



# CONSTITUTION

## Definitions

Unless otherwise stated, these definitions pertain throughout the Constitution and Canons of the Diocese of Algoma.

Assisted parish: a parish

- (a) served by an incumbent whose stipend and transportation grant are paid in whole or in part from sources outside of the parish, or
- (b) that does not pay its levy in full.

Communicant: any parishioner who has communicated at least three times in the preceding twelve months, where the person has had the opportunity of so doing.

Congregation: a group of persons who gather regularly for worship and who hold an Annual Vestry meeting in accordance with Canon J-1.

Incumbent: a cleric or lay person licensed or appointed as such by the Bishop to a parish, assisted parish, or congregation.

Outstation: a group of worshippers which does not hold an Annual Vestry Meeting in accordance with Canon J-1

Parish: a congregation or group of congregations served by an incumbent. A parish includes an assisted parish and a self-supporting parish unless otherwise stated.

Self-supporting parish: a parish which is not an assisted parish.

Vestry meeting: a meeting of the parishioners in each congregation, held in accordance with these canons.

## **Article 1: Composition of Synod**

The Synod shall consist of:

- (a) the Bishop, and any Coadjutor or Assistant Bishop of the Diocese;
- (b) the clergy of the Diocese, being duly qualified;
- (c) the Chancellor, Vice-Chancellor;
- (d) the President (or equivalent) of any organization functioning throughout the diocese, as determined by the Executive Committee;
- (e) three youth delegates from each deanery, between the ages of 16 and 24, to be elected by Deanery Council prior to synod based on a slate of names brought by a nominating committee and allowing for nominations from the floor;
  - (e.1) except for the purposes of Article 3(1)(a) which determines the election of “lay delegates” to Synod, the term “lay delegate” in this Constitution includes a “youth delegate” elected to Synod pursuant to Article 10(1)(f).
- (f) the lay delegates to be elected according to this Constitution
- (g) Church Army officers and lay incumbents serving in the Diocese under licence from the Bishop, voting as members of the order of laity
- (h) Lay Stewards, not elected as lay delegates to the synod, but serving the second half of their four year term
- (i) the Treasurer of Synod as a non-voting member.

## **Article 2: Clerical Delegates to Synod**

1. All clergy who are licensed by the Bishop of Algoma have the right to sit and vote in the Synod as clerical members of Synod.
2. A bishop, priest, or deacon having a vote in the Synod of another diocese shall not be a member of the Diocese of Algoma Synod.

3. A bishop, priest, or deacon resident in the Diocese but not licensed by the Bishop of Algoma may sit and vote as a lay member of Synod if so elected according to this Constitution.

4. **Article 3: Lay Delegates to Synod qualifications:**

1. (a) A Lay delegate shall be a person elected at the annual meeting or at any vestry meeting called for that purpose in the same year as a regularly scheduled synod, and who:

(i) has had the status of communicant at the time of the election; and

(ii) is at least 16 years old; and

(iii) does not hold the Bishop's licence as a deacon or priest.

(b) All lay nominees, at the time of their nomination, shall signify their willingness to attend the Synod, if elected. No nomination shall be received without such signification.

*election:*

2. number of delegates:

a) Every separate parish, regardless of the number of its congregations, shall be entitled to elect one lay delegate and an alternate.

b) If the number of its canonical voters exceeds one hundred, the parish shall be entitled to two lay delegates. If the number of its canonical voters exceeds two hundred the parish shall be entitled to three lay delegates.

c) Not more than one delegate in each parish shall be a non-resident of that parish.

d) In the case of the election of more than one delegate, the chair of the vestry shall sign a certificate stating the number of canonical voters and forward it to the Secretary of the Synod with the certificate of election.

e) Parishes consisting of one congregation shall elect their delegates at the annual vestry meeting next preceding the regular meeting of Synod.

- f) In parishes consisting of more than one congregation, the parish may elect the delegate to which it is entitled in a manner in which all of the congregations agree. If the congregations do not agree, the following method shall be used:
- (i) every organized congregation, at the annual vestry meeting before the regular meeting of Synod, shall:
    - (a) have the right to nominate one person for election as delegate to Synod; and
    - (b) communicate the name immediately to the incumbent.
  - (ii) The incumbent shall:
    - (a) receive nominations from the congregations, and (b) send a complete list of them to the churchwardens of each congregation in the parish.
    - (iii) Vestry meetings at which such nominations are made shall be adjourned for a period of two weeks, and at the adjourned annual meeting in each congregation, those present and entitled to vote shall record their votes in favour of any one of the nominees.
    - (iv) In the absence of the incumbent the chair of the meeting shall immediately communicate the result of the vote to the incumbent.
  - (v) The incumbent shall declare:
    - (a) the nominee receiving the highest number of votes in the parish elected as delegate, and
    - (b) the nominee receiving the next highest number of votes as the alternate.
  - (vi) In the case of a tie, the incumbent has the deciding vote.
- g) (i) In parishes consisting of more than one congregation, a congregation having more than one hundred canonical votes shall be entitled to elect one lay delegate.
- (ii) The other congregation or congregations shall be entitled to elect one other lay delegate, who, where there are two or more other

congregations, shall be chosen by the method provided in paragraph 2(f) of this Article.

*when no incumbent:*

h) In any case where there is no incumbent, the Territorial Archdeacon shall act to ensure the provisions of this Constitution are followed.

*notification of synod office:*

i) The incumbent and churchwardens shall forward to the Synod Office the names of the delegates elected at the annual vestry meeting within one month following that meeting.

*nomination at any vestry:*

j) For sufficient cause, lay delegates may be nominated and elected in the manner provided above at any vestry meeting called for the purpose, provided that the provisions for the calling of a vestry meeting are followed.

*duties:*

3. a) (i) Except for the application of s.1(a) of this Article, each delegate and alternate shall remain in office until the next regular election, provided that they continue to possess the qualifications of a member of the vestry set forth in this Constitution.

(ii) At the discretion of the Bishop, the requirement that a lay delegate or alternate be a member of the Anglican Church of Canada and no other denomination may be waived for a summer parish.

b) If circumstances prevent a lay delegate from attending Synod, the lay delegate shall at once notify the incumbent, who shall inform the alternate entitled to the seat.

c) If the alternate is unable to attend Synod, one of the other alternate delegates of the parish may attend Synod.

d) A certificate from the incumbent of the parish shall state the name of the delegate in whose place the alternate attends, and shall entitle the alternate to a seat.

#### **Article 4: Calling of Synod**

- a) Regular meetings of the Synod shall be held every two years on a day to be decided by the Bishop with the concurrence of the Executive Committee.
- b) The Executive Committee shall issue a circular stating the time and place of the holding of Synod, the business to be done, and the order in which it shall be discussed. The business mentioned in the circular shall have precedence over all other business.
- c) The circular shall be forwarded to each member one month before the meeting of Synod.
- d) Such meetings shall be held in Sault Ste. Marie, Ontario, or, for sufficient cause, at the Bishop's discretion, at any other place within the Diocese.
- e) The Bishop, or in the absence of the Bishop, the Bishop's Commissary, or in the absence of either, any four members of the Executive Committee, shall, upon requisition signed by one-fourth of the clergy and one-fourth of the lay delegates, summon a special session of the Synod, the object of such session to be stated in the requisition.
- f) The Bishop may call a special Synod at any time the Bishop thinks it necessary.

#### **Article 5: Quorum of Synod**

One-fourth of the clergy and lay delegates respectively constitute a quorum of the Synod at its ordinary meeting.

#### **Article 6: Voting vote by ballot.**

1. Any member of Synod may request a vote by ballot.

*orders voting together:*

2. The votes of the clergy and laity shall be taken collectively unless there is a vote by orders.

*vote by orders:*

3. There shall be a vote by orders where this is provided for by Canon, or where this is requested by two members of Synod before the question is put from the chair.
4. Where the chair of Synod deems a matter coming before Synod to be a matter of vital theological import, any vote on such matter shall be by orders.
5. Where a vote by orders is conducted:
  - (a) this shall be by ballot; and
  - (b) no result shall be announced until both orders have voted.

*passage of a resolution:*

6. No resolution of the Synod shall pass until concurred in by:
  - (a) the majority of the members of Synod, or the majority of each order where there has been a vote by orders; and
  - (b) the Bishop.

*concurrence of the Bishop:*

7. The Bishop may reserve the decision as to whether to concur in a resolution. If the Bishop does not notify the Secretaries of Synod of concurrence within two months of the end of Synod, the resolution is lost.
8. This article, so far as it applies to the concurrence of the Bishop, shall not apply to the election of a Bishop.

*Officers of Synod:*

### **Article 7: Secretaries to Synod**

1. Two secretaries shall be elected on the first day of the meeting of each Synod.
2. One secretary shall be elected by the clergy and one by the laity.

3. The secretaries shall keep regular minutes of all proceedings of the Synod.

**Article 8: The Treasurer**

1. There shall be a Treasurer of the Synod.
2. The Treasurer shall be appointed by the Executive Committee.
3. The employment of the Treasurer shall be on such term as may be decided upon by the Synod or the Executive Committee.
4. The Treasurer shall perform such duties as the Synod or the Executive Committee shall determine, and in particular the Treasurer shall:
  - (a) receive and account for all monies paid to or received by the Synod, and shall issue receipts for them; and
  - (b) make expenditures authorized by the Synod, or a proper committee of Synod; and
  - (c) keep all necessary books of accounts and records of securities and properties as shall be approved by the Executive Committee.

**Article 9: Financial Review**

*Financial Review*

1. On the nomination of the Treasurer, those who will conduct the annual Financial Review shall be elected at the meeting of each regular Synod.
2. Acting under the direction, regulations and requirements of the Executive Committee, those conducting the Financial Review shall:
  - (i) annually inspect the accounts, and
  - (ii) report to the next regular Synod.
3. If those conducting the Financial Review shall fail to act, the Executive Committee may appoint others for that occasion.

**Article 10: Executive Committee composition:**

1. There shall be an Executive Committee of the Synod to consist of:
  - (a) the Bishop, and any Coadjutor or Assistant Bishop of the Diocese;



- (b) the Dean, the Archdeacons, the Chancellor, the Vice-Chancellor, the Registrar;
- (c) the Lay Stewards from each deanery;
- (d) the Regional Dean of each deanery;
- (e) one lay member and one clerical member who may be appointed by the Bishop;
- (f) one youth delegate elected to Synod under this Constitution, who shall be elected by combined ballot of the clergy and lay members from among those nominated by the youth delegates. A second youth delegate shall be elected as an alternate who shall replace the first youth delegate in the event of that delegate's resignation or inability to continue to serve;
- (f.1) for the purposes of Article 10(1)(f), the term youth delegate means
  - (i) a "lay delegate" pursuant to Article 3(1)(a)(ii) of the Constitution who is between the ages of 16 and 24; or
  - (ii) a "youth delegate" pursuant to Article 1(e) of the Constitution.
- (g) the Treasurer of Synod as a non-voting member;
- (h) the Diocesan ACW President;
- (i) the Diocesan representative to the Anglican Council of Indigenous Peoples.

[for term of office see Canon B-1, s.1]

*quorum:*

2. Eight members of the Executive Committee, at least four of whom must be laity, constitute a quorum for the transaction of business.

*chair:*

3. a) The Bishop shall preside at meetings of the Executive Committee.

- b) The Bishop's Commissary shall preside in the absence of the Bishop.
- c) The Executive Committee, by a majority of the votes cast, shall elect a member of the Committee who shall preside in the absence of both the Bishop and the Bishop's Commissary.  
[see also Canon B-1, s.2(a)-(c)]

*duties:*

4. (a) It shall be the duty of the Executive Committee to manage and administer all the contracts, litigation, funds, lands and property of the Synod and generally to exercise all of the powers and functions of the Synod between sessions of the Synod in accordance with the Constitution and Canons, except enacting, amending or repealing the Canons or the Constitution.

Nothing in this section shall be interpreted as impairing, diminishing, or affecting in any way the pastoral or disciplinary aspects of the authority and jurisdiction of the Bishop of Algoma in respect to a bishop, priest or deacon, or a lay person who is subject to the jurisdiction of the Bishop of Algoma.

(b) The Executive Committee shall ensure that the Treasurer, and such other members of the staff as it shall designate, be bonded for such amounts as the Executive Committee shall decide upon.

[for other duties, see Canon B-1, and Section D:Diocese: Finances]

**Article 11: Amendment to the Constitution:**

- 1. No resolution for an alteration of or an addition to the Constitution or Canons shall be considered unless notice is given to each delegate in the circular calling the meeting of the Synod.
- 2. A resolution for an alteration of or an addition to the Constitution or Canons is effective only if:
  - (a) it passes by a two-thirds majority; or
  - (b) it passes by a majority and is confirmed by a majority at the next regular meeting of Synod; and
  - (c) the Bishop concurs