiding the deliberations; Mr. Joel Archibald and Janice Roby, for their work as secretaries; The Rev. Randy Townsend for arrangements; Sarah Townsend, for her music and ministry; Mr. Carl Fraser for his expertise in the projection of our motions; the readers and participants at the services both at St. Mary's and the Cathedral; The Rev. Dr. Jody Clarke for his morning meditations; the Cathedral Staff and Organist; the leaders of the orientation program; the symposium leaders; the Rev. Dianne Parker and all those who participated in the prayer vigil during the whole of Synod; the Ecumenical observers who came early and stayed and shared their insight

as representatives of the wider Christian Family; the "purple shirted" helpers and all those who attended this 132nd Session of Synod.

The Archbishop closed with prayer and the 132nd Session of the Diocesan Synod of Nova Scotia and Prince Edward Island was officially declared closed.

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**Appendix I**

**CANON 35  
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**CANON 35**

**PARISH GOVERNMENT  
BASIS OF CANON AND PURPOSE OF A PARISH**

- 1 This Canon is based on the concept of shared ministry with special emphasis on the role of the parish council.
- 2 The purpose of a parish is to live the plurality of the Christian identity within the Anglican Communion.

**INTERPRETATION**

- 3 (1) In this Canon,
  - (a) "Anglican Church Act of Nova Scotia" means Chapter 130 of the Statutes of Nova Scotia for 1967, the *Anglican Church Act*, or any Act of the Nova Scotia Legislature that replaces it;
  - (b) "Anglican Church Act of Prince Edward Island" means Chapter 53 of the Acts of the General Assembly of Prince Edward Island for 1972, the *Anglican Church Act* or any Act of the House of Assembly of Prince Edward Island that replaces it;
  - (c) "Bishop" means the Bishop of the Diocese;
  - (d) "church" means
    - (i) a congregation that has a place in which to worship or meet, or
    - (ii) where more than one divine service is held in the place on Sundays, all the congregations for which the divine services are held,recognized by a parish as a church included in the parish;
  - (e) "communicant" means a baptized Christian who regularly receives Holy Communion as a worshipping member of a congregation;
  - (f) "congregation" means a group of people organized to minister, worship and learn from God's Holy Word, with or without a place in which to worship or meet;
  - (g) "Diocese" means the Diocese of Nova Scotia and Prince Edward Island;
  - (h) "parishioner" is any member of a congregation as defined in 3(f);

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- (i) a voting parishioner is any parishioner as described in 18 (1);
  - (j) "parish" means
    - (i) a congregation, or
    - (ii) 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 that purpose, but does not include the congregations worshipping at the Cathedral Church of All Saints, Halifax.
- (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, 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, 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) a parish corporation shall be read as a reference to a parochial corporation; and
  - (b) a parish corporation as consisting of the rector, wardens and other members of a parish council shall be read as a reference to the parish corporation consisting of the 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, wardens and vestry of a parish to the 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) a parish corporation shall be read as a reference to a parochial corporation; and
  - (b) a parish corporation as consisting of the rector, wardens and
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other members of a parish council shall be read as a reference to the parish corporation as consisting of the 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, wardens and vestry or vestrymen of a parish to the rector, wardens and other members of the parish council of the parish.

- (5) For greater certainty, a reference in this Canon to a church or a congregation that forms a part of a parish includes a single congregation or church that, in itself, constitutes that parish.

#### PARISHES AND CONGREGATIONS AS FUNCTIONING PARTS OF REGIONS

- 4 Every parish and every congregation that forms a part of the parish shall be a functioning part of the region in which the parish exists.

#### PARISH CORPORATIONS

- 5 (1) There is, by reason of the Anglican Church Act of Nova Scotia and the Anglican Church Act of Prince Edward Island, a parish corporation for each parish.
- (2) Each-parish corporation is a separate legal entity and may
- (a) sue and be sued;
  - (b) have a common seal;
  - (c) receive grants of real and personal property for the use of the church and all parish purposes;
  - (d) improve such real property and receive rents thereof for the like use;
  - (e) with the approval of the Bishop in writing, sell, convey, lease and mortgage such real and personal property;
  - (f) when the appropriate amendments have been made to the Acts, sell, convey, lease and mortgage personal property;
  - (g) make by-laws and regulations for the management of the temporalities of the corporation and the due orderly conducting of its affairs.
- (3) The parish corporation of a parish consists of the rector, wardens and the other members of the parish council of the parish.

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- (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, 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

- 6 (1) There shall be a parish council for every parish.
- (2) A parish council is the governing body that orders the life of the congregation or congregations forming the parish for which the parish council is established.
- 7 Every parish council shall
- (a) exercise general oversight over the life, worship and governance of the parish for which it is established, including responsibility for all guilds, societies and organizations of the parish;
  - (b) regularly evaluate the overall life of the parish and recommend ideas for effective ministries;
  - (c) carry out such duties as are imposed on it by law, including the Constitution and Canons of the Diocese and the by-laws of the parish.
- 8 (1) A parish council consists of
- (a) the 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) no less than two and no more than three wardens elected by an annual meeting of the parish;
  - (d) the secretary of the parish council elected by an annual meeting of the parish or appointed by the other members of the parish council;
  - (e) the treasurer of the parish, elected by an annual meeting of the parish;
  - (f) subject to subsection (3), not less than three and no more than twelve of the parishioners who constitute the parish elected by an annual meeting of the parish;

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- (g) one or more parish organization representatives, not exceeding the number of members elected pursuant to clause (f);
  - (h) each person who is, pursuant to the Constitution of the Diocese, elected as a lay representative or youth delegate from the parish to the Synod of the Diocese.
- (2) A person who is in receipt of a salary for carrying out duties or performing services for a parish may not vote on any question that is before the parish council established for that parish or the church council established for a church that forms part of the parish where the question relates to the salary, remuneration or any term of employment of that person, unless that person is permitted to do so by a resolution passed by the council that has the question before it.
- (3) Where a parish consists of two or more congregations, those so elected shall include at least one member of each congregation.
- (4) Each warden holds office for a term commencing at the close of the annual meeting at which the warden was elected and ending at the close of an annual meeting that is no later than the third annual meeting after the meeting at which the warden was elected.
- (5) Wardens shall be elected for terms that are staggered in such a manner that their terms of office do not all end at the same time.
- (6) Where at any annual meeting a resolution is passed that increases or decreases the number of wardens for the parish,
- (a) the term of office of each warden ends at the close of the meeting;
  - (b) the meeting shall elect that number of wardens that is set out in the resolution for terms that are staggered in such a manner that their terms of office do not all end at the same time.
- (7) For greater certainty, nothing in subsection (6) authorizes the number of wardens to be less than two nor more than three.
- (8) A person may be re-elected as a warden, except that no person may, without the consent of the Bishop, hold office as a warden for a continuous period of more than nine years.
- (9) Each person elected pursuant to clause (1)(f) holds office for a term commencing at the close of the annual meeting at which that person was elected and ending at the close of an annual meeting that is not later than the third annual meeting held after the annual meeting at which that person was elected.
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- (10) Persons shall be elected pursuant to clause 1(f) for terms of office that are staggered in such a manner that the terms of office of more than half of them do not end at the same time.
- (11) Where at any annual meeting a resolution is passed that increases or decreases the number of persons who may be elected pursuant to clause (1)(f)
- (a) the term of office each person who is a member of the parish council by reason of being elected pursuant to clause (1)(f) ends at the close of the meeting at which the resolution is passed;
  - (b) the meeting shall elect that number of persons as set out in the resolution for terms of office that are staggered in such manner that the terms of office of more than half of them do not end at the same time.
- (12) For greater certainty, nothing in subsection (11) authorizes the number of persons elected pursuant to clause (1)(e) to be less than three nor more than twelve.
- (13) A meeting of a parish shall, when electing members of a parish council pursuant to clause (1)(f), attempt to ensure that the members elected reflect, as far as is possible, the demographic distribution of the parish, including gender, age, ethnic groups and population.
- (14) A person may be re-elected pursuant to clause (1)(f), where, on an average Sunday, the congregation is less 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.
- 9 (1) Where a parish consists of more than one church, the parish council shall annually
- (a) prepare a consolidated budget for the parish that is binding on each church in the parish;
  - (b) estimate the operating expenses for the ensuing year; and
  - (c) in accordance with subsection (2), determine the amount that each church shall pay to the parish during the year as its share of the operating expenses of the parish.
- (2) The amount that each church shall pay during any year as its share of the operating expenses is that proportion of the operating expenses for that year that the total of all the income of the church for the year bears to the total of all the income for that year of all the churches that constitute the parish.

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- (3) The parish council may, before the actual amount of the operating expenses and church incomes are known, estimate the amount of the expenses and the incomes, and the church shall pay to the parish an amount equal to that proportion of the estimated operating expenses that the estimated income of the church bears to the estimated income of all the churches that constitute the parish, and, when the actual operating expenses and incomes are known, it appears that there has been an overpayment or underpayment, the difference shall be paid by the parish to the church or the church to the parish as the case may be.
  - (4) The share of operating expenses that a church is liable to pay is payable from the assets of the church.
- 10**
- (1) Parish council may fill a vacancy in its elected membership, including a vacancy that occurs as a result of an annual meeting failing to elect all the members to the council that the meeting was entitled to elect.
  - (2) The filling of a vacancy in the membership of a parish council pursuant to subsection (1) must be ratified at either the first annual meeting of the parish for which the parish council was established that is held after the vacancy is filled or at a special meeting of the parish that is held after the vacancy is filled.
  - (3) A parish council may, by resolution, request any member elected to the council who fails to perform the duties of a member of the council, to resign from the council.
  - (4) A person may resign from a parish council by submitting that person's resignation to the council in writing, except that where a person wishes to resign because of a grievance, that person may only do so by submitting that member's resignation to the Bishop in writing and to the council and, in such case, the resignation is not effective unless and until the Bishop communicates the Bishop's acceptance in writing to that person and to the council.
  - (5) Where a person who is a member of a parish council ceases to be qualified to be elected to the parish council, that person is deemed to have resigned as a member of the parish council except that the parish council may, by a resolution supported by at least two thirds of its members, extend that person's membership on the parish council as long as the extension does not go beyond the date of the next annual meeting of the parish.

## CHURCH COUNCILS

- 11** (1) A church may establish a council for the church, to be known as a church council.
- (2) A church council is the ordering body of the church for which the council is established.

- (3) Where a church council is not established for a church, or has been dissolved, the care and business of the church shall be carried out by
- (a) the parish council for the parish of which the church forms a part and the officers of that parish council; or
  - (b) one or more wardens and a treasurer elected by and responsible to an annual meeting of the church.

**12** A church council shall

- (a) regularly evaluate the overall life of the church for which it is established and recommend and implement effective ministries; and
- (b) carry out such duties as are imposed on it by law, including the Constitution and Canons of the Diocese and any by-law that applies to it.

**13** (1) A church council shall consist of

- (a) the rector or incumbent of the parish of which the church for which the council was established is a part;
  - (b) each member of the clergy canonically appointed by the Bishop to serve the parish;
  - (c) up to three wardens elected by an annual meeting of the church;
  - (d) the Treasurer of the church elected or appointed by an annual meeting of the church;
  - (e) a Secretary elected or appointed by an annual meeting of the church;
  - (f) no less than three and no more than twelve of the parishioners that constitute the church, elected at an annual meeting of the church;
  - (g) each member of the church who is, by reason of being a lay representative to Synod, a member of the parish council established for the parish of which the church forms a part.
- (2) The same person may hold the offices of both Secretary and Treasurer.
- (3) Each warden holds office for a term commencing at the close of the annual meeting at which the warden was elected and ending at the close of an annual meeting that is no later than the third annual meeting held after the annual meeting at which the warden was elected.

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- (4) Wardens shall be elected for terms of office that are staggered in such a manner that their terms of office do not all end at the same time.
  - (5) Where at any annual meeting a resolution is passed that increases or decreases the number of wardens for a church
    - (a) the term of office of each warden ends at the close of the meeting at which the resolution is passed; and
    - (b) the meeting shall elect that number of wardens that is set out in the resolution for terms of office that are staggered in such a manner that their terms of office do not all end at the same time.
  - (6) Each person elected pursuant to clause (1)(f) holds office for a term commencing at the close of the annual meeting at which that person was elected and ending no later than the close of an annual meeting that is no later than the third annual meeting that is held after the annual meeting at which the person was elected.
  - (7) Persons shall be elected pursuant to subsection (5) for terms of office that are staggered in such a manner that the terms of office of more than half of them do not end at the same time.
  - (8) Where at any annual meeting a resolution is passed that increases or decreases the number of persons elected pursuant to clause (1)(f)
    - (a) the term of office of each person who is a member of the church council by reason of being elected pursuant to clause (1)(f) ends at the close of the meeting at which the resolution was passed;
    - (b) the meeting shall elect that number of persons as set out in the resolution for terms of office that are staggered in such a manner that the terms of office of more than half of them do not end at the same time;
    - (c) subsection (5) applies to that election as if it were the first election pursuant to clause (1)(f) after this Canon comes into force.
  - (9) For greater certainty, nothing in subsection (8) authorizes the number of persons elected pursuant to clause (1)(f) to be less than three nor more than twelve.
  - (10) An annual meeting of a church shall, when electing members of the church council, attempt to ensure that the members elected reflect, as far as is possible, the demographic distribution of the church, including gender, age, ethnic groups and population.
  - (11) A church council may fill a vacancy in its elected membership.
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- (12) The filling of a vacancy in the membership of a church council must be ratified at either the first annual meeting of the church for which the church council was established that is held after the vacancy is filled or at a special meeting of the church that is held before the first annual meeting of the church held after the vacancy is filled.
  - (13) A church council may, by resolution, request any member elected to the council who fails to perform the duties of a member of the council, to resign from the council.
  - (14) A person may resign from a church council by submitting that person's resignation to the council in writing, except that where a person wishes to resign because of a grievance, that person may only do so by submitting that member's resignation to the Bishop in writing and to the council and, in such case, the resignation is not effective unless and until the Bishop communicates the Bishop's acceptance in writing to that person and to the council.
  - (15) Where a person who is a member of a church council ceases to be qualified to be elected to the church council, that person is deemed to have resigned as a member of the church council; except that the church council may, by a resolution supported by at least two thirds of its members, extend that person's membership on the council as long as the extension does not go beyond the date of the next annual meeting of the parish.
  - (16) A member of a church council may be re-elected, except that no person may, without the consent of the Bishop, hold office as a warden of a church for a continuous period of more than nine years.
  - (17) A church may, by a resolution passed at an annual or special meeting of the church, dissolve its church council.

## WARDENS

- 14 (1) The wardens of a parish are the principal lay officers of that parish.
- (2) The wardens of a parish shall provide leadership in
  - (a) encouraging mutual responsibility in fulfilling the total ministry to the community;
  - (b) discussing the concerns of the community with the 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 or while the rector is absent;

- (d) when necessary, discussing with the rector and communicating to the Bishop the concerns of the wardens regarding the ministry of lay or ordained leaders;
  - (e) ensuring that all necessary reports and financial returns are made on time to the Diocesan Synod office;
  - (f) ensuring that the Canons of the Diocese, to the extent they apply to the parish and each church that forms a part of the parish, are observed;
  - (g) ensuring that complete and accurate reports of the actions of the parish council and of the council of each church that forms a part of the parish and of the finances of the parish and each church are made to regular meetings of the parish and the church;
  - (h) ensuring that all records of the parish are kept in a timely, thorough and accurate manner;
  - (i) ensuring that all necessary reports and financial returns are made on time to the Diocesan Synod office.
- (3) Within three weeks after an annual meeting of the members of a parish
- (a) the wardens of the parish for the previous year shall forward the completed parish return forms received from the Diocesan Office to the Diocesan Office; and
  - (b) each outgoing warden of the parish shall transfer to the remaining or newly elected wardens of the parish all books, documents, money, keys and other property of the parish which are in the hands of the outgoing warden.
- (4) The wardens of a church are the principal lay officers of the church.
- (5) The wardens of a church shall perform those duties referred to in subsections (2) and (3) to the extent that those duties apply to the church.

## SECRETARY

- 15 (1) The Secretary of a parish council shall, under the general direction of the council
- (a) ensure that accurate minutes of meetings of the council are taken, recorded and preserved and that copies of the minutes are made available to the members of the council; and
  - (b) issue correspondence on behalf of the council when directed to do so by the council.

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- (2) The Secretary of a church council shall, under the general direction of the council
    - (a) ensure that accurate minutes of meetings of the council are taken, recorded and preserved and that copies of the minutes are made available to the members of the council; and
    - (b) issue correspondence on behalf of the council when directed to do so by the council.
  - (3) An officer to whom subsection (1) or (2) applies may be known by a title other than Secretary if the body under whose general direction the officer performs the functions referred to in subsection (1) or (2) agrees to the use of the other title.

### TREASURER

- 16 (1) The Treasurer of a parish shall, under the general direction of the parish council established for that parish and in accordance with the Constitution and Canons of the Diocese
  - (a) keep accurate records of all financial transactions of the parish;
  - (b) provide monthly statements of the income and expenses of the parish to the parish and the parish council;
  - (c) provide, according to the Diocesan schedule, statistics of the parish and report them to each annual meeting of the members of the parish;
  - (d) make all necessary banking arrangements;
  - (e) arrange for payment of all salaries and accounts as approved by the parish council;
  - (f) manage all investments of the parish;
  - (g) ensure that all monies received by each church forming part of the parish is counted, and take custody of the money where there is no treasurer of the church;
  - (h) ensure that all monies received for the parish are immediately deposited in a chartered bank, credit union or trust company selected by the parish council to the credit of the parish in one or more accounts as may be determined by the parish council;
  - (i) if necessary, make provision for a qualified person to perform accounting duties in accordance with established procedures.

- (2) The Treasurer of a church shall, under the general direction of the council, or where there is no council for the church, under the general direction of the parish council of the parish of which the church is a part perform those duties referred to in subsection (1) to the extent that they apply to the church and where monies are received for the church, shall ensure that the monies are immediately deposited in a chartered bank, credit union or trust company selected by the church council to the credit of the church in one or more accounts as may be determined by the church council.
- (3) Monies deposited to the credit of a parish or a church shall be drawn upon by cheque signed for the parish or the church, as the case may be, by any two of the treasurer, secretary and wardens of the parish or the church.

## MEETINGS

- 17 (1) An annual meeting of a parish shall be held in each calendar year no later than the third week of February of that year, at a date determined by the parish council established for the parish.
- (2) An annual meeting of a church shall be held in each calendar year no later than the third week of February of that year, at a date determined by the church council established for the church except that the meeting shall not be held on the same date as the annual meeting of the parish of which the church forms a part.
- (3) The date, time and place of an annual meeting of a parish or of a church that forms part of the parish shall be announced at all divine services of the parish during a period of time beginning at least fourteen days before that date.
- (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 or the priest in charge of the parish
  - (b) the wardens of the parish where the request is for a meeting of the parish, or of the wardens of the church, where the request is for a special meeting of the church; or
  - (c) at least ten or a majority of the parishioners that constitute the parish, if the request is in writing and given to the secretary of the parish, where a meeting of the parish is requested, or at least ten parishioners that constitute a church, if the request is in writing and given to the secretary of the church, where a meeting of the church is requested.
- (5) The frequency of meetings of a parish council shall be as determined by the council but there shall be no fewer than six meetings during each calendar year.

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- (6) The frequency of meetings of a church council shall be as determined by the council.
- (7) A meeting of a parish council or a church council may be adjourned from time to time until all business is completed.
- 18** (1) At a meeting of a parish, any person who
- (a) has attained the age of sixteen years;
  - (b) is a communicant of a congregation that forms a part of the parish who customarily attends worship services in the parish; and
  - (c) contributes to the support of the parish either financially or by participating in the ministries of the parish,
- may vote on any question before that meeting.
- (2) At a meeting of a church, any person who
- (a) has attained the age of sixteen years;
  - (b) is a communicant of the church who customarily attends worship services in the church; and
  - (c) contributes to the support of the church either financially or by participating in the ministries of the church,
- may vote on any question before that meeting.
- (3) Any person who may vote on any question that is before a meeting of a parish may be elected to the parish council established for the parish or as a warden of the parish or may be elected or appointed Secretary or Treasurer of the parish.
- (4) Any person who may vote on any question that is before a meeting of a church may be elected to a church council established for the church.
- (5) Each person who is a member of the parish council, or a church council may vote on any question before that body.
- (6) At a meeting of a parish, six of the parishioners that constitute the parish for each lay representative to Synod constitute a quorum.
- (7) A quorum at a meeting of a church shall be
- (a) three or more persons who are entitled to vote at the meeting, where, on an average Sunday, a congregation consists of up to fifteen persons;

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- (b) eight or more persons who are entitled to vote at the meeting, where, on an average Sunday, a congregation consists of more than fifteen persons and up to fifty persons;
  - (c) twelve or more persons who are entitled to vote at the meeting, where, on an average Sunday, a congregation consists of more than fifty persons and up to one hundred and fifty persons;
  - (d) twenty-four or more persons who are entitled to vote at the meeting, where, on an average Sunday, a congregation consists of more than one hundred and fifty persons and up to three hundred persons;
  - (e) thirty or more persons who are entitled to vote at the meeting where, on an average Sunday, a congregation consists of more than three hundred persons.
- (8) At a meeting of a parish council, or a church council, a majority of the elected members of the parish council, or church council, as the case may be, constitute a quorum.
- 19 (1) Each annual meeting of a parish shall elect from the clergy of that parish and from the parishioners who constitute the parish a person as chair of the annual meeting and that person is chair of that annual meeting.
- (2) Each annual meeting of a church shall elect from the clergy of the parish of which the church is a part and the parishioners who constitute the church a person as chair of the annual meeting and that person is chair of that annual meeting.
- (3) Notwithstanding subsections (1) and (2), the person who chairs the meetings referred to in those subsections may be determined by the by-laws of the parish.
- 20 (1) At each annual meeting of a parish the agenda shall include the following items in the following order or such other order as the meeting determines:
- (a) an opening prayer;
  - (b) the election of the chair of the meeting;
  - (c) the election of the secretary of the meeting, if necessary;
  - (d) the reading, correction, if any, and approval of the minutes of the previous annual meeting;
  - (e) any unfinished business from the previous annual meeting;
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- (f) business arising from the minutes;
- (g) communications;
- (h) consideration of a written report by the parish corporation of the parish on all its assets and liabilities including money invested by it or on its behalf since the previous annual meeting, such report to include a schedule describing the investments, including the rate of interest on each investment, if any, and the maturity date of each investment, if any;
- (i) the presentation of a list of all insurance policies belonging to the parish corporation and the amount of insurance on all buildings owned by the parish corporation;
- (j) new business;
- (k) the presentation of audited financial statements of all receipts and expenditures since the previous annual meeting for the parish, each church and each church organization in the parish;
- (l) the report of the rector;
- (m) the report of the wardens;
- (n) consideration of a written report of each committee of the parish and the reception of reports of parish organizations, regional council and other congregational bodies;
- (o) consideration of a statement of the estimated income and expenditures for the ensuing year;
- (p) the election of wardens;
- (q) the election of council;
- (r) the election of lay representatives and youth delegates to Synod pursuant to the Constitution of the Diocese;
- (s) the election of a secretary of the parish, unless a meeting of the members of the parish has authorized the parish council established for the parish to elect or appoint the secretary or the by-laws of the parish provide for the appointment of a secretary other than by election at an annual meeting of the members of the parish;

- (t) the election of a treasurer of the parish, unless a meeting of the parish has authorized the parish council established for the parish to elect or appoint the treasurer or the by-laws of the parish provide for the appointment of a secretary other than by election at an annual meeting of the members of the parish;
  - (u) the election of one or more auditors;
  - (v) the election of regional delegates;
  - (w) the election of a correspondent to the Diocesan Times;
  - (x) such other elections or appointments as the meeting determines;
  - (y) a closing prayer or the Grace.
- (2) At each annual meeting of a church the agenda shall include the following items in the following order or such other order as the meeting determines:
- (a) an opening prayer;
  - (b) the election of the chair of the meeting;
  - (c) the election of the secretary, of the meeting, if necessary;
  - (d) the reading, correction, if any, and approval of minutes of the previous annual meeting;
  - (e) any unfinished business from the previous annual meeting;
  - (f) business arising from the minutes;
  - (g) communications;
  - (h) consideration of written reports with regard to assets, liabilities, investments made since the last annual meeting;
  - (i) new business;
  - (j) presentation of audited financial statements of all receipts and expenditures since the previous annual meeting for the church and each church organization;
  - (k) the report of the rector;
  - (l) the report of the wardens;

- (m) the consideration of a written report of each committee of the church and the reception of reports of church organizations;
  - (n) elections;
  - (o) closing prayer or Grace.
- (3) At each meeting of a parish council or a church council, the agenda shall include the following items in the following order or such other order as the meeting determines:
- (a) an opening prayer;
  - (b) the reading, correction, if any, and approval of the minutes of the previous meeting of the council except the reading of the minutes is not required where a copy of the minutes has been distributed to each member of the council at least twenty-four hours before the opening of the meeting;
  - (c) any unfinished business, which may also be dealt with immediately before new business;
  - (d) business arising from the minutes, which may also be dealt with immediately before new business;
  - (e) reading of correspondence;
  - (f) reception of reports;
  - (g) new business;
  - (h) a closing prayer or the Grace.
- (4) The procedure at every meeting of a parish, a church, a parish council, or a church council shall be the same, as far as is possible, as the procedure prescribed by standard works on procedure at meetings.

## MINISTRIES

- 21 (1) For the purposes of this Canon, the ministries of a parish are the means by which the life and work of the parish are carried out.
- (2) Each parish and church shall nurture and carry out the ministries of the parish for which it is established.

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- (3) In order to fulfill the ministries of a parish or a church the parish council established for the parish or the church council established for the church, as the case may be, may establish such structures that are, in the opinion of the parish council or the church council appropriate for the parish or the church, as the case may be, under the circumstances, including the size and resources of the parish, or the church, to carry out the following objectives:
- (a) **Spiritual Development**, by furthering the growth and development of the parish by continually exploring the meaningfulness of prayer and worship in the lives of the people, including
- (i) promoting lay participation in the act of worship,
  - (ii) provision of the requirement for worship,
  - (iii) selecting persons to greet and assist the worshiper,
  - (iv) nurturing the spiritual development of people through special services, retreats, quiet periods, missions, ecumenical outreach, prayer and study groups,
  - (v) assisting the wardens of the parish where necessary, in providing worship services during the vacation or absence of the rector of the parish from duty,
  - (vi) providing leadership, materials and equipment for the church school and Christian education programs,
  - (vii) promoting the development of music in worship;
- (b) **Pastoral Care**, by seeking to identify and serve the needs of the parish and the wider community, including
- (i) providing leadership for the understanding and development of family living,
  - (ii) providing leadership in helping the parish to be aware of the social needs of their community and assisting in planning to meet those needs,
  - (iii) nurturing leadership in providing for hospital visits, visits to the sick or shut-ins or both, crisis supports, in-home communions and newcomer welcoming,

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- (iv) helping the parish to identify and address themselves to social, political and economic forces that affect the people in the community and beyond,
  - (v) nurturing leadership to provide for the social ministries of the community such as food and clothing banks, disaster relief, shelters, soup kitchens, meals on wheels and senior drop-in activities,
  - (vi) assisting and promoting an awareness and response of the parish to helping the worldwide community through agencies such as the Primate's World Relief and Development Fund and the Bible Society;
- (c) **Management And Care Of Parish Property**, by attending to all matters relating to the property of the parish corporation of the parish including
- (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 and the committee, regular inspections of the rectory,
  - (ii) investigating and recommending to the parish council established for the parish a continuing maintenance program and providing estimates of costs and supervision of approved work,
  - (iii) providing operational and janitorial services,
  - (iv) inspecting the rectory owned or rented by the parish, before the appointment of an incumbent, by a committee together with the wardens of the parish and the regional dean for the region in which the territory or district allotted to the parish is located,
  - (v) carefully and periodically examining all the buildings to establish the best means for the conservation of energy;
- (d) **Managing the Administration of the Day to Day Life of the Parish** including
- (i) providing secretarial and office help and equipment,
  - (ii) providing current parish lists and maintaining up-to-date information on parish registers,
  - (iii) providing leadership in maintaining open communication with the parish,

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- (iv) providing statistics respecting the parish according to the Diocesan schedule and reporting the statistics to annual meetings of the parish,
  - (v) when necessary, establishing or providing for the establishment of a committee or task group to make recommendations to the parish council or the church council respecting the hiring or review or both the hiring and review of staff other than clergy;
- (e) **Managing Financial Matters**, including supervising all matters relating to the finances of the parish and each church that forms a part of the parish and for carrying out the duties and obligations imposed on it by the Canons of the Diocese and which shall make recommendations to the parish council established for the parish respecting
- (i) the supervision of the finances of the parish and each congregation that forms a part of the parish, including a regular review of the work of the Treasurer of the parish,
  - (ii) adequate insurance coverage on all properties of the parish corporation of the parish,
  - (iii) the preparation of a budget of estimated receipts and expenditures for the ensuing year for the parish and each church forming a part of the parish for approval by the parish council established for the parish and each church council established for a congregation that forms a part of the parish and presentation to the annual meeting of the parish and the annual meeting of each,
  - (iv) the implementation of bequests;
- (f) **Stewardship**, by the cultivation of a greater awareness of the Church's mission and ministry and the resources required to fulfill its gospel mandate, including
- (i) maintaining an ongoing awareness of stewardship,
  - (ii) empowering the parish to exercise the stewardship of their gifts within the parish and beyond;
- (g) **Planning**, by
- (i) encouraging both parish and church councils to actively seek directions from their congregations to nurture a future plan, including both short and long term priorities, for each congregation within the parish,

- (ii) establishing a parish covenant that would promote shared ministries for the parish,
- (iii) evaluating parish covenants to assess their success;
- (h) **Outreach**, by encouraging parish and church congregations to promote programs that address concerns of the parish, the province, the country and the world in displaying God's love;
- (i) **Reconciliation**, by promoting health and reconciliation within the local Body of Christ by
  - (i) learning about and implementing conditions for healthy relationships in the parish,
  - (ii) understanding the sources of conflict and dealing with them in a timely and healthy way,
  - (iii) establishing clear parameters for the tolerance of disruptive behavior,
  - (iv) where possible, acting to resolve conflicts at early stages so as to avoid deep-seated resentments and animosities, and where that is impossible, resorting to external help to bring about resolution and reconciliation in cases of ongoing conflict.
- (4) A parish may organize and carry out additional ministries to address visions within that particular parish.

#### TRANSITIONAL PROVISIONS

- 22** In Sections **23** and **24**, "former Canon" means the **Canon 35** in force at the time this Canon was passed by Synod.
- 23** (1) This Section applies with respect to each parish that is not included in a combination of parishes sharing the services of the clergy.
- (2) The former Canon continues to apply with respect to a parish to which this Section applies until such date that the Diocesan Council designates as the date on which this Canon begins to apply to the parish, and on and after that date
- (a) the parish is no longer a parish within the meaning of the former Canon and becomes and continues to be a parish within the meaning of this Canon, and is subject, in all respects, to this Canon; and
  - (b) the former Canon ceases to apply with respect to the parish.

- (3) Before this Canon begins to apply with respect to a parish, the parish shall hold its first election to its parish council pursuant to and in accordance with this Canon.
  - (4) Each person who is elected to the parish council pursuant to subsection (3) is a member of the parish council for a term that commences when this Canon begins to apply with respect to the parish and that ends when that person's successor is elected pursuant to this Canon.
  - (5) The parish council in office immediately before the election continues to be the council for the parish until this Canon begins to apply with respect to the parish.
  - (6) A meeting of each church included in the parish shall be held before this Canon begins to apply with respect to the parish.
  - (7) A meeting held pursuant to subsection (6) shall decide whether or not the church shall have a church council.
  - (8) Where a meeting decides not to have a church council, any church council that church may have is dissolved at the close of the meeting.
  - (9) Where a meeting decides to have a church council,
    - (a) the meeting shall elect a church council in accordance with this Canon and that council is the council for that church on and after the date this Canon begins to apply with respect to the parish; and
    - (b) any existing church council continues to be the council for the church until this Canon begins to apply with respect to the parish.
- 24**
- (1) This Section applies with respect to each parish that is included in a combination of parishes sharing the services of the clergy and, if they are amalgamated pursuant to legislation referred to in subsection (4), to that amalgamated parish.
  - (2) In subsection (3), a reference to a coordinating committee established pursuant to the former Canon is a reference to a coordinating committee that was established pursuant to the former Canon for two or more parishes sharing the services of the clergy, and that consists of a minimum of the clergy canonically appointed by the Bishop to serve the parishes and three representatives of each parish elected at their respective annual meetings, at least one of whom is a parish warden, such committee being responsible for
    - (a) the coordinating of aspects of the ministry of the parishes;
    - (b) generally supervising the finances of the parishes, and, in particular, supervising the finances of the parishes in such a manner that all monies

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- received by the parishes is deposited, as soon as possible, to the credit of the parishes in a chartered bank or credit union selected by the committee and that the account may be only drawn upon by the members of the committee;
- (c) forwarding, not later than three weeks after the last of the annual meetings of the parishes
- (i) to the Comptroller a clear statement of all financial activity of the parishes for the twelve-month period ending on the immediately preceding December 31, including all receipts and expenditures of money during that period of time,
- (ii) to the Executive Assistant to the Bishop the names and addresses of all members of the Committee;
- (d) forwarding to the Executive Assistant to the Bishop a statement of any change in membership in the Committee, including the names and addresses or retiring and new members, within three weeks after the change in membership takes place.
- (3) The former Canon continues to apply with respect to a parish included in a combination of parishes sharing the services of the clergy until such date as the Diocesan Council designates as the date on which this Canon begins to apply to the parish and on and after that date the parish is no longer a parish within the meaning of the former Canon, except that the coordinating committee established pursuant to the former Canon continues to exist and has the same powers, duties and functions with respect to the parish as it had under the former Canon, but otherwise this Canon applies to the parish, and the parish is a parish within the meaning of this Canon and is subject, in all respects to this Canon.
- (4) If, where the parishes to which this subsection applies are in Nova Scotia, the Nova Scotia Legislature or, where the parishes to which this subsection applies are in Prince Edward Island, the Prince Edward Island Legislature, enacts and there is in force, legislation that
- (a) enables the Bishop, with the concurrence of the Synod or the Diocesan Council, to amalgamate two or more parishes sharing the services of the clergy into a single parish by an instrument in writing;
- (b) creates a new parish corporation for the amalgamated parish by amalgamating the parish corporations for those parishes into a single parish corporation for the amalgamated parish and makes the assets and liabilities of the parish corporations of the former parishes the assets and liabilities of the new parish corporation;

- (c) enables the Bishop, or a person designated by the Bishop to convene a joint meeting of the parishes to be held on such date as is set out in the notice convening the meeting to elect a parish council for the amalgamated parish; and
- (d) requires the parishes to hold the meeting and election; and
- (e) provides that the amalgamation becomes effective at the close of the joint meeting at which the election is held,

then, on and after the time when any such amalgamation of the parishes becomes effective, the coordinating committee of the parishes under the former Canon is dissolved, and this Canon applies completely with respect to the single amalgamated parish and the single amalgamated parish is a parish within the meaning of this Canon, and is subject, in all respects, to this Canon.

- (5) Each person elected to a parish council of the amalgamated parish at the meeting convened by the Bishop or the Bishop' designate is a member of the parish council for the amalgamated parish for a term that commences when the amalgamation becomes effective and ends when that person's successor is elected pursuant to this Canon.
- (6) The parish council of each of the parishes that are amalgamated that is in office immediately before the election continues in office until the amalgamation becomes effective.
- (7) A meeting of each church included within a combination of parishes to be amalgamated shall be held before the amalgamation becomes effective.
- (8) A meeting held pursuant to subsection (7) shall decide whether or not the church shall have a church council.
- (9) Where a meeting decides not to have a church council, any church council that church may have is dissolved at the close of the meeting.
- (10) Where a meeting decides to have a church council
  - (a) the meeting shall elect a church council in accordance with this Canon and that council is the council for that church on and after the time the amalgamation becomes effective; and
  - (b) any existing church council continues to be the council for the church until the amalgamation becomes effective.



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**Appendix II**

**THE ANGLICAN CHURCH ACT  
(Nova Scotia)  
CHAPTER 130, ACTS 1967**

**An Act to amend and consolidate the legislation relating to the Anglican Church of Canada in Nova Scotia.**

Be it enacted by the Governor and Assembly as follows:

**SHORT TITLE**

1. This Act may be cited as "The Anglican Church Act."

**INTERPRETATION**

- 2.(1) In this Act, unless the context otherwise requires:

- (a) "Anglican Church" means the Anglican Church of Canada
- (b) "Bishop" means the Bishop of the Diocese of Nova Scotia and Prince Edward Island.
- (ba) "congregation" means a group of people organized to minister, worship and learn from God's Holy Word, with or without a place in which to worship or meet;
- (c) "Synod" means the Diocesan Synod of Nova Scotia and Prince Edward Island.
- (d) "parish" means
  - (i.) a congregation
  - (ii.) 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 that purpose.

- (e) "parishioner" is any member of a congregation as defined in 3(1)(f) of Canon 35;
  - (i) a voting parishioner is any parishioner as described in 18(1) of Canon 35
- (f) "parochial corporation" means a body corporate incorporated or continued by Section 10.

(2) A reference in this Act to the bounds or boundaries of a parish means the boundaries of a territory or district allotted by the Bishop pursuant to clause 2(1)(d)

2A (1) The Diocese of the Anglican Church formerly known as the Diocese of Nova Scotia is continued on and from the fourteenth day of May, 1999, under the name Diocese of Nova Scotia and Prince Edward Island.

(2) A reference in any enactment or in any document to the Diocese of Nova Scotia shall, as regards any subsequent transaction, matter or thing, be read as a reference to the Diocese of Nova Scotia and Prince Edward Island.

(3) This Section does not affect the rights acquired by any person from a judgment or order of a court given or made in litigation or proceedings commenced on or before the thirtieth day of May, 2000.

#### THE BISHOP

3. (1) The Bishop of Nova Scotia, having been constituted a corporation sole by Royal Letters Patent and the Bishop and the Bishop's successors in office duly elected or acknowledged by the Synod, having been constituted a corporation sole by this Act under the name Lord Bishop of Nova Scotia, such corporation sole is hereby continued as a corporation sole on and from the fourteenth day of May, 1999, with perpetual succession under the name Bishop of Nova Scotia and Prince Edward Island and all real estate conveyed to or vested in the Bishop, whether in trust or otherwise, is vested in the corporation sole, subject to all existing trusts.

(1A) A reference in any enactment or in any document to the Lord Bishop of Nova Scotia shall, as regards any subsequent transaction, matter or thing, be read as a reference to the Bishop of Nova Scotia and Prince Edward Island.

(1B) This Section does not affect the rights acquired by any person from a judgment or order of a court given or made in litigation or proceedings commenced on or before the thirtieth day of May, 2000.

1(C) The Bishop may, subject to the terms of any donation, devise, bequest, or trust, invest, in accordance with the Trustee Act, any funds in the Bishop's hands whether or not the funds are, at the time, in a state of investment.

(2) The Bishop may delegate and depute any other bishop who is a member of Synod to exercise from time to time or at all times any of the powers of the Bishop of Nova Scotia and Prince Edward Island, a corporation sole, under this Act and in the name of the said the corporation sole to execute conveyances by way of deed or mortgage or otherwise of property conveyed to or vested in the said corporation, to approve of any sale, conveyance or mortgage of real or personal property under the provisions of this Act or to exercise any of the powers of the said corporation conferred on it by this Act or by any Canon or regulation of the Synod whatsoever as fully and effectually in all respects as if executed or exercised by the said corporation. (As amended by Chap. 126, Acts 1950)

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(3) Nothing in this Act shall be construed to confer any spiritual jurisdiction or ecclesiastical rights whatsoever upon the said episcopal corporation hereby continued or created.

#### THE SYNOD

- 4.(1) The Synod, consisting of the Bishop, the Clergy and the representatives of the laity of the Anglican Church of Canada in this Province, having been constituted a body politic and corporate by the name of "The Diocesan Synod of Nova Scotia" is hereby continued on and from the fourteenth day of May, 1999, as a body corporate and politic under the name "Diocesan Synod of Nova Scotia and Prince Edward Island" and by that name may take, receive, purchase, acquire a gift or otherwise, and hold real and personal estate, and may let, sell, mortgage, convey or otherwise dispose of and manage the same, or any part thereof and may adopt a constitution and under said constitution enact, amend and repeal Canons, bylaws and regulations for the government of the affairs of said Church in the Diocese of Nova Scotia and Prince Edward Island and for the enforcement of discipline in said church.
- (2) A reference in any enactment or in any document to the Diocesan Synod of Nova Scotia shall, as regards any subsequent transaction, matter or thing, be read as a reference to the Diocesan Synod of Nova Scotia and Prince Edward Island.
- (3) This Section does not affect the rights acquired by any person from a judgment or order of a court given or made in litigation or proceedings commenced on or before the thirtieth day of May, 2000.
5. The Synod may from time to time borrow on the security of its real and personal property, or either of them, or any other security or without any security whatever, any sum or sums of money that it deems necessary and shall have power to guarantee repayment of loans made to the Synod or to parochial corporations and to pledge, hypothecate or otherwise charge its said real and personal property or any part thereof for the purpose of securing the repayment of said moneys (Ch.117 Acts 1957).
6. The clergy and laity of the Anglican Church in the Province of Prince Edward Island may, so long as they continue to be under the jurisdiction of the Bishop of Nova Scotia, be admitted as members of such incorporated Synod, and may enjoy and exercise the same rights and privileges therein as the clergy and laity of the Anglican Church in this Province.
7. Nothing in this Act shall be construed to abridge or to affect the rights or privileges of any person or persons not being members of the said Synod, nor of any corporation, nor to confer any spiritual jurisdiction or ecclesiastical rights whatsoever upon the said Synod or its successors.
8. The Synod may, subject to the terms of any donation, devise, bequest, or trust, invest, in accordance with the Trustee Act, any funds in the Bishop's hands whether or not the funds are, at the time, in a state of investment.

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PARISHES

9. (1) The boundaries of parishes as established at the coming into force of this Act shall continue until changed, as provided in this Act.

(2) When any church building is erected for the rites of the Anglican Church of Canada, outside the bounds of any established parish, the Bishop may allot a district, which shall be the parish of such church.

(3) The Bishop may from time to time, upon the application of a majority of the parishioners, present at any meeting of the parishioners, called for the consideration of such measure, by an instrument in writing, divide any parish, whether the same was established before or after the coming into force of this Act, or enlarge the boundaries of any parish by annexing thereto an adjacent territory not already included in any parish.

(4) Subject to subsection (5), the Bishop may, from time to time, by an instrument in writing,

(a) combine two or more parishes;

(b) take territory from one or more parishes and add it to any other parish or parishes; or

(c) take territory from one or more parishes and create a new parish or parishes for that territory,

upon the application of a majority of the parishioners of each parish concerned present at a meeting of the parishioners called to consider whether an application should be made to the Bishop to take the measure.

(5) The Bishop shall not take any measure pursuant to subsection (4) unless the Synod or the Diocesan Council of the Synod concurs in him taking that measure.

(6) Where, at any time, the Bishop considers it to be in the best interests of the Church to take any measure pursuant to subsection (3) or (4), he shall send to the parochial corporation of each parish concerned a notice recommending that, in the best interests of the Church, the measure be taken and requiring the parish to hold a meeting of the parishioners of the parish to consider the measure.

(7) Where a parish does not call a meeting, within ninety days from the receipt by its parish corporation of a notice pursuant to subsection (6), and adopt the Bishop's recommendation, the Bishop may take the measure he recommends by an instrument in writing with the concurrence of the Synod or of the Diocesan Council of the Synod.

(7A) Notwithstanding anything in this Section where

(a) two or more parishes form a combination of parishes that share the services of the clergy, or

(b) the Bishop considers that because of a lack of financial resources, two or more parishes should share the services of the clergy

the Bishop may, with the concurrence of Synod or the Diocesan Council, amalgamate the parishes into a single parish by an instrument in writing

(a) if the Bishop sends to the parish corporation of each parish a notice recommending that the parishes be amalgamated and requiring each parish to hold, within ninety days after the notice is received by the corporation, a meeting to consider the measure; and

(b) if

(i) each parish holds the meeting as required in the notice and the meeting adopts the recommendation;

(ii) the parish does not hold the meeting as required in the notice; or

(iii) the parish holds the meeting, the meeting does not adopt the recommendation and a period of one year elapses after the meeting.

(7B) Where the Bishop executes an instrument in writing pursuant to subsection (7A) amalgamating two or more parishes, the parishes, at a joint meeting convened by the Bishop or a person designated by the Bishop and held at such time as is set out in the notice convening the joint meeting, shall, in accordance with the Canons as they will apply after the amalgamation becomes effective, elect a parish council for the amalgamated parish.

(7C) An amalgamation pursuant to subsection (7A) becomes effective at the close of the meeting convened by the Bishop or the Bishop's designate pursuant to subsection (7B) at which the first parish council of the amalgamated parish is elected as required by subsection (7B).

(8) Any notice required to be given pursuant to this Section to any parish corporation shall be given in writing and sent to the rector, parish wardens and the parish secretary or any two of them.

10. (1) The Rector wardens and other members of the parish council of each parish elected or appointed in accordance with a Canon are hereby constituted a body, corporate and the body corporate is the parish corporation for the parish.

(1A) Each corporation that was, immediately before the coming into force of this subsection, a parochial corporation within the meaning of this Act is hereby continued as a parish corporation consisting of the rector, wardens and the other members of the parish council of the parish of that parish corporation elected or appointed in accordance with a Canon of the Diocese.

(1AB) A parish corporation may

- (a) receive grants of real and personal property for the use of the church and all parish purposes;
- (b) subject to the Canons of the Synod, improve and manage the real property;
- (c) receive rents from the real property for the use of the church and all parish purposes;
- (d) with the written approval of the Bishop, sell, convey, lease and mortgage real property;
- (f) sell, convey, lease and mortgage personal property;
- (g) make by-laws for the conduct and management of its affairs
- (h) sue and be sued
- (i) manage the temporalities of the corporation and conduct its affairs with due order.

(1AC) The name of each parish corporation shall be "Parish of..... in the County of ....." or such other name as the Bishop may. from time to time, designate by an instrument in writing upon the application of a majority of the parishioners present at a meeting of the parishioners called to consider the name change.

(1AD) Each instrument of name change shall be filed with the Registrar of the Diocese.

(1AE) The Registrar shall certify a copy of each instrument of name change and file it with the registrar of deeds for each registration district in which the real property of the parish corporation is situate.

(2) If at any time the parish is without a rector, such corporation shall not cease, and until the appointment of a rector all the rights and powers of the corporation shall be had and exercised by the remaining members of the parish corporation.

(3) Where the rector duly licensed, instituted and inducted under the provisions of this Act is absent from the parish with the leave of the Bishop or is incapacitated for a period of three succeeding months, or in case where there is no rector duly licensed, instituted and inducted, any member of the clergy licensed by the Bishop appointed temporarily in charge of said parish by the Bishop, shall, in addition to the wardens and other members of the parish council elected in accordance with any Canon or regulations of the Synod governing elections of parish wardens and, other members of parish council be ex-officio a member of such corporation.

(4) Where two or more parishes are combined pursuant to Section 9, the parish corporations of those parishes are amalgamated and continue as one parish corporation under a name approved by the Bishop by a written instrument of amalgamation.

(5) Each instrument of amalgamation shall be filed in the same manner as an instrument of name change pursuant to subsections (1b) and (1c).

(6) Where two or more parish corporations are amalgamated pursuant to subsection.

(7) to form a single parish corporation,

(a) the real and personal property of those corporations which are so amalgamated vests in the single parish corporation;

(b) the obligations and liabilities of those corporations which are so amalgamated are the obligations and liabilities of the single parish corporation; and

(c) the Synod is deemed to have guaranteed payment and performance of all the obligations and liabilities of the single parish corporation which are existing immediately following the amalgamation.

(10A) Where a change is made in the boundaries of a parish or parishes pursuant to Section 9, whether by division, enlargement, creation or other change, the real and personal property of, and the obligations and liabilities of, the parish corporations concerned shall be apportioned, allotted and assumed in such manner as the parish corporation concerned may agree or, failing agreement, as the Bishop, with the concurrence of the Synod or of the Diocesan Council of the Synod, may decide, and the parish corporations concerned shall execute all deeds and other instruments required for this purpose.

11. If at any time the Bishop has reason to believe, in consequence of any information received, that the property of any parish is not rightly administered, the Bishop may institute legal proceedings against the corporation or any officers of such parish through whose default or neglect the Bishop believes any loss has been occasioned.

12. Chapter 66 of the Acts 1942, The Church of England Act, and the Acts in amendment thereof, are hereby repealed.

13. This Act shall come into force on the 1st day of January 1968.

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**Appendix III**

**CHAPTER 53, BILL NO. 14  
(Prince Edward Island)  
THE ANGLICAN CHURCH ACT**

**Assented to this 14th day of April, 1972**

BE IT ENACTED by the Lieutenant-Governor and Legislative Assembly of the Province of Prince Edward Island as follows:

**Short Title**

1. This Act may be cited as The Anglican Church Act.

**Interpretation**

2.(1) In this Act, unless the context otherwise required:

(a) "Anglican Church" means the Anglican Church of Canada

(b) "Bishop" means the Bishop of the Diocese of Nova Scotia and Prince Edward Island.

(ba) "congregation" means a group of people in organized to minister, worship and learn from God's Holy Word, with or without a place in which to worship or meet;

(c) "Synod" means the Diocesan Synod of Nova Scotia and Prince Edward Island.

(d) "parish" means

(i.) a congregation

(ii.) 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 that purpose.

(e) "parishioner" is any member of a congregation as defined in 3(1)(f) of Canon 35.

(i) a "voting parishioner" is any parishioner as described in 18(1) of Canon 35.

(f) "parochial corporation means a body corporate incorporated or continued by Section 10.

(2) A reference in this Act to the bounds or boundaries of a parish means the boundaries of a territory or district allotted by the Bishop to an Anglican Church organization pursuant to clause (d) of subsection (1).

## **THE BISHOP**

(1) The corporation sole known as the "Lord Bishop of Nova Scotia" is, on and after the fourteenth day of May, 1999, continued as a corporation sole under the name "Bishop of Nova Scotia and Prince Edward Island"

(1A) A reference in any enactment or in any document to the Lord Bishop of Nova Scotia shall, as regards any subsequent transaction matter or thing be read as a reference to the Bishop of Nova Scotia and Prince Edward Island.

(1B) This Section does not affect the rights acquired by any person from a judgment or order of a court given or made in any litigation or proceedings commenced on or before (INSERT DATE ON WHICH BILL THAT MAKES THIS AMENDMENT IS INTRODUCED)

(2) The said corporation shall have the following powers in addition to those inherent under the common law, namely: to sue and be sued, to contract and be contracted with by its corporate name, to have a common seal and to alter or change it at pleasure, to acquire, hold and alienate real and personal property, including leaseholds, for the purposes for which the corporation is constituted.

(3) The Bishop may authorize and empower any retired or assistant Bishop of the Synod to exercise at any time any of the powers of the Bishop as a corporation, conferred on it by this Act or the Constitution or any canon or regulation of the Synod, as fully and effectually as if exercised by the said corporation.

## **THE SYNOD**

4. During the period that the clergy and the representatives of the laity of the Anglican Church in the Province of Prince Edward Island continue to be admitted as members of the Synod and to enjoy and exercise the same rights and privileges therein as the Clergy and representatives of the laity of the Anglican Church in Nova Scotia the affairs of the said Church in the Province of Prince Edward Island shall be subject to and enjoy the rights conferred by the constitution, canons, by-laws, and regulations, enacted by the Synod for the government of the affairs of the said Church in so far as they are applicable to the affairs of the said Church in the Province of Prince Edward Island. 1943 C 16 S 4

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**PARISHES**

Until altered as provided in this Act the parishes served by the Anglican Church in Prince Edward Island shall be as follows:

- (a) The Parish of Alberton, to comprise the territories served by Saint Peter's Church at Alberton, Christ Church at Kildare, Holy Trinity Church at Alma, and Saint Luke's Church at O'Leary.
- b) The Parish of Port Hill, to comprise the territories served by Saint James' Church, Port Hill, Saint John's Church, Eilerslie, and Saint Peter's Church, Lot 11.
- (c) The Parish of Saint Eleanor's to comprise the territory served by Saint John's Church, at Saint Eleanor's.
- (d) The Parish of Summerside to comprise the territory served by Saint Mary's Church, at Summerside.
- (e) The Parish of New London to comprise the territories served by Saint Mark's Church, Kensington, Saint Stephen's Church, Burlington and Saint Thomas' Church, Springbrook.
- (f) The Parish of Crapaud to comprise the territory served by Saint John's Church at Crapaud.
- (g) The Parish of Springfield to comprise the territory served by Saint Elizabeth's Church at Springfield.
- (h) The Parish of Milton to comprise the territory served by Saint John the Evangelist's Church at Milton.
- (i) The Parish of Rustico to comprise the territory served by Saint Mark's Church at Rustico.
- (j) The Parish Of Saint Peter's Cathedral to comprise the territory served by Saint Peter's Cathedral at Charlottetown.
- (k) The Parish of Saint Paul's to comprise the territory served by Saint Paul's Church at Charlottetown.
- (l) The Parish of Georgetown to comprise the territory served by Holy Trinity Church at Georgetown.
- (m) The Parish of Cherry Valley to comprise the territory served by Christ Church at Cherry Valley.

(6) (1) The Bishop may from time to time upon the application of a majority of the parishioners concerned present at any meeting of the parishioners called for the consideration of such proposal by an instrument in writing establish or alter the boundaries of any parish, divide any parish whether the same was established before or after the coming into force of this Act, or enlarge the boundaries of any parish by annexing thereto any territory not already included in any parish.

(2) If at any time the Bishop should consider it to be in the best interests of the Church to establish boundaries for any parish or divide any parish or alter the boundaries of any parish he shall send to the parish corporation of the parish or parishes concerned a notice requiring such parochial corporation to hold a meeting of the parishioners and consider such matter or matters.

(3) If the parish corporation concerned does not within sixty days from the receipt of such notice call such meeting or meetings and adopt the Bishop's recommendation the Bishop may, by instrument in writing, with the consent of the Executive Committee of the Synod, or upon a resolution of the Synod, divide, enlarge, rearrange, alter or change the boundaries of such parish or parishes, and for this purpose may take territory from one or more of such parishes and add it to any other parish or parishes, or may create a new parish or parishes.

(3A) Notwithstanding anything in this Section where

(a) two or more parishes form a combination of parishes that share the services of the clergy, or

(b) the Bishop considers that because of a lack of financial resources two or more parishes should share the services of the clergy

the Bishop may, with the concurrence of Synod or the Diocesan Council amalgamate the parishes into a single parish by an instrument in writing

(c) if the Bishop sends to the parish corporation of each parish a notice recommending that the parishes be amalgamated and requiring each parish to hold, within ninety days after the notice is received by the corporation, a meeting to consider the measure; and

(d)

(i) each parish holds the meeting as required in the notice and the meeting adopts the recommendation;

(ii) the parish does not hold the meeting as required in the notice; or

(iii) the parish holds the meeting, the meeting does not adopt the recommendation and a period of one year elapses after the meeting.

- (3B) Where the Bishop executes an instrument in writing pursuant to subsection (3A) amalgamating two or more parishes, the parishes, at a joint meeting convened by the Bishop or a person designated by the Bishop and held at such time as is set out in the notice convening the joint meeting, shall, in accordance with the Canons as they will apply after the amalgamation becomes effective, elect a parish council for the amalgamated parish.
- (3C) An amalgamation pursuant to subsection (3A) becomes effective at the close of the meeting convened by the Bishop or the Bishop's designate pursuant to subsection (3B) at which the first parish council of the amalgamated parish is elected as required by subsection (3B).
- (4) Any notice required to be given under this Section to any parish corporation shall be given in writing and sent to the rector and wardens or to any two of them.
- (5) When any church building is erected for divine service according to the rites of the Anglican Church outside the bounds of any established parish the Bishop may allot a district which shall be the parish of such church.
- (6) Any establishment or alteration of the boundaries of a parish under this section shall not affect the title or ownership of any real or personal property in the territory included in such established or altered boundaries.

#### THE PARISH CORPORATION

- (1) The Rector wardens and other members of the parish council of each parish elected or appointed in accordance with a Canon are hereby constituted a body corporate and the body corporate is the parish corporation for the parish.
- (1A) Each corporation that was, immediately before the coming into force of this subsection, a parochial corporation within the meaning of this Act is hereby continued as a parish corporation consisting of the rector, wardens and the other members of the parish council of the parish of that parish corporation elected or appointed in accordance with a Canon of the Diocese.
- (1AB) A parish corporation may
- (a) receive grants of real and personal property for the use of the church and all parish purposes;
  - (b) subject to the Canons of the Synod, improve and manage the real property;
  - (c) receive rents from the real property for the use of the church and all parish purposes;
  - (d) with the written approval of the Bishop, sell, convey, lease and mortgage real property;
  - (e) sell, convey, lease and mortgage personal property;
  - (f) make by-laws for the conduct and management of its affairs
  - (G) the power to sue and be sued
  - (h) manage the temporalities of the corporation and conduct its affairs with due order.

(1AC) The name of each parish corporation shall be "Parish of..... in the County of ....." or such other name as the Bishop may, from time to time, designate by an instrument in writing, upon the application of a majority of the parishioners present at a meeting of the parishioners called to consider the name change.

(2) If at any time the parish is without a rector the parish corporation shall not cease, but until the appointment of a rector all the rights and powers of the corporation shall be had and exercised by the remaining members of the corporation.

(3) Where the rector duly licensed, instituted and inducted is absent from the parish with the leave of the Bishop or is incapacitated for a period of three consecutive months, or in cases where there is no rector duly licensed, instituted and inducted, any member of the clergy licensed and appointed temporarily in charge of the said parish by the Bishop, shall in addition to the wardens and other members of the parish council elected in accordance with any canon or regulation of the Synod governing elections of wardens and parish council be ex officio a member of such corporation.

The induction of a rector in any church in the parish shall be deemed to be induction into the said parish.

8. The rector, wardens and other members of the parish council elected at the annual meeting shall, with respect to all matters connected with the Anglican Church and the persons usually attending its services and ordinances within such parish, have and exercise all the powers had and exercised by the rector, churchwardens and vestry of a parish at the coming into force of this Act.

9. All real and personal property vested in any parish corporation under Section 9 of Chapter 16 of the statutes of 1943 shall hereafter be held by and vested respectively in the parish corporation of the Anglican Church representing the parish pursuant to Section 7 herein. Provided that the real property described in Section 13 of the said Chapter 16 of the Statutes of 1943 as enacted by Section 9 of Chapter 47 of the Statutes of 1947, shall hereafter be held and vested in the Rector, Churchwardens and Vestry of the parish of Saint Peter's Cathedral upon trust that the church and chapel now erected on the said land and any other church or chapel hereafter to be erected thereon be used as a church or chapel for the public worship of Almighty God according to the rites and ceremonies of the Anglican Church and that the Bishop's chair heretofore placed therein be continually kept in such church in order and to the intent that the said church may be deemed a cathedral.

10. No conveyance by lease or otherwise of any parsonage held by the rector of any parish shall be valid for a longer period than the incumbency of the rector in office at the date of such conveyance, unless with the concurrence of the parochial corporation expressed in writing under the seal of the corporation, and in no case for a longer period than twenty-one years, unless the Bishop concurs therein.

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11. If at any time the Bishop has reason to believe, in consequence of any information received, that the corporation property in any parish is not rightly administered he may institute legal proceedings against the corporation or any officers of such parish through whose default or neglect he believes any loss has been occasioned.
12. Every engagement for the stipend of a rector or minister or for the temporary performance of divine ministrations shall be made by the parish corporation, and subscriptions pledged towards the payment of such stipend or other engagement may be sued for and collected in the name of the parish corporation.
13. The following Acts and parts of Acts, for which this Act is intended to be substituted by way of amendment revision and consolidation, are hereby repealed:
- |       |                                 |
|-------|---------------------------------|
| 1879, | 42 Victoria, Chapter 19         |
| 1890, | 53 Victoria, Chapter 16         |
| 1911, | 1 George V, Chapter 16          |
| 1918, | 8 George V, Chapter 17          |
| 1924, | 14 George V, Chapter 24         |
| 1932  | 22 George V, Chapter 19, Sec. 5 |
| 1936  | 1 Edward. VIII, Chapter 34      |
| 1943  | 7 George VI, Chapter 16         |
| 1947  | 11 George VI, Chapter 47        |
14. This Act shall come into force on the 1<sup>st</sup>. day of July 1972.

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**Appendix IV**

**THE DIOCESAN SYNOD OF  
NOVA SCOTIA AND PRINCE EDWARD ISLAND**

**May 24<sup>th</sup> to 26<sup>th</sup>, 2001**

**The Bishop's Charge  
Part 1**

I am pleased to welcome you to this 132nd Session of our Diocesan Synod. The theme for this Synod, *Discerning Our Way -- The Journey Continues*, conveys what is a significant part of our work as members of the Community of the People of God. That is, to discern the will of God and to continue faithfully in the journey upon which God calls us.

I trust throughout the time you are here as members of Synod you'll find the experience to be meaningful and worthwhile. It is my prayer that you participate fully in all that is to take place during these days and that the "message" you carry back to your parish will be shared with enthusiasm.

While being a member of Synod carries responsibilities -- in particular, those referred to on page 19 of the Convening Circular -- yet it is also a privilege. The governance of Synod is a cherished part of our Anglican tradition and has been a life-giving experience for our Church. Let us receive and use the tradition of Synod with respect and integrity as we walk together [the meaning of Synod] into the journey to which God calls us.

The following listing, in addition to the Registrar's Report, contains personnel developments which took place since the last meeting of our Diocesan Synod.

Retirements:

Boston, The Reverend Canon David = August 31, 2000  
Brown, The Reverend Harold = June 30, 1999  
Hergett, The Reverend Canon Douglas = December 31, 2000  
Nash, The Reverend Arthur = August 31, 2000  
Purchase, The Reverend James = July 31, 2000  
Wagner, The Reverend Wilfred = January 1, 2001  
Walker, The Reverend Ronald = June 1, 2000  
Walsh, The Reverend Richard = May 31, 1999

Diocesan Personnel:

Mr. John Arnold, Q.C. resigned as Diocesan Solicitor effective December 31, 1999.  
 Mrs. Kay Bradbrook, Pastoral Care Associate, will retire effective May 31, 2001.  
 Mr. Tony Chapman, Q.C. has been appointed Diocesan Solicitor effective May 1, 2001.  
 Mrs. Jan Connors was appointed as Office Assistant effective October 2, 2000.  
 Mr. Charles O'Neil, Director of Administration, resigned effective September 29, 2000.  
 Mrs. Jana O'Neil, Synod Office Assistant, resigned effective September 8, 2000.  
 The Rev. John Smith has been appointed Executive Assistant to the Bishop effective May 1, 2001.

Ordination to the Diaconate Anniversaries:

40<sup>th</sup> .....Black, The Reverend Charles = May 26, 1960  
                   Bourke, The Reverend Kerry = March 25, 1961  
                   Coote, The Reverend Robert = June 28, 1961  
                   Dye, The Reverend William = April 7, 1960  
                   Earle, The Reverend John = April 7, 1960  
                   Ferguson, The Reverend David = May 19, 1961  
                   Pellegrin, The Reverend Dr. Bruce = April 25, 1961  
                   Ruggles, The Reverend Donald = April 7, 1960  
                   Tuck, The Reverend Edward = April 7, 1960  
                   Walsh, The Reverend Richard = May 26, 1961  
 50<sup>th</sup> .....Snow, The Reverend Arthur = March 1, 1950  
 60<sup>th</sup> .....Elliott, The Reverend Canon Russell = May 5, 1940  
                   Harris, The Reverend Canon Walter = May 5, 1940  
                   Tufts, The Reverend Canon Karl = December 22, 1940  
 65<sup>th</sup> .....Hodder, The Reverend Hayward = December 15, 1935

We record with thanksgiving on pages 7 and 8 the names of those who have been members of our Synod and died since our last session. They will be remembered in prayer at the Synod Service this evening. *May they rest in peace; and rise in glory.*



The Most Reverend Arthur G. Peters  
 Archbishop of Nova Scotia and Prince Edward Island

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**THE DIOCESAN SYNOD OF  
NOVA SCOTIA AND PRINCE EDWARD ISLAND**

**May 24<sup>th</sup> to 26<sup>th</sup>, 2001**

**The Bishop's Charge  
Part 2**

**Introduction**

This is the fifteenth Charge which I have delivered to Synod and it is no doubt my last. You are aware that I intend to retire at the end of February 2002. At that time, I shall have exercised episcopal ministry for twenty years; having been consecrated a bishop on February 2, 1982. I have found my time as your bishop to have gone by with amazing speed. It has been a profound privilege to serve in this office. I sincerely believe, through this journey together, the Lord has enabled us to accomplish a significant ministry.

I want to share with you in the context of this Charge some of the items which came forth as I reflected upon various aspects of our journey and what I discern to be **unfinished agenda items**.

**1. Belonging**

It seems to me one of the pressing issues before us as Anglicans has to do with the subject of belonging. It is most assuredly the perennial discussion for Anglicans where fiery debates often bring forth more heat than light. In any event, we affirm that the guiding principle of belonging to this community is one which acknowledges a unity in diversity.

Henri Nouwen, in one of his books, gives us a wonderful sense of what life in community is all about. He uses the image of a mosaic. He says, "A mosaic consists of thousands of little stones. Some are blue, some are green, some are yellow, some are gold. When we bring our focus close to the mosaic we can admire the beauty of each stone. But, as we step back from it, we can see that all these little stones reveal to us a beautiful picture telling a story. None of these stones can tell the story by itself."

Henri Nouwen's description is a very applicable one for the Church. Our Anglican Church is a Communion and it takes each and every stone to make the mosaic. It takes all of us to form the greater picture of what we are all about. It is not the "I" that completes the picture, but it is the "we" that makes the picture complete. The reality of our Church in our diocese as well as in our country is that we are a colourful array of people and places. We are, what Archbishop Desmond Tutu calls, God's rainbow people.

This is the principle of belonging in community - interdependence - and it is highly valued among us as well as being central to our understanding of ourselves as Anglicans. We are a community in which diversity prevails. There arises in all this at least two fundamental challenges for us. Are there limits to diversity? How do we maintain fellowship (communion) between those who cannot accept each other's views?

While there are no easy answers, we are encouraged to be aware that the heart of communion is life with the Father, through Christ, in the Spirit. This is the most profound communion possible. We are bonded with God and in God we belong to one another.

You will recall from New Testament studies the conflict which arose between Peter and Paul over this issue of belonging. It was one of the sharpest items of conflict in the history of the early Church -- the debate over the admission of Gentiles to membership in the Church without the act of circumcision. The resolution of that conflict came as a result of coming to agreement about those things which made for the Community's well-being. It was, in effect, a compromise. The emphasis being communion with God and community with one another.

The translation of this agenda item to your parish context comes in the questions: "When people join your parish, what kind of 'belonging' is offered? What procedures do you have to help integrate new members into the fellowship of the Church?"

It seems to me we need to take more seriously the ways we can incorporate and integrate people into our parish communities. I found the following quotation a helpful expansion on how each person should be incorporated. It comes from Jean Vanier's book, Becoming Human, page 58:

*In healthy belonging, we have respect for one another. We work together, cooperating in a healthy way, listen to each other. We learn how to resolve the conflicts that arise when one person seeks to dominate another. In a true state of belonging, those who*

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*have less conventional knowledge, who are seemingly powerless, who have different capacities, are respected and listened to. In such a place of belonging, if it is a good place, power is not imposed from on high, but all members seek to work together as a body. The implication is that we see each other as persons and not just cogs in a machine. We open up and interact with each other so that all can participate in the making of decisions.*

*This type of cooperation is not easy. It takes time to grow to a maturity of the heart. Belonging calls forth what is most beautiful in our capacity to love and accept others but it also can awaken anger, jealousy, violence, and the refusal to cooperate. This growth to maturity might mean that, at certain moments, authority has to be exercised with firmness. Little by little, as we live and work with others, especially if we are well-guided, we learn to break out of the shell of selfishness and self-centredness where we seek to be brilliant and to prove our goodness, wisdom and power. We receive and give knocks of life. It is like the polishing of diamonds as they rub together.*

*We all have to discover that there are others like us who have gifts and needs; no one of us is the centre of the world. We are a small but important part in our universe. We all have a part to play. We need one another.*

## **2. Congregational Development**

A closely related issue in what I identify as an unfinished agenda item is the issue of congregational development. In the report of the congregational development project in Industrial Cape Breton entitled, A Church That Develops Itself, on page 8 the following comment is made in respects to the question, “What is Congregational Development?”:

*Congregational development is a process of planned or purposeful change as opposed to accidental change. Planning allows some measure of control of the outcomes.*

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*All organizations, if they are to survive, need to adapt to changes in their environments. If they are to remain current and viable they must struggle to fend off obsolescence.*

*It is unlikely that there can be any significant planned change of a congregation that is not based on spiritual, attitudinal, motivational and practical transformation.*

*The term congregational development often suggests church planting. This may be an appropriate strategy in areas of population growth but is not at issue in most of our diocese. Development must mean something else for most of our congregations.*

*There are two general objectives to congregational development:*

- 1. To improve the overall effectiveness of the congregation in carrying out its mission.*
- 2. To increase the congregation's capacity to make future changes.*

Integral to the effectiveness of congregational development and to the Church's participation in the mission of Christ is the care and attention which is given to teaching and nurture in every congregation. We have been quite effective at devoting time, energy and resources towards the care of our buildings and at making ends meet financially. I am not criticizing those efforts, but I do believe as we have gone about those tasks sometimes we have forgotten about our primary task. Our primary task and responsibility is to make disciples.

The Gospel of Jesus Christ is committed to the Church and there is a challenge which springs from that having to do with membership development; i.e. the making and nurturing of Christians. There is an urgent need in all our parishes to devote time, energy and resources towards teaching and nurturing. Christian education and nurture involving adults as well as young people ought to be a matter of high priority for the whole parish. I believe this challenge is center most on the agenda.

While the situation of our churches in Industrial Cape Breton is a particular one with their own particular issues, yet I do believe there are valuable lessons to be learnt for our whole

diocese from that congregational development project. A good portion of tomorrow's agenda time will be given over to the issue of congregational development.

I trust through the programme, the hearings and the evening symposium, you'll find food for thought and inspiration to motivate for possible action back home in your own parish setting.

### **3. Vocation of the Whole People of God**

There is an ongoing challenge before us to become more aware of our calling as the People of God. The ministry and mission of Christ in the world have been handed on to the Church. It is by baptism that we become members of the Church and thereby are called to minister so as to further the mission of Christ. Baptism is both the means of our call and the empowerment for our call.

Ministry of and by the People of God is what the Church is all about. It is the Ministry of the Whole People of God. While clergy have the ultimate responsibility for Christian education, pastoral care and administration of the sacraments; yet, in recent years, we have begun to reflect on the meaning of the diversity of gifts given by the Lord of the Church to each member of the Church.

In my travels throughout our diocese, I have witnessed the exercise of a great diversity of gifts by a goodly number of people. Those ministries often are expressed in several ways:

Gift of teaching -- Sunday Schools; confirmation/inquirers classes; Bible Study groups; baptism and marriage preparation teams.

Gift of administration -- Church and Parish Councils as well as their several committees; staffing of church offices.

Gift of pastoral care -- visiting teams to sick and shut-in people; volunteers with meals-on-wheels programmes; post marriage and baptism visitation teams.

Gift of liturgical ministries -- servers; choir members, altar guild workers; readers; greeters; lay readers; N.S.O.M.

There is a vast array of activities to be sure. Yet I believe we often limit greatly what the ministry is all about if we confine ourselves to the concept of its expression as that which takes place within the gathered community, the Church. I find the following quotation from The Authority of the Laity, by Verna Dozier, puts all of this in perspective:

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*The untold story of the New Testament*

*The Bible, as written, is already the Church's book. We have the story of the early Church as a gathered community. What we do not have are the stories of what all those early Christians were doing when they were not gathered. What were those saints of Caesar's household doing in Caesar's household? Where were those Corinthians coming from when some arrived early and ate up all the food and some arrived late and complained about the leavings? They had all kinds of jobs, and their life was more than going to church. It was not their activity in the gathered community that turned the world upside down. Their activity in the gathered community supported "The Way" that turned the world upside down. The powers that be never care how much religious people sing and pray together. That kind of insulating activity made Karl Marx dismiss religion as the opiate of the people. Kraemer has a powerful word of judgment on this point: "The modern world, by its victorious secularism, has domesticated the church into a 'reservation' for people with 'religious' needs, and the church has largely accepted this domestication." No, the powers that be never care how much "religious" people sing and pray together. The threat arises when that singing and praying alerts the worshippers that things in the world are out of joint and that they are called to set them right.*

I believe something of this thrust is expressed in Notice of Motion #9 whereby Synod will be asked to endorse the action of the Diocesan Council in declaring our diocese to be a Jubilee Community. I commend to you the background information on pages 89 and 90 of the Convening Circular as a fine commentary on this subject of exercising our ministry in the world.

**4. Human Sexuality**

It is my firm belief the topic of human sexuality has a definite and prominent place among the unfinished agenda items before our Church. We have not dealt well with the several

aspects of this subject, especially the homosexual aspect. A few years ago our Human Sexuality Task Force produced for us a very fine Guideline for Discussion which I again highly recommend for wide use throughout our diocese.

That task force developed eight guidelines to facilitate thoughtful and respectful dialogue:

1. We expect that the full range of issues of human sexuality exists within the Church;
2. We acknowledge that gay and lesbian persons (as well as other sexual minorities) are in the Church;
3. We will always assume that gays or lesbians (or representatives of other sexual minorities) are present;
4. While we disagree on issues we will use language which respects the dignity of others;
5. We will respect the right of people to “name” themselves and their experience;
6. If we ask a question, we will be prepared to respond to it ourselves;
7. We will respect people’s privacy;
8. We will respect people’s integrity as people of faith.

I believe these guidelines, as well as programmes like “Diverse Voices/Common Ground,” are a good beginning to lay the foundation for a conversation which must go on for an extended period. But this is not a matter of debating in academic circles until some degree of common mind is reached. This is a matter of human lives and discerning how the spirit is moving among us. Gays and lesbians are people like you and me. They are our fathers and mothers, our brothers and sisters, our husbands and wives, our sons and daughters, our colleagues in ministry.

It seems to me there is a pressing issue of justice inherent in this discussion having to do with acceptance and inclusion of people regardless of sexual orientation. It has to do with the role of the Church in a suffering world where those who are gay and lesbian are suffering, discriminated against, beaten and many times tortured and killed. Therefore, as a Church are we...

- ✧ Prepared to challenge some of our strongly-held beliefs? I used earlier the example of St. Peter when faced with the Gentile question and how he was

moved to see new possibilities for the Church as those strongly-held beliefs were changed.

- ✧ Willing to establish a serious conversation with those who differ from us? As I have engaged in earnest conversation with gays and lesbians the situation for me took on a whole new meaning.
- ✧ Willing to let diversity take place within this Church community? Can we recognize that my biblical interpretation is different from the interpretation of others and remain in community with one another?
- ✧ Willing to welcome one another as Christ welcomed us?

To love God is to love what God loves. And what does God love? God's love is extended to all that is made -- to us and our fellow human beings and the material things around us. If we really grasp the truth of all this, then, when we look at one another and at our environment, we are looking at persons and things that are the object of God's love. If we say we love God, this is how we must see our world. That surely is the essential building block for any true conversation leading to understanding and true community.

St. Paul says in 1 Corinthians 13:2, "If I have prophetic powers, and understand all mysteries and all knowledge, and if I have all faith, so as to remove mountains, but do not have love, I am nothing." One commentator wrote, "Truth must be intolerant of error, but God's truth is also intolerant of intolerance. Truth is intolerant of any self-righteous belief that is void of love and compassion."

## **5. General Synod 2001**

This year from July 4th to 11th the General Synod of our Church will meet in Waterloo, Ontario. The Primate made the following comments as an initial word of welcome to the 2001 General Synod:

*The theme of the 2001 General Synod is Toward Healing, Reconciliation and The New Life. This is a theme that wells up from the heart of the gospel. At the centre of our faith is the awareness that God, in Christ, is reconciling "all things to*

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*himself" (Colossians 1:20). All things; in other words, nothing broken or injured is incapable to being restored and reconciled. When brokenness is acknowledged, and when we turn towards Christ who is the source of our healing, then indeed reconciliation is possible. As Christians, we know this means a journey through the cross. Wounds must be faced, not ignored. But they lose their power to defeat us as we open them to Christ. And in his hands they become the source of new life.*

*There is much in our nation and in our church that cries out for healing. Our time together in Synod gives us opportunity to explore ways to participate in this. . . .*

The delegates representing our diocese at this meeting of the General Synod are:

Archdeacon Tim Appleton	Denise Black
Archdeacon John Clarke	Carolyn Chenhall
Archdeacon Ted Morgan	Jamie Cochran
Rev. Canon Sue Moxley	Tanya Moxley
Rev. Canon David Reid	David Tinker
Sarah Townsend, Youth Rep	

Among the items to come before the General Synod is the matter of full communion with the Evangelical Lutheran Church in Canada. In our journey with the ELCIC we have come to this significant stage of moving into full communion with one another.

*Full communion should imply that the ordained ministries and members of two churches are interchangeable; that is, fully accepted in one another's churches. It should also imply that the two churches have regular means of consulting and making decisions together on matters of common concern. . . .*

(1988 Lambeth Conference Report, E.R. 82)

At the same time and in the same place the National Convention of the ELCIC will give consideration to making formal the step of full communion with our Anglican Church of Canada. I have every confidence that both our General Synod and the National Convention will take this step of full communion; a step over which we rejoice with glad thanksgiving. Full communion

marks we are reconciled ourselves and it will be a powerful sign to the world of Christ's gospel of reconciliation.

The theme of General Synod, Toward Healing, Reconciliation and The New Life describes our efforts to journey together with fellow First Nations Anglicans. As we explore ways to participate in this work we are convinced and determined that healing and reconciliation must continue to be prominent in all our efforts. While the many lawsuits being brought against the Church for our part in the Indian residential schools are making the bankruptcy of some dioceses and the National Church a very real possibility, yet we are set upon staying the course of healing and reconciliation. We may spend most of our money in response to legal judgments and we may lose many buildings, but the Church is more than money and buildings. The Church is people committed to journey with our God and committed to working towards healing, reconciliation and the new life. That work will - must - continue.

## **6. A Call to Prayer**

At their recent meeting in March of this year, the Primates of our Church issued a Pastoral Letter and Call to Prayer. I want to reiterate that summons to prayer and call upon all parishes in our diocese to an active participation in response to that summons.

*We ask now for the observance of a time of special prayer, across the Communion, between Ascension and Pentecost:*

*to give thanks for the many signs of God's work among us;*

*to pray that God will show us how to grow in the unity he desires;*

*to pray for the Anglican Communion around the world;*

*to pray and work for those enslaved by poverty or wealth;*

*to pray and work for those living with HIV/AIDS;*

*and to dedicate ourselves to seeking and following the wisdom of God in our situations, in the confidence that he will bring to fulfillment the work he has begun in us.*

*We do not live to ourselves or die to ourselves. May God help us to show what a living, generous and faithful Communion might be.*

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## **7. Ascension of The Lord**

We gather for Synod as we celebrate one of the Church's major festivals -- Ascension of the Lord. At the scene of the Ascension St. Luke records, "And behold I send the promise of my Father upon you; but stay in the city until you are clothed with power from on high" (24:29).

At our Lord's ascension, his last recorded message to his followers was this promise of power to be given. The Resurrected Christ made known to his friends they were to think of God as being like him and his power was going to be continued in the world through his Spirit alive in them. He would be with them all, always, everywhere. His last promise was a promise which conveyed assurance that they (we) would share his power.

The witness of the Church through the ages and today is that the promise of the Lord has been fulfilled. It is a promise which is fulfilled from on high and it is power which clothes us. It is his power working in us which enables us to discern our way and to continue the journey.

*Glory to God, whose power working in us  
can accomplish more than we can ask or imagine . . .*

The Most Reverend Arthur G. Peters  
Archbishop of Nova Scotia & Prince Edward Island