

# Background Information on Proposed Canon Changes for Synod 2022

## 1) Amendment to Canon 1.9 (2) – Synod Council

This revision clarifies that alternate representatives may fill-in for regional representatives from time to time, as well as having the right to succession, should the elected member resign. It also clarifies that an alternate duly called upon to serve may be either clergy or lay.

### CURRENT TEXT

2. An alternate representative may be elected from each of the regions who shall serve as a member of the Synod Council in the event of an elected member's resignation or inability to attend the meetings of the Council. Such alternate representative shall serve out the balance of the member's term and shall have voting privileges.

### PROPOSED REVISION

2. An alternate representative, clergy or lay, may be elected from each of the regions who shall serve as a member of the Synod Council in the event of an elected member's inability to attend a meeting of the Council. If an elected member resigns, such alternate representative shall serve out the balance of the member's term. Alternate members shall have full voting privileges when attending on behalf of an elected member or serving out the balance of a term.

## 2) Amendment to Canon 1.9 (3) – Synod Council

This revision codifies our current practice that the bishop and executive officer are *ex officio* members of all standing committees of the Synod Council, leaving most membership requirements in terms of reference approved by Synod Council. The amendment also standardizes terms limits, where applicable. In addition, it proposes updating the canon to reflect our practice that the chair of standing committees is appointed by the bishop, unless otherwise specified, and that membership is open to members of synod as well as anyone entitled to vote at a vestry meeting.

### CURRENT TEXT

3. There shall be standing committees of the Synod Council, as follows:

(a) The Coordinating Team of Synod Council, consisting of the Diocesan Bishop and the

Secretary of Synod, one of whom shall chair the Coordinating Team, and not less than five of its members to be elected annually by the Synod Council at its January meeting. The Coordinating Team shall meet between sessions of the Synod Council at the call of the Secretary of Synod.

(b) The Financial Advisory Committee, consisting of the Treasurer, and not less than seven

members, to be elected by the Synod Council for a two-year term, renewable once.

(c) The Audit Committee, consisting of the Treasurer, and not less than six and not more than ten members, to be elected by the Synod Council for a two-year term, renewable twice.

(d) The Human Resources for Ministry Committee, consisting of the Bishop, the Treasurer, the Secretary of Synod, the Director of Human Resources, not less than three and not more than five members appointed by the Bishop, and up to three members elected by the Synod Council for a two-year term, renewable twice.

(e) Other standing committees as mandated by Synod Council.

## PROPOSED REVISION

3. (a) There shall be standing committees of the Synod Council, as follows:
  - i) The Coordinating Team of Synod Council, consisting of the Secretary of Synod, and at least three members to be elected annually by the Synod Council. The Coordinating Team shall meet between sessions of the Synod Council at the call of the Secretary of Synod, who shall chair the meetings.
  - ii) The Financial Advisory Committee, consisting of the Treasurer and at least six members to be elected by the Synod Council for a two-year term, renewable twice.
  - iii) The Investment Advisory Committee, consisting of the Treasurer and at least six members to be elected by the Synod Council for a two-year term, renewable twice.
  - iv) The Audit Committee, consisting of the Treasurer, and at least six members, to be elected by the Synod Council for a two-year term, renewable twice.
  - v) The Human Resources for Ministry Committee, consisting of the Bishop or Bishop's designate, and at least four members elected by the Synod Council for a two-year term, renewable twice.
- (b) Other standing committees may be mandated by Synod Council, as necessary.
- (c) The terms of reference for each standing committee will be defined in a mandate letter approved by the Synod Council.
- (d) Unless otherwise specified, the chair of each standing committee shall be appointed by the Bishop.
- (e) Members of the committees shall normally be members of a parish vestry within Niagara.
- (f) The Bishop and Executive Officer shall be *ex officio* members of all standing committees.

### 3) Amendment to Canon 1.9 (7) - Synod Council

This revision updates the scope of financial transactions permitted by the signing officers of the Synod to explicitly reference the transfer of funds electronically and to update guidance related to signing officers, removing reference to an assistant treasurer and adding reference to an executive officer.

#### CURRENT TEXT

The Synod Council shall, at its first meeting following the conclusion of the Diocesan Synod, appoint signing officers for the Diocese, such signing officers to include the Bishops of the Diocese, the Secretary of Synod, the Treasurer, the Assistant Treasurer, and any other individuals as shall be designated at that time by the Synod Council, provided that two signatures shall be affixed to all cheques and bills of exchange, one of which must be that of the Treasurer, Assistant Treasurer, or one other person appointed by Synod Council, and provided further that such signing officers as appointed pursuant to this section shall be authorized, in the name of the Synod of the Diocese of Niagara, to

- (a) draw, accept, sign and make all or any bills of exchange, promissory notes, cheques and orders for the payment of money;
- (b) pay and receive all moneys and to give acquittance for the same;
- (c) assign and transfer to the financial institution acting as custodian all or any stocks, bonds and other securities and from time to time to borrow money from such financial institution either by overdrawing the account or otherwise; and

- (d) generally for and on behalf of the said Synod to transact with the said bank any business.

**PROPOSED REVISION**

The Synod Council shall, at its first meeting following the conclusion of the Diocesan Synod, appoint signing officers for the Diocese, such signing officers to include the Bishop of the Diocese, the Executive Officer, the Secretary of Synod, the Treasurer, and any other individuals as shall be designated at that time by the Synod Council, provided that two signatures shall be affixed to all cheques and bills of exchange, one of which must be that of the Treasurer, the Executive Officer, or one other person appointed by Synod Council, and provided further that such signing officers as appointed pursuant to this section shall be authorized, in the name of the Synod of the Diocese of Niagara, to

- (a) draw, accept, sign, approve, and make all or any bills of exchange, promissory notes, electronic or wire transfers, cheques and orders for the payment of money;
- (b) pay and receive all moneys and to give acquittance for the same;
- (c) assign and transfer to the financial institution acting as custodian all or any stocks, mutual funds, bonds and other securities and from time to time to borrow money from such financial institution either by overdrawing the account or otherwise; and
- (d) generally for and on behalf of the said Synod to transact with the said bank any business.

**4) Amendment to Canon 2.2 – Secretary & Treasurer**

The role of a controller, to assist the treasurer with the financial management of the Synod, is not one that is expected to be necessary going forward. The last controller appointed under this canon concluded their ministry with the diocese in 2010.

**PROPOSED REVISION:**

THAT section 5 of Canon 2.2 be deleted along with all references to the controller position found in the diocesan canons.

Canon 2.2 (5) The duties of the Controller shall be:

- (i) Generally to assist the Treasurer in the performance of the duties as set out in section 4 herein; and
- (ii) To fulfil all duties of the Treasurer during the Treasurer's absence, or during a vacancy in the office of Treasurer.

**5) Amendment to Canon 3.1 – Appointment of Incumbents**

These changes add clarity to the canon by stipulating various membership provisions and provides guidance for what happens when there is a change in the lay leadership of a parish during an appointment process.

**CURRENT TEXT:**

1. There shall be in every parish (not being an assisted parish) a Committee (hereinafter called "The Parochial Committee"), which shall consist of the lay representatives to the Synod and the Churchwardens of the parish. Such Committee shall have full power in conference with the Bishop, to represent the Parish in the selection of an incumbent.

**PROPOSED REVISION:**

THAT section 1 of Canon 3.1 be amended to read as follows:

1. There shall be in every parish (not being an assisted parish) a Committee (hereinafter called "The Parochial Committee"), which shall consist of the lay representatives to the Synod and the Churchwardens of the parish. Such Committee shall have full power in conference with the Bishop, to represent the Parish in the selection of an incumbent. An archdeacon or other representative shall be appointed by the Bishop to oversee the interview process.

For the sake of greater clarity:

- (i) The chair shall be elected from amongst the members of the Committee.
- (ii) Alternate lay representatives to the Synod and Deputy Churchwardens of the parish may attend meetings of the Parochial Committee but are not entitled to vote.
- (iii) In the event of a change of leadership during the Parochial Committee's work, past wardens or lay representatives may, at the Bishop's sole discretion, continue to serve on the Committee but are not entitled to vote.
- (iv) In extraordinary circumstances, at the outset of the Committee's work, additional members of the parish may be appointed by the Bishop.

**6) Amendment to Canon 4.1 (4) – Vestries and Churchwardens**

This change adds clarity to the canon by stipulating Synod Council has the authority to approve extensions to the Annual Vestry Meeting Deadline.

**CURRENT TEXT:**

4. An Annual Vestry Meeting shall be held by the 1<sup>st</sup> of March each year, or on such day as may be fixed by the Synod, notice of the said meeting shall be given during Divine Service on the two Sundays immediately preceding the said meeting. The said meeting shall be for the purpose of receiving the audited accounts of the Vestry, and subsequently of electing and appointing Churchwardens and Lay Representatives and for the transaction of other business connected with the temporalities of the Church.

**PROPOSED REVISION:**

THAT section 4 of Canon 4.1 be amended to read as follows:

- 4 a) An Annual Vestry Meeting shall be held by the 1st of March each year, or on such day as may be fixed by the Synod. In extraordinary circumstances, this deadline may be extended with the approval of the Synod Council.
- b) Notice of the annual meeting shall be given during Divine Service on the two Sundays immediately preceding the said meeting.
- c) The annual meeting shall be for the purpose of receiving the audited accounts of the Vestry, and subsequently of electing and appointing Churchwardens and Lay Representatives and for the transaction of other business connected with the temporalities of the Church.

**7) Amendment to Canon 4.3(1) – Differences Between Clergy & Parishioners**

Discrimination based on age or disability is prohibited by the Ontario Human Rights Code and contrary to the values of the diocese. This amendment seeks to update this canon to reflect contemporary practice and the supports in place for situations that were previously sought to be addressed by the text of this canon.

**CURRENT TEXT**

Whenever it has been represented to the Bishop, that any Parish is suffering through the inability of the Incumbent through age, infirmity or any other cause, or from neglect by the Incumbent to discharge their duties, or that a controversy has arisen between the Incumbent and any members of the congregation, which cannot be settled by the parties themselves or that in any respect the condition of the Parish is such as to injure its peace and prosperity, the Bishop may at the Bishop's discretion notify the said Incumbent of such representation and that such representation will be referred to a Board of Enquiry to be appointed and to act in the manner hereinafter provided.

**PROPOSED REVISION**

THAT section 1 of Canon 4.3 be amended by deleting the phrase, "*through the inability of the Incumbent through age, infirmity or any other cause, or.*"