

THE SYNOD OF THE DIOCESE OF RUPERT'S LAND

CONSTITUTION

WHEREAS by the Act of the Legislature of the Province of Manitoba, namely, Chapter 100 of the Statutes of Manitoba, 1966, the Synod of the Diocese of Rupert's Land, which was incorporated by an Act of said Legislature, namely Chapter 56 of the Statutes of Manitoba, 1886, was continued as a body corporate and politic for the purpose and with the object of governing and administering the affairs of The Anglican Church of Canada within the Diocese of Rupert's Land;

AND WHEREAS by said Chapter 100 and said body corporate and politic consists of the Bishop of the Diocese from time to time, and such other persons as may from time to time be designated by the Constitution of the Diocese, as such Constitution existed at the time said Chapter 100 came into force, or as it may from time to time be altered by Synod thereafter;

AND WHEREAS the Constitution has been altered from time to time and it is now considered desirable that the Constitution be further altered;

NOW THEREFORE Synod hereby declares and enacts that the Constitution of Synod shall be as follows:

1.0

Definitions

For the purposes of this Constitution and the Canons of Synod, the following terms shall have the meaning given opposite each.

“Assistant Bishop” – a bishop who has been engaged in accordance with the Provincial Constitution and Canons to assist the Bishop in carrying out episcopal duties and functions.

“Bishop” – the Bishop of the Diocese.

“Bishop Coadjutor” – a bishop who has been elected in accordance with the Provincial Constitution and Canons to assist the Bishop and who has the right of succession to the office of the Bishop.

“Bishop Suffragan” – a bishop who has been elected in accordance with the Provincial Constitution and Canons to assist the Bishop in carrying out episcopal duties and functions.

“Canon” – where the context permits, an enactment of Synod declared by Synod so to be.

“Cathedral” – The Cathedral Church of St. John as constituted by “The St. John’s Cathedral Chapter Act”.

“chair” – the person presiding, or entitled to preside, at a meeting.

“Chancellor” – The Chancellor of the Diocese.

“Church” – The Anglican Church of Canada.

“Clergy” – a member of the Order of Clergy.

“congregation” – depending on the context:

- (a) a group of persons, recognized by the Bishop, who meet for the purpose of worship and religious instruction but who are not organized as a parish or mission;
- (b) a group of persons within a parish or mission who meet for Divine Service.

“Constitution and Canons” – the Constitution and Canons of the Diocese.

“Council” – the Council of the Diocese.

“Dean” – the Dean of the Diocese.

“Diocese” – The Diocese of Rupert’s Land.

“incumbent” – a person in Holy Orders who holds a valid and subsisting licence from the Bishop and who has been appointed by the Bishop to be in charge of and to perform ecclesiastical duties in a parish, mission, or special ministry; and such terms as “rector”, “vicar”, “curate” and “chaplain” denote specific kinds of incumbents.

“member of the Church” – a person who has been baptized with water in the name of The Father and of The Son and of The Holy Spirit and who is recognized attendant at the public worship of a parish church or mission of the Church.

“mission”- a territory, district or congregation within the Diocese that has been established as a mission by the Bishop.

“parish” – a territory or district within the Diocese that has been organized as a parish in accordance with the Constitution and Canons and placed in charge of an incumbent, and, where applicable, includes a mission.

“Provincial Constitution and Canons” – the Constitution and Canons of the Ecclesiastical Province of Rupert’s Land.

“session” – the entire duration of a meeting of the members of Synod.

“sitting” – each period during a session when members meet as a body to consider the business of Synod.

“special ministry” – an ecclesiastical ministry in the Diocese defined as to intent and function by the Bishop.

“Synod” – the Synod of the Diocese as constituted by “The Diocese of Rupert’s Land Act”.

“Vice Chancellor” – the Vice Chancellor of the Diocese.

2.00 **Membership of Synod**

2.01 **Membership**

Synod shall consist of the following members:

- (a) As clerical members:

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- (i) The Bishop.
 - (ii) The Bishop Coadjutor.
 - (iii) Each Bishop Suffragan.
 - (iv) Each Assistant Bishop.
 - (v) Each priest and deacon licensed by the Bishop as an incumbent.
 - (vi) Each priest and deacon who is licensed by the Bishop within a parish or mission, to a number not exceeding the number of lay delegates which that parish or mission is entitled to send to Synod; provided that if the total number of such priests and deacons in a parish or mission, together with the incumbent, exceeds the number of lay delegates which that parish or mission is entitled to send to Synod, then the priests and deacons from that parish or mission who shall be members of Synod shall be selected by the incumbent.
 - (vii) The Warden and the Dean of the Faculty of Theology of St. John's College, if a priest or deacon.
- (b) As lay members:
- (i) Each lay person who has been baptized with water in the name of The Father and of The Son and of The Holy Spirit, who is a recognized attendant at the public worship of a parish church or mission, who is of the full age of 16 years, and who is elected as a lay delegate to Synod, or as a substitute therefore, from such parish or mission, in accordance with the Constitution and Canons.
 - (ii) Each lay person who is licensed by the Bishop and placed in charge of a parish, mission or special ministry and who receive, in that respect, a regular stipend.
- (c) As ex officio members:
- (i) The Secretary of Synod.
 - (ii) The Treasurer of Synod.
 - (iii) The Registrar of Synod.
 - (iv) The Chancellor and Vice Chancellor.
 - (v) The Warden and the Dean of the Faculty of Theology of St. John's College, if not a priest or deacon

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- (d) As appointed members:
- (i) No more than six persons who are members of the Church, are between the ages of 16 to 23 years, are resident in the Diocese, and who may be appointed annually by the Bishop for one year terms.
 - (ii) Six persons, who are of the full age of 16 years, are members of the Church and are resident in the Diocese, who shall be appointed annually by Council for one year terms, provided that if a person has been so appointed by Council for five successive years immediately preceding a prospective appointment, then that person is not eligible for re-appointment unless Council, by separate resolution, declares that person eligible for re-appointment.
 - (iii) No more than six persons of the full age of 16 years appointed by Synod for terms not longer than the session of Synod at which the persons were appointed.

2.02

Exclusions from membership

- (a) The following are not members of Synod unless otherwise qualified under section 2.01:
- (i) Canons of the Cathedral, including honorary and lay canons, and archdeacons emeritus.
 - (ii) Superannuated clergy.
 - (iii) Clergy licensed as assistants to the Bishop.
 - (iv) Clergy on leave from the Diocese.
- (b) A person is not eligible for election as a lay delegate or as a substitute lay delegate pursuant to section 2.01 (b) (i) if that person has been elected as a lay delegate for three successive regular sessions of Synod immediately preceding the election, unless the vestry or parish council, by resolution, declares the person eligible for re-election.

2.03

Orders

Clerical members are of the Order of Clergy and all other members are of the Order of Laity, except that, for the purposes of voting and of appointment to

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office, an ex officio or appointed member who is also a clerical member under section 2.01(a) shall be considered to be a clerical member.

3.00

Lay delegates

3.01

Lay delegate entitlement

Those persons who are of the full age of 16 years and are members of the Church may elect annually, on behalf of the parish or mission at the public worship of which they are recognized attendants, lay delegates to Synod, and substitutes for them, as follows:

A Parish or mission having

- (a) fewer than one hundred members – two lay delegates and substitutes for each of them,
- (b) from one hundred to three hundred members – three lay delegates and substitutes for each of them, and
- (c) more than three hundred members – four lay delegates and substitutes for each of them.

3.02

Manner of selection of lay delegates and substitutes

The lay delegates and substitutes referred to in sub-section 3.01 shall be elected by the parishes and mission, in the numbers, at the times, and in accordance with any procedures prescribed by the Constitution and Canons.

3.03

Suspension of right to elect lay delegates

The Canons may provide for the suspension of the right of a parish or mission to elect lay delegates to Synod and may prescribe the circumstances, terms and procedures concerning the imposition and the lifting of a suspension.

4.00

Sessions of Synod

Sessions of Synod shall be held at least biennially on the days, times and places determined by the Bishop.

5.00

Chair of Synod

Unless otherwise provided in the Canons, the Bishop, or a person appointed by the Bishop, shall act as Chair of each sitting of Synod.

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6.00 **Quorum of sittings of Synod**

A quorum at each sitting of Synod shall consist of at least one-fourth of the clerical members and one-fourth of the lay members.

7.00 **Enactment of resolutions at Synod**

7.01 **Majority required**

To be adopted, a resolution at a sitting of Synod shall be passed by

- (a) the appropriate majority of the votes cast by the clerical members,
- (b) subject to section 2.03, the appropriate majority of the votes cast by the lay, ex officio and appointed members, and
- (c) be concurred in by the Bishop.

7.02 **Appropriate majority**

Unless otherwise provided in the Constitution, Canons, or the rules of parliamentary procedure, the term “appropriate majority” shall mean a simple majority of the votes cast.

7.03 **Method of voting at Synod**

- (a) The members of Synod shall vote collectively unless the Constitution and Canons otherwise provide, or unless, prior to a resolution being put by the Chair, a vote by Orders is requested by any ten members of Synod, in which cases the members of the Order of Clergy and of the Order of Laity shall vote separately by Orders and, to be adopted, the resolution shall be passed by the appropriate majority of the votes cast by the members of each Order and be concurred in by the Bishop. The vote of the members of the Order of Clergy shall be taken first.
- (b) Where a vote on a resolution has been taken collectively, the resolution shall be deemed to have been passed by the appropriate majority of the members of both Orders if it has been passed by the appropriate majority of the total votes cast.

8.00 **Eligibility for election to Council and other groups**

A person is not eligible for election by Synod as a member of Council or as a delegate to General Synod or to Provincial Synod, or as a member of any delegation, board, committee or group, other than the Board on Canons and Rules

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of Order, unless that person is registered as a member of Synod for the session of Synod at which the election takes place.

9.00 **Diocesan Council**

9.01 **Creation and functions of Council**

There shall be a Diocesan Council of Synod which, subject to such limitations as Synod may prescribe, shall have and may exercise all the powers and functions of Synod between sessions of Synod and in particular, but without limitation, shall:

- (a) Provide for the regulation and conduct of meetings of Council to the extent not otherwise provided for in the Constitution and Canons.
- (b) Appoint the Treasurer and Secretary of Synod and such other officers of Synod as are not the subject of appointment by the Bishop, and fix and determine their duties, powers and compensation.
- (c) Consider and deal with matters referred to it by Synod or by the Bishop.
- (d) Make or cause to be made any contract or undertaking which Synod by law may enter into.
- (e) Administer and manage all the trust, properties and funds belonging to or controlled by Synod.
- (f) Recommend to the Bishop changes in diocesan policy.
- (g) Direct and coordinate generally the affairs of Synod and make all necessary arrangements for its sessions, including, without limitation, the preparation of the agenda thereof and of matters to be brought before such sessions.

9.02 **Membership of Council**

Council shall consist of the following members:

- (a) ex officio members:
 - (i) The Bishop, The Bishop Coadjutor, each Bishop Suffragan and each Assistant Bishop.
 - (ii) The Dean and each Archdeacon of the Diocese.
 - (iii) The chair of the Finance Committee.

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- (iv) The Warden of St. John's College.
- (v) The Chancellor, or, in the absence of the Chancellor, the Vice Chancellor.
- (vi) The Secretary of Synod, non-voting.
- (b) Elected members:
 - (i) Ten clerical members, elected by Synod, of whom at least three shall be licensed by the Bishop for ecclesiastical duties within the City of Winnipeg, and at least three shall be licensed by the Bishop for ecclesiastical duties in the Diocese outside the City of Winnipeg.
 - (ii) Twelve lay members, elected by Synod, of whom at least four shall be delegates of a parish or mission within the City of Winnipeg, and at least four shall be delegates of a parish or mission in the Diocese outside the City of Winnipeg.
- (c) Appointed members

No more than six persons, appointed by Council from groups established by Council pursuant to section 13.
- (d)
 - (i) One person appointed by Council who is between the ages of 16 years and 20 years (inclusive)
 - (ii) One person appointed by Council who is between the ages of 21 years and 25 years (inclusive)

9.03

Election to Council of Elected Members

The election to Council of the elected members shall take place biennially at a session of Synod designated by the Bishop to include such election.

9.04

Balloting for election of Members to Council

At the election at Synod of members of Council, there shall be two ballots, one for the election of clerical members and the other for the election of lay members. Each ballot shall be divided into two sections. One section of the ballot for the election of clerical members shall list the nominees licensed by the Bishop for ecclesiastical duties within the City of Winnipeg and the other shall list the nominees who are licensed by the Bishop for ecclesiastical duties in the Diocese outside the City of Winnipeg. One section of the ballot for the election of lay members shall list the nominees who are delegates of a parish or mission within

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the City of Winnipeg and the other shall list the nominees who are delegates of a parish or mission in the Diocese outside the City of Winnipeg. Voters may vote for no more than ten persons on the ballot for the election of clerical members, and no more than twelve persons on the ballot for the election of lay members. Voters shall vote for at least two persons in each section of the ballot for the election of clerical members and shall vote for at least three persons in each section of the ballot for the election of lay members. A spoiled section of ballot shall not invalidate the other section of that ballot.

9.05 **Chair of Council**

The Bishop, or a person appointed by the Bishop, shall act as chair of the meetings of Council, and in the absence of the Bishop and in the absence of an appointment by the Bishop, Council shall appoint a chair for that meeting.

9.06 **Meetings of Council**

Meetings of Council shall be held as follows:

(a) **Regular meetings:**

Regular meetings of Council shall be held at such time and place and on such notice as Council from time to time determines, provided however; that Council must hold a minimum of at least five regular meetings during the year.

(b) **Special meetings:**

The Secretary of Council, whenever requested.

(i) by the Bishop, or, in the absence from the Diocese of the Bishop, or the inability of the Bishop to act, by the Bishop Coadjutor or a Bishop Suffragan,

(ii) by the Executive, or:

(iii) in writing signed by at least five members of Council, shall call a special meeting of Council within three weeks of the request and shall state in the notice the business to be brought before such meeting, as set out in the request.

9.07 **Quorum of Meetings of Council**

Ten members of Council, who shall include at least three of each Order, shall constitute a quorum for a meeting of Council.

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Memberships and Vacancies on Council

- (a) Members of Council shall remain in office until their successors are elected or, in the case of ex officio or appointed members, until their successors have been elected or appointed, as the case may be.

Any vacancies occurring among the elected members shall be filled automatically and in succession from the clerical and lay members of Synod, as appropriate, who, at the last preceding election received the highest number of votes next after the elected members, subject however, to the application of the provisions of section 9.04. If the list of elected members has been exhausted, Council may fill the vacancy by appointing any member of the previous Session of Synod who was eligible to be elected to Council.

- (b) An elected member of Council who fails to attend three consecutive meetings of Council without notifying the Secretary of Council prior to each such meeting of an intended absence shall be deemed to have resigned from Council and shall be given notice thereof accordingly.

9.09

Rules and Regulations of Council

Council may adopt such rules and regulations for the conduct of its affairs as it shall determine necessary or desirable; provided that such rules and regulations are not inconsistent with the Constitution and Canons.

9.10

Reports to Synod by Council

Council shall report to each session of Synod

10.00

Standing Committees of Council

10.01

Establishment of Standing Committees

There shall be two Standing Committees of Council; namely, the Executive Committee and the Finance Committee.

11.00

Executive Committee

11.01

Membership of Executive Committee

The Executive Committee shall consist of the following members:

- (a) The Bishop
(b) The Chancellor.

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- (c) The Dean and Archdeacons of the Diocese.
- (d) The chair of the Finance Committee.
- (e) Three clerical members and three lay members of Council, who shall be elected by Council at its first meeting after the session of Synod at which elections to Council took place.

11.02 **Chair of Executive Committee**

The Bishop, or, in the absence of the Bishop, the clerical member present who is senior by office, or a person present appointed by that member, shall act as chair.

11.03 **Powers and Functions of Executive Committee**

The Executive Committee shall:

- (a) Carry out any instructions from time to time given to it by Council.
- (b) Plan the agenda of each meeting of Council.
- (c) Consider such of the matters on the agenda as it deems necessary, and such matters as may be referred to it for consideration by Council, and make recommendations thereon to Council.
- (d) Subject to such limitations as Council from time to time may prescribe, have and may exercise between meetings of Council all the powers and functions of Council.
- (e) Report to the next ensuing meeting of Council concerning the exercise by it of any of the powers referred to in clause (d).

12.00 **Finance Committee**

12.01 **Membership of Finance Committee**

Members of the Committee shall be appointed by Council as soon as is practicable after the session of Synod at which the elections to Council took place, provided that at least one member of the Committee shall be appointed from amongst members of Council. The Bishop, ex officio, shall be a member of the Committee.

12.02 **Chair of Finance Committee**

The chair of the Committee shall be appointed by Council and, in the absence of the appointed chair or of any designation by the appointed chair of another person

to act as such for a particular meeting, the Committee shall appoint a chair for that meeting.

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Functions of Finance Committee

The Committee shall supervise, recommend and, through its chair, report to each regular meeting of Council on all matters affecting the administration of the finances of Synod.

13.00

Other Groups Established by Council

13.01

Establishment, regulation and disestablishment of other groups

Council from time to time, by resolution, may establish and organize such groups of persons, as it deems necessary or desirable to assist it in the performance of its functions, and in the case of such group, (subject to the provisions of sections 10.00, 11.00 and 12.00 relating to the Executive Committee and the Finance Committee) shall determine their respective purposes, functions, responsibilities, powers, names or titles, the number of members, the manner of appointment of members, chairs and other officers, funding, relationship with or to other groups established by Council, and the method by which each reports to Council; and Council may establish the quorum and the rules of procedure for any such groups, and (subject to the provisions of sections 10.00, 11.00, and 12.00) may combine, subdivide, alter, reorganize, re-establish or disestablish any such groups.

13.02

Ex officio member of groups

The Bishop shall be, ex officio, a member of each group established by Council.

13.03

Vacancies in Groups

Council may fill any vacancy in a group

14.00

Rules of Order

Synod may from time to time pass such rules and regulations, not contrary to law or the Constitution and Canons, as it deems necessary or advisable for the conduct of the proceedings at sittings of Synod, and may repeal or amend any such rules and regulations.

15.00

Canons

15.01

Enactment, Repeal or Amendment

Synod may from time to time enact such Canons, not contrary to law or the Constitution, as it deems necessary or advisable for governing and administering the business and affairs of Synod, and may repeal or amend any such Canons.

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Procedure for enactment, repeal or amendment

A Canon may not be enacted, repealed, or amended unless the proposed enactment, repeal or amendment,

- (a) has been considered by Council, has appeared as a Notice of Motion in the notice or convening circular of the session of Synod at which it is to be considered and has been approved at that session of Synod by a majority of votes cast by the members of each Order, voting separately, and has been concurred in by the Bishop; or,
- (b) has been approved by all the votes cast by the members of each Order, voting separately, and has been concurred in by the Bishop.

16.00

Amendment of Constitution

An amendment of the Constitution shall not take effect unless the proposed amendment has been considered by Council, has appeared as a Notice of Motion in the notice or convening circular of the session of Synod at which it is to be considered, and either,

- (a) has been approved at the same session of Synod by a majority of two-thirds of the votes cast by the members of each Order, voting separately, and has been concurred in by the Bishop, and, at the following session of Synod, has been confirmed by a like majority of the votes cast by the members of each Order, voting separately, and has been concurred in by the Bishop; or
- (b) has been approved at the same session of Synod by all the votes cast by the members of each Order, voting separately, and has been concurred in by the Bishop.

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