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**142<sup>ND</sup> SESSION OF THE DIOCESAN SYNOD  
OF  
NOVA SCOTIA & PRINCE EDWARD ISLAND**

**NOTICES OF MOTION**

<b>1)</b>	<b>Constitution of Synod – Sustainability of Synod</b> Section 3(f) and 3A(1) and (2)	<i>Mover</i>  <i>Secunder</i>
<b>2)</b>	<b>Constitution of Synod – Sustainability of Synod</b> Section 5(2) and 5(8)	<i>Mover</i>  <i>Secunder</i>
<b>3)</b>	<b>Constitution of Synod</b> Section 21(1)(d) and (e) and (3)(c) and (d)	<i>Mover</i>  <i>Secunder</i>
<b>4)</b>	<b>Constitution of Synod – Diocesan Council of Synod Reporting</b> Section 24	<i>Mover</i>  <i>Secunder</i>
<b>5)</b>	<b>Canon 11 Diocesan Council</b> Circulation of Meeting Materials	<i>Mover</i>  <i>Secunder</i>
<b>6)</b>	<b>Canon 11 Diocesan Council</b> Section 5 - Composition of Diocesan Council, Updating Reference to Dean and Removing Gender Specific Language	<i>Mover</i>  <i>Secunder</i>
<b>7)</b>	<b>Canon 31 Trusteeship Canon (NEW)</b>	<i>Mover: A. Chapman</i>  <i>Secunder: J. Cooper</i>
<b>8)</b>	<b>Consideration of Order of Resolutions</b>	<i>Mover: R. Townsend</i>  <i>Secunder: T. Moxley</i>
<b>9)</b>	<b>Canon 10 Administration and Finance Committee</b> Section 4(1)(k)	<i>Mover</i>  <i>Secunder</i>
<b>10)</b>	<b>Canon 16 Budget</b> Sub-Section 2(2) of Canon 16, Composition of Budget Sub-Committee	<i>Mover</i>  <i>Secunder</i>
<b>11)</b>	<b>Canon 19 Diocesan Book Room</b> Repealed	<i>Mover</i>  <i>Secunder</i>
<b>12)</b>	<b>Canon 21 Clergy Employment Outside Regular Duties (NEW)</b>	<i>Mover</i>  <i>Secunder</i>
<b>13)</b>	<b>Canon 24 Archives</b> Sub-Section 2(1), Terms of Office for Members of Archives Committee	<i>Mover</i>  <i>Secunder</i>
<b>14)</b>	<b>Canon 28 Episcopal Jurisdiction Respecting the Clergy</b> Section 2, Correction of Typographical Error	<i>Mover</i>  <i>Secunder</i>
<b>15)</b>	<b>Canon 42 Updating Name of Diocese (NEW)</b>	<i>Mover</i>  <i>Secunder</i>
<b>16)</b>	<b>Proposed Motion from the Intentional Listening Task Force</b>	<i>Mover: D. Fletcher</i>  <i>Secunder:</i> <i>G. Westhaver</i>
<b>17)</b>	<b>Proposed Motion re. Marriage</b>	<i>Mover: S. Ashton</i>

		<i>Secunder: D. Burrows</i>
<b>18)</b>	<b>Canon 20 Regions and Regional Deans</b>	<i>Mover:</i> <i>Secunder</i>
<b>19)</b>		
<b>20)</b>		
<b>21)</b>		
<b>22)</b>		
<b>23)</b>		

## Notice of Motion # 1

Proposed amendment to the Constitution of the Synod of the Diocese of Nova Scotia and Prince Edward Island amending Membership of Synod for Clergy.

**BE IT RESOLVED** that Section 3(f) and 3A (1) and (2) of the Constitution of the Synod of the Diocese of Nova Scotia and Prince Edward Island be amended by deleting those provisions that are shown below underlined and adding those provisions shown below in italics

~~3(f) All members of the Clergy, including, for greater certainty, members of the clergy who are superannuated from the Diocese, or retired from the Diocese who are ordinarily resident in the Diocese, licensed by the Bishop and not under any charge or inhibited, suspended or deprived except that a member of the clergy who is superannuated or retired from a Diocese is not, for the purposes of any meeting of Synod, a member of Synod where that member of the clergy has, pursuant to Section 3A filed a notice of intention not to participate in the meeting and the notice has not been withdrawn pursuant to Section 3A(2).~~

~~3A (1)Any member of the clergy who is superannuated from the Diocese or retired from the Diocese may file with the Executive Secretary of Synod, no later than sixty days before the meeting or the first of such meeting, as the case may be, in a form prescribed by the Bishop a Notice of Intention not to participate in one or more meetings of Synod.~~

~~(2)A declaration filed pursuant to Subsection (1) may be withdrawn with respect to any meeting by filing with the Executive Secretary of Synod, at least 30 days before the meeting a notice, in a form prescribed by the Bishop that the Declaration is withdrawn with respect to that meeting.~~

*3(f) All members of the clergy ordinarily resident in the Diocese who hold a license from the Bishop, and are not under any charge or inhibited, suspended or deprived.*

**BE IT FURTHER RESOLVED** that this motion has effect on and after the close of the meeting of Synod at which it is passed.

## Notice of Motion # 2

Proposed amendment to the Constitution of the Synod of the Diocese of Nova Scotia and Prince Edward Island amending Membership of Synod for Lay Representatives.

**BE IT RESOLVED** that Section 5 (2) and Section 5(8) of the Constitution of the Synod of the Diocese of Nova Scotia and Prince Edward Island be amended by

- a) Deleting those provisions that are shown below underlined
- b) Adding those provisions shown below in italics.

### 5 Lay Representatives

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

(8) Term: Lay representatives continue in office until their successors are elected or appointed but any such representatives may resign at any time to the Bishop , *may resign by submitting a resignation to the Bishop and may not serve more than two terms consecutively.*

**BE IT FURTHER RESOLVED** that this motion has effect on and after the close of the meeting of Synod at which it is passed.

### Notice of Motion # 3

Proposed amendment to the Constitution of the Synod of the Diocese of Nova Scotia and Prince Edward Island.

**BE IT RESOLVED** that Section 21 (1) (d) and (e) and (3)(c) and (d) of the Constitution of the Synod of the Diocese of Nova Scotia and Prince Edward Island be amended by deleting those provisions that are shown below underlined.

21 Standing Committee of Synod

(1) The Standing Committees of Synod are as follows:

(d) Strategy Planning;

(e) Program Planning;

21(3) The membership of the other Standing Committees are as follows:

(c) Strategy Planning: The Chair plus 7 other members are appointed by the Appointments Committee, subject to ratification of Synod. Members are appointed to four-year terms and may serve up to two consecutive terms.

(d) Program Planning: The Chair plus 4 other members are appointed by the Appointments Committee, subject to ratification of Synod. Members are appointed to four- year terms and may serve up to two consecutive terms.

**BE IT FURTHER RESOLVED** that this motion has effect on and after the close of the meeting of Synod at which it is passed.

#### **Notice of Motion # 4**

Proposed amendment to the Constitution of the Synod of the Diocese of Nova Scotia and Prince Edward Island.

**BE IT RESOLVED** that Section 24 of the Constitution of the Synod of the Diocese of Nova Scotia and Prince Edward Island be amended by

- a) Deleting those provisions that are shown below underlined
- b) Adding those provisions shown below in italics.

24     The Annual Report of the Diocesan Council of Synod shall be sent to Clerical and Lay Members of Synod in the Diocese at least two weeks before the day appointed for the meeting of Synod.

*The annual report of the Diocesan Council of Synod shall be published on the website of the Diocese of Nova Scotia and Prince Edward Island and made available to all clerical and lay members of Synod in the Diocese at least two weeks before the day appointed for the meeting of Synod; provided however that upon receipt of a written request from a clerical or lay member of Synod, the annual report of the Diocesan Council of Synod shall be printed or produced in CD format and sent by mail to such clerical or lay member of Synod.*

**BE IT FURTHER RESOLVED** that this motion has affect on and after the close of the meeting of Synod at which it is passed

## Notice of Motion # 5

Proposed amendment to Canon 11 Diocesan Council

**BE IT RESOLVED** as a resolution of the Diocesan Synod of Nova Scotia and Prince Edward Island that Section 6(5) of Canon 11 (Diocesan Council) be amended by

- a) Deleting those provisions that are shown below underlined
- b) Adding those provisions shown below in italics.

6(5) All minutes of the Council meetings shall be circulated to members of the Council and Chairs of Standing Committees, Regional Deans, Chairs of Regional Council and, at the discretion of the Executive Secretary, to other persons.

*6(5) All minutes of the Council meetings together with supporting materials (collectively the "Minutes") shall be circulated electronically by email to members of the Council and Chairs of Standing Committees, Regional Deans, Chairs of Regional Council and, at the discretion of the Executive Secretary, to other persons (collectively the "Addressees" and each an "Addressee"); provided however that upon receipt of a written request from an Addressee, the Executive Secretary shall mail a copy of such Minutes to such Addressee.*

## Notice of Motion # 6

Proposed amendment to Canon 11 Diocesan Council

(Composition of Diocesan Council, Updating Reference to Dean and Removing Gender Specific Language)

**BE IT RESOLVED** as a resolution of the Diocesan Synod of Nova Scotia and Prince Edward Island that Section 5 of Canon 11 (Diocesan Council) be amended by

- c) Deleting those provisions that are shown below underlined
- d) Adding those provisions shown below in italics.

5(1) The following persons shall constitute the membership of the Diocesan Council:

- (a) The Bishop of the Diocese, who shall be chair
- (b) The Coadjutor Bishop, Suffragan or Assistant Bishop of the Diocese
- (c) The Chancellor of the Diocese
- (d) The Dean of Nova Scotia *and Prince Edward Island*
- (e) The Executive Secretary of the Synod

(f) Four Regional Deans to be chosen by the Regional Deans of the Diocese from among their number, except that if a person who has been appointed pursuant to this Sub-Section ceases to be a Regional Dean the person shall continue as a member until the appointment of a successor by the Regional Deans.

(g) Eighteen members to be elected by Synod from their number of who six shall be clerical members (excluding Regional Deans) and twelve shall be lay members, half of each order to be elected at each session of the Synod for two consecutive terms, the length of each term to extend from an election of members of the Council at a regular meeting of Synod until the election of members to the Council that is held at the next succeeding regular meeting of Synod.

*(f) Two Regional Representatives from each Regional Council comprised of one member of the clergy and one lay person, both of whom shall be members of the Synod, with one of its two Regional Representatives to be elected by each of the Regional Councils for two consecutive terms at the session of each such Regional Council immediately prior to a regular meeting of Synod (each an "Electoral Session"), with the intent that only one half of the Regional Representatives on Diocesan Council shall be replaced at any one election; provided however that for transitional purposes:*

*(i) each of the Regional Councils shall elect, at the first session only of such Regional Council to meet after approval by Synod of this amended Clause (f), one Regional Representative to serve for one term only and another Regional Representative to serve for two consecutive terms; and*

*(ii) such first session of each Regional Council shall meet to elect such first Regional Representatives not later than three (3) weeks after the meeting of Synod which approves this resolution.*

*(g) In the event that a Regional Representative elected by a Regional Council ceases to be member of Synod or that a vacancy in respect of a Regional Representative otherwise occurs, such Regional Representative shall cease to be a member of Diocesan Council and the Regional Council shall elect a replacement Regional Representative to Diocesan Council at the first session of such Regional Council occurring after the Regional Representative ceases to be a member of Synod.*

*(g)(h) A maximum of four members appointed by the Bishop, should the Bishop in His the Bishop's discretion decide to make such appointments.*

*(h)(i) Two youth delegates to be elected by the youth delegates to Synod from their number one of whom to be elected at each Session of Synod for two consecutive terms.*

5(2) (a) Each person who is a candidate for election by Synod as a clerical member of the Diocesan Council but who is not elected as a clerical member of the Council is a substitute clerical member of the Council and each person who is a candidate for election by Synod as a lay member of the Council but who is not elected as a lay member of the Council is a substitute lay member of the Council;

(b) Where a vacancy occurs in the clerical membership of the Diocesan Council who are member of the Council for the unexpired portion of the term and where a vacancy occurs in the lay membership of the Council who are elected by Synod, the Bishop may designate a substitute lay member to serve as a lay member of the Council for the unexpired portion of the term, and where the person so designated agrees to do so, that person is the clerical member or lay member of the Council, as the case may be, for the unexpired portion of the term and ceases to be a substitute lay member as long as that person is serving for the unexpired portion of the term

(3) (2) Subject to subsection (4), a person may be re-elected as a member of Diocesan Council

5(4) No person may be elected pursuant to clause (f) (g) or (h) (i) of subsection (1) for more than two consecutive terms, the length of each term to extend from an election of *such* members to the *Diocesan Council* at an *Electoral Session of a Regional Council in the case of an election pursuant to Clause (f)(g)* a regular meeting of Synod *in the case of an election pursuant to Clause (h) (i)* until the election of members to the *Diocesan Council* that is held at the next succeeding *Electoral Session of a Regional Council or at the next succeeding regular meeting of Synod, as applicable.*

***AND BE IT FURTHER RESOLVED*** that the term of office of any member of the Diocesan Council appointed by the Regional Deans or elected by Synod pursuant to the former repealed Clause (f) or (g) of Sub-section (1) of Section 5 of Canon 11 expires upon the first election of members Regional Representatives as members pursuant to the new Clause (f) enacted by this resolution, but nothing in this resolution prohibits the re-appointment re-election of members pursuant to the new Clause (f).

## **Notice of Motion #7**

### **BACKGROUND INFORMATION IN RESPECT OF PROPOSED TRUSTEESHIP CANON**

The proposed Trusteeship Canon is intended to provide a mechanism whereby parishes in distress can request assistance. The Canon is based upon the Trusteeship Canon of the Diocese of Montréal, which has had to deal with parishes with declining numbers.

Problems have arisen with regard to some rural parishes with declining numbers, where dwindling congregations have not been able to elect Wardens, a Treasurer, and a Parish Council in accordance with the requirements of Canon 35. The parish corporation then lacks a proper parish government or parish officers to deal with its assets, pay bills, and look after its affairs. In some cases, the parish may have funds on deposit with the Diocese, but it is difficult for the Diocese to pay interest on such investments to a parish corporation that does not have a Treasurer or a properly constituted Parish Council.

Difficulties can also arise where a Parish Council or a Church Council is divided into warring factions and is accordingly unable to act effectively and officers resign and cannot be replaced, and the Parish Council wishes to request outside assistance in resolving the differences.

If a Parish Council wishes to put itself under the direction of trustees, the Parish Council can request the Bishop in writing to appoint a commission of three trustees. No board of trustees can be commissioned by the Bishop without a request in writing from the Parish Council of the parish in distress. If Diocesan Council agrees with the request from the Parish Council, the Bishop can commission a board of three trustees for a term of three months, which term is renewable with the consent of Diocesan Council. The Bishop then gives notice of the appointment of the trustees, after which time the Parish Council is to act in accordance with directions given to the Parish Council by the trustees during the term of their commission.

The trustees have the power to give written directions to the Parish Council of the parish in distress, and may appoint an administrator to exercise some or all of their rights and powers under their supervision. An administrator could be appointed, for example, to review the books of the Parish and ensure that income is properly received and deposited and bills are paid. The trustees may also decide whether mediators or a conflict resolution manager should be appointed to deal with issues giving rise to problems within a Church or Parish.

Once the parish in distress has found sufficient parishioners to fill the necessary offices and places on Parish Council and has been able to re-establish effective corporate governance, the Commission would come to an end and the parish Wardens, Treasurer, and Council would operate independently again.

Proposed New Canon 31, Trusteeship Canon.

## **TRUSTEESHIP CANON**

### **Interpretation**

1. The purpose of this Canon is to provide a framework within which the Bishop exercises the Bishop's rights, powers and prerogatives, by and with the consent of Diocesan Council and the Parish in Distress, in order to place a Parish in Distress in Trusteeship.
2. The intent of this Canon is that the Bishop and Diocesan Council will use Trusteeship under this Canon only as a last resort, when other efforts to resolve the Parish in Distress's problems have failed, or when it is urgent to intervene for financial or other reasons.

3. In this Canon:

**Administrator** means a suitably qualified individual appointed by the Trustees in writing to exercise some or all of their rights, powers and prerogatives under their supervision;

**Bishop** means the Diocesan Bishop of the Diocese;

**Church Council** has the meaning ascribed to it in Section 11 of Canon 35 (Parish Government).

**Commission** means a written commission issued by the Bishop under the Bishop's hand and seal appointing Trustees to a Parish in Distress pursuant to this Canon;

**Corporation** means the corporation of any Parish within the meaning of the *Anglican Church Act*;

**Diocese** means the Diocese of Nova Scotia and Prince Edward Island;

**Diocesan Council** means the Diocesan Council of the Diocese;

**Member** means any member or communicant of the Anglican Church of Canada in the Diocese, whether lay or clergy;

**Parish** means a parish as defined in the *Anglican Church Act*;

**Parish Council** has the meaning ascribed to it in Section 8 of Canon 35 (Parish Government);

**Parish in Distress** means any Parish, which is, in the opinion of Diocesan Council, dysfunctional and, without limiting Diocesan Council's discretion, a Parish is dysfunctional where:

(i) it is subject to serious division within the Parish Council or within the Church Council of one of the congregations comprising the Parish;

(ii) there are difficulties in the Parish's compliance with the requirements of Canon 35 (Parish Government);

or

(iii) the Parish has repeatedly failed to meet its financial commitments to the Diocese or to third parties;

**Trustee** means a Member appointed by the Bishop to a Commission pursuant to this Canon;

**Trusteeship Proposal** means a written proposal that the Bishop issue a Commission in respect of a Parish under this Canon.

### **Trusteeship Proposal**

4. Upon receipt of a request in writing from the Parish Council of the Parish in Distress, where the request has been authorized by a special meeting of the Parish Council conducted in accordance with these Canons, the Bishop may initiate a Trusteeship Proposal respecting a Parish in Distress pursuant to this Canon.

### **Approval of Diocesan Council**

5. Where a Trusteeship Proposal is initiated, the Proposal shall be submitted to Diocesan Council, and if it is approved by a majority vote of the members present and voting at a duly called Diocesan Council meeting, the Bishop shall then commission a Board of three Trustees by issuing a Commission under the Bishop's hand and seal.
6. A Commission issued by the Bishop under this Canon has a term of three months, which is renewable with the consent of Diocesan Council;
7. The Commission may be terminated at any time by the Bishop with the consent of Diocesan Council.

### **Powers and Responsibilities of the Trustees**

8. Upon issuing a Commission, the Bishop shall immediately give written notice thereof to the Corporation of the Parish in Distress.
9. From the date and time of notice of the Commission,
  - a. the Parish Council shall exercise all rights, powers and prerogatives of the Corporation of the Parish in Distress and of all other church-related entities within the Parish in Distress in accordance with directions given to the Parish Council by Trustees during the term of their Commission;
  - b. the Parish Council shall provide the Trustees with any bank statements or financial statements that the Trustees may from time to time request; and
  - c. the Parish Council shall take steps to advise immediately the Church Councils of any congregations comprising the Parish and any other church-related entities within the Parish in Distress of the issuance of the Commission.
10. In addition to the Trustees' power to give written directions to the Parish Council of the Parish in Distress, the Trustees may, during the term of the Commission
  - a. decide whether mediators or conflict resolution managers shall be appointed to deal with the matters which were the cause of the issue of the Commission;
  - b. decide whether to appoint an Administrator to exercise some or all of their rights, powers and prerogatives under their supervision and if so, the extent of the rights, powers and prerogatives conferred upon the Administrator pursuant to the terms of the appointment.

### **Reporting**

11. During the term of the Commission, the Trustees shall make interim reports on their work to Diocesan Council at such intervals as may be determined by Council, and shall also submit a final report to the Bishop and to Council at the end of the Commission.
12. Upon receipt of the Trustees' final report by the Bishop and Council, the Archdeacon responsible for the Parish in Distress shall call a special meeting of the Parish Council of that Parish, and at that meeting:
  - a. the Trustees shall present their final report to the Parish Council; and
  - b. the Corporation and the Parish Council shall be entitled to exercise all their rights, powers, prerogatives and responsibilities without being subject to direction from the Trustees.

### **Expenses and Disbursements**

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

### **Notice to the Corporation**

14. Any notice which must be given to the Corporation under this Canon shall be deemed to be validly given and received at the earlier of:
  - a. the actual receipt of the written notice by any member of the Corporation; or
  - b. 48 hours after the notice is sent by registered mail to any member of the Corporation.

### **Immunity**

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

## Notice of Motion #8

Proposed Motion from Synod Arrangements Committee regarding the Order of consideration of resolutions at all sessions of Synod.

Be it resolved that:

- A) The order of consideration of resolutions at all sessions of Synod will be set by the originating source of the resolution. Resolutions are to be placed on the agenda to be considered by the membership present at a session of Synod in order by those originating from:
- 1<sup>st</sup> Diocesan Council,
  - 2<sup>nd</sup> Diocesan standing committees,
  - 3<sup>rd</sup> Diocesan sub-committees and/or task groups,
  - 4<sup>th</sup> Regional Councils,
  - 5<sup>th</sup> Parishes,
  - 6<sup>th</sup> Congregations,
  - 7<sup>th</sup> Individuals.

If more than one resolution is received from a particular category of originating source, such resolutions are to be placed on the agenda and considered in the chronological order that the Executive Secretary of Synod received them.

- B) The Synod Resolutions Committee will present to each session of Synod a “no debate” list of resolutions for consideration by the membership present. Acceptance of the “no debate” list at each session of Synod is to be considered before any resolutions are considered at the session of Synod. On the request of any two members of Synod, other than the mover and seconder of the resolution, a particular resolution may be taken off the “no debate” list, therefore that particular resolution would be open for debate when it would normally appear in the agenda for consideration.

## Background

For years, questions have arisen about how the order for consideration of resolutions is determined for each session of Synod. The reality has been that, for the last several Synods, the chair of Synod has decided the order with recommendation from those who crafted the agenda. Often, the order has been established without significant consideration given to the originating source of the resolution. As well, it has been difficult for the membership of Synod to determine when a particular resolution may be come to the floor of Synod. At times, resolutions deemed significant by members of Synod have been debated at times of day when thoughtful and prayerful consideration may be difficult. Both General Synod and other dioceses in Canada follow a specific regular order for consideration based on the origins of the resolution, which seems to work well for them.

The creation of a “no debate” list of resolutions could enhance the efficiency of a session of Synod by eliminating the formalities and reading of resolutions necessary to bring a resolution to the floor of a session of Synod for debate when debate may not be imminent or required. Examples of such resolutions are a resolution of loyalty to the Queen or a resolution that Synod support a letter be drafted to the provincial government urging action to eliminate child poverty. Provision is made in this Resolution for returning any “no debate” resolution to open debate.

**Notice of Motion # 9**

**Canon 10**  
**The Administration and Finance Committee**

Be it resolved that Section 4(1)(k) of Canon 10 be amended by :

- a) Deleting those provisions that are shown below underlined
- b) Adding those provisions shown below in italics.

4(1)(k) Subject to the appropriate authority (the Synod, Diocesan Council, Bishop) the Committee shall have the following powers and responsibility:

- (k) To appoint four *two* of its members to the *Budget Sub-Committee*

**Notice of Motion # 10**

**Canon 16  
(Composition of Budget Sub-Committee)**

Be it resolved that Sub-Section 2(2) of Canon 16 be amended by

- a) Deleting those provisions that are shown below underlined
- b) Adding those provisions shown below in italics.

2(2) Membership of the Budget Sub-Committee

(a) *Two* members appointed by the Administration and Finance Committee from its membership

(b) One member appointed by the Program Planning Committee from its membership

(c) Four *(b) Two* appointed by the Regional Deans from their membership

and be it further resolved that the term of office of any member of the Budget Sub-Committee expires upon the first appointment of members made pursuant to this Canon as amended by this motion, but nothing in this motion prohibits the re-appointment to the Sub-Committee of the member whose term of office has so expired.

**Notice of Motion # 11**

**Canon 19**  
**(Repeal of Diocesan Book Room Canon)**

Be it resolved that Canon 19 be repealed.

**Notice of Motion # 12**

**Canon 21**

**Clergy Employment Outside Regular Duties**

Be it resolved that Guideline 2.1.10, a copy of which is attached, becomes Canon 21 of the Canons of Synod and has the same force and effect as if it were enacted by Synod as a Canon and it be amended by

- a) Deleting those provisions that are shown below underlined
- b) Adding those provisions shown below in italics.

**Canon 21**

**CLERGY EMPLOYMENT OUTSIDE  
REGULAR DUTIES**

*Diocese of Nova Scotia & Prince Edward Island*

It is recognized that Diocesan Clergy may be employed in other than Parochial or Diocesan duties; where it is being considered, careful consideration should be given as to the reason why the Clergyman person wishes to engage in other than Parochial or Diocesan work and the following guidelines Canon 21 must be adhered to.

1. If any member of the Diocesan Clergy is to be engaged in secular employment, there must first of all be total communication and understanding between Bishop, Priest, and Salary-paying Sources. An agreement in writing regarding salary and time allotment should be drawn up prior to acceptance of any employment. If the Parish or Ministry is supported by Diocesan Funds, the Grants Committee or A & F Committee should be involved in drawing up the agreement.

2. Such a situation could be reviewed at any time upon the request of the Bishop, Priest or Salary-paying Source, and must be reviewed at least annually by a review board, consisting of the Regional Dean of the area concerned, a Bishop and three members of the Personnel Committee Human Resources Advisory Sub-Committee; to review each situation yearly and to deal with provocative situations. This board would make recommendations to the Bishop.

3. The most important consideration is that the pastoral work in a Parish or Ministry be adequately carried out. If the Clergyman person is engaged in some secular occupation and it interferes with or limits his vocation and duties to the detriment of the parish, some other arrangement should be made.

4. Although a parish may have less financial burden with the Priest clergyperson having secular employment, it must be remembered that when the man moves, a heavier burden will be suddenly imposed on the Parish. The long term effect must be carefully considered.

**NOTE:** This is not a Canon, but 1973 Synod resolved that it be printed, and placed in the Handbook after Canon 21.

**Notice of Motion # 13**

**Canon 24**

**Archives**

**(Terms of Office for Members of Archives Committee)**

Be it resolved that Sub-Section 2(1) of Canon 24 be amended by adding those portions shown below as italics.

2(1) Membership

The Committee consists of

- (a) Eight persons appointed by the Appointments Committee, *each for a term of four years to a maximum of two consecutive terms*
- (b) The Diocesan Archivist
- (c) The Diocesan Registrar
- (d) The Executive Secretary of Synod

**Notice of Motion # 14**

**Canon 28**

**Episcopal Jurisdiction Respecting the Clergy**

**(Correction of Typographical Error)**

Be it resolved that Section 2 of Canon 28 be amended by striking out those portions shown below as underlined and adding those portions shown below as italicized:

2. The Bishop shall maintain a Register of the Bishops, Priests, and Deacons ordained within or for the Diocese and those received from other Jurisdictions. Such Register shall include the following information for each individual:

- (f) The status of any License held from the Bishop *held by the individual and issued by the Bishop*

**Notice of Motion # 15**

**Canon 42**

**(Updating Name of Diocese)**

Be it resolved that the Canons of the Synod be amended by adding immediately after Canon 41 the following Canon:

Canon 42

Interpretation

- (1) Effective on and from May 14, 1999, any reference in these Canons to “Diocese” or “Diocese of Nova Scotia” shall, as regards any subsequent transaction; matter or thing, be read as “Diocese of Nova Scotia and Prince Edward Island.”

## **Notice of Motion # 16**

Proposed Motion from the Intentional Listening Task Force of the Diocese.

The Intentional Listening Task Force of the Diocese moves that, in accordance with the Spirit of the Primate's Communique and the House of Bishops Statement (October 31, 2008), motions related to the definition of marriage, permission to bless same sex unions, or motions authorizing actions by Diocesan Council or Synod to license clergy to officiate at same-sex marriages be tabled until the next regular convocation of Synod.

### **Background:**

We have proposed this tabling of motions because The Listening Process is a forum for shared reflection and improved understanding of perspectives which differ from one's own. Debate around a motion which will be voted on is likely to evoke efforts to persuade and to win an argument. Such efforts, which are a predictable part of a voting process, will disable the quality of communication which the Listening Process envisages.

The Listening Process Committee was tasked by the Bishop to offer an intentional listening process to the diocese. The House of Bishops, the Primates' meeting and the Lambeth Conference, Bishops, Dioceses and Synods have been asked to exercise a spirit of restraint with regard to the blessing of same-sex unions and the election of openly gay or lesbian persons as bishop. The above motion honours the intent of this request for restraint while the church struggles with this issue.

This process is part of a much longer discernment that began over 10 years ago. Study materials, the Windsor Report (and our response), the "Hearing Diverse Voices" workshops and past sessions of Synod have fostered an atmosphere of respectful conversation that should continue.

Following the first four Intentional Listening gatherings (Spring 2009), the Intentional Listening task group will encourage further conversation in our diocese as the Anglican Church of Canada prepares for General Synod in 2010.

## Notice of Motion # 17

Proposed Motion re. Marriage

Be it resolved that this Synod of the Diocese of Nova Scotia and Prince Edward Island meeting in its 142<sup>nd</sup> Session affirms and recommits its recognition that marriage is the union of one man and one woman to the exclusion of all others and that any union other than this is contrary to God's Word.

### **Background:**

In Canon XXI of the Anglican Church of Canada the church states as a matter of doctrine that *"The Anglican Church of Canada affirms, according to our Lord's teaching as found in Holy Scripture and expressed in the Form of Solemnization of Matrimony in the Book of Common Prayer, that marriage is a lifelong union in faithful love, and that marriage vows are a commitment to this union, for better or for worse, to the exclusion of all others on either side. This union is established by God's grace when two duly qualified persons enter into a covenant of marriage in which they declare their intention of fulfilling its purposes and exchange vows to be faithful to one another until they are separated by death."*

It goes on to say:

*"The Church affirms in like manner the goodness of the union of man and woman in marriage, this being of God's creation."*

The St. Michael's Report states regarding the blessing of same sex unions that:

*"Moreover, we believe that the blessing of same-sex unions is closely analogous to marriage. For these reasons the Commission is convinced that the blessing of same-sex unions should be treated as a matter of doctrinal importance." And, "It is the view of the commission that any proposed blessing of a same-sex relationship would be analogous to a marriage to such a degree as to require the church to understand it coherently in relation to the doctrine of marriage."*

At a time that four dioceses have consented to the blessing of same sex unions, it is important that we as a diocese affirm our support and belief that the Word of God gives us clear direction as to the nature of marriage and how that should and can be recognized. This motion clearly states that marriage is the only basis of union and that all other unions are contrary to God's Word and are thus sinful.

## **Notice of Motion # 18**

### **Canon 20**

#### **Regions and Regional Deans New Canon and Guidelines**

#### **BE IT RESOLVED THAT**

- a) Canon 20 of the Diocese be repealed and replaced with the following Canon and;
- b) the Guidelines set out below be adopted by this Synod.

### **CANON 20**

#### **Regions and Regional Deans**

#### **1. REGIONS**

- (1) The Diocese shall be divided into Regions, the number and boundaries of which shall be determined from time to time by the Diocesan Bishop in consultation with the Diocesan Council.
- (2) The Diocesan Bishop, in consultation with the Diocesan Council and with the Regions and parishes concerned, may transfer any parish from one Region to another, divide or amalgamate existing Regions, or change the boundaries of any Region.

#### **2. APPOINTMENT AND TERM OF OFFICE**

- (1) The Diocesan Bishop shall appoint a priest, serving in the Region as Regional Dean of the Region and, in doing so, the Bishop shall consult with the appropriate Archdeacon, the clergy of the Region, and the lay representatives to the Regional Council.
- (2) The appointment is at the pleasure of the Bishop
- (3) Normally, a Regional Dean serves for a term of five years, renewable once.
- (4) A Regional Dean who resigns or ceases to serve as a priest in the Region ceases to be the Regional Dean.
- (5) Where a Regional Dean is unable to perform the Regional Dean's duties, the Bishop may appoint another priest serving in the Region as Acting Regional Dean

#### **3. RELATIONSHIPS BETWEEN REGIONAL DEAN AND**

##### **(A) the Bishop:**

- (1) A Regional Dean is responsible to the Diocesan Bishop in the performance of such duties as appertain to the office of Regional dean or are assigned by the Bishop.
- (2) A Regional Dean shall inform the Bishop, Archdeacon, or other parish clergy, as appropriate, of any areas of concern with their region that they are unable to resolve.
- (3) The Bishop shall assign a partner for each Regional Dean from among their membership.

(4) Partners shall support one another in the fulfillment of their duties and will be prepared to act as Regional Dean within the partner's parish.

### **(B) Archdeacon in Region**

(1) The Archdeacon for the area in which the Region is located shall install a Regional Dean at an appropriate time and place and, at that time the Regional Dean shall publicly signify the Regional Dean's willingness to accept and discharge all the responsibilities of the office.

(2) The Regional Dean and the Archdeacon are part of the Regional Ministry Team and shall support one another in their respective ministries.

(3) A Regional Dean, whose duties are administrative, shall act in cooperation with the Archdeacon, whose duties are pastoral, in support of the Episcopal ministry of the Diocese.

### **(C) Clergy in Region**

The Regional Dean shall convene regular meetings of the clericus of the Region, as a means of:

- (a) keeping in touch with and assisting clergy in their ministries,
- (b) developing new programs recognizing different regions have different needs, and different appetites for learning new program,
- (c) discussing matters of importance for the Region.
- (d) shaping Regional Itineraries with the Archdeacon

### **(D) Parishes in Region**

A Regional Dean shall be available, at the invitation of clergy or wardens or at the direction of the Bishop, to visit every parish or pastoral unit in the Region and to meet with the Rector and Wardens, or in the vacancy of an incumbent the Wardens, and other interested members of the Parish Council and parishioners the purposes of the meeting may include but are not limited to

- (a) educating and assisting in ensuring that all financial matters are being maintained and reporting is being properly conducted;
- (b) educating and reviewing how records are being maintained especially during times of transition;
- (c) providing assistance on the proper inspection and maintenance of all properties and buildings according to all Diocesan policies and guidelines;
- (d) helping to educate parishes and churches on the Canons and the Guidelines of the Diocese, recognizing the Archdeacon normally reviews Canon 25 at the time of electing the parochial committee;
- (e) serving as a resource if Council positions cannot be filled.
- (f) ensuring, under the direction of the Diocesan Bishop and with the assistance of the Archdeacon, the continuance of ministry and services during the vacancy of an Incumbent
- (g) to maintain a watch over parishes in the Region to ensure they are effectively functioning as members in the Diocesan family of parishes

### **(E) Regional Council**

To encourage and assist the Regional Council in providing adequate training for all parish and church officials in the fulfillment of their duties and to encourage all such officials to undertake such training;

#### **4. TRAINING**

A newly appointed Regional Deans shall agree, as a condition of appointment, to undertake an approved Diocesan training program for Regional Deans within the first year of the Regional Dean's appointment.

#### **5. REGIONAL COUNCIL**

The Regional Dean and the Archdeacon shall convene Regional Council.

- (1) Each Region shall have a Regional Council composed of
  - (a) at least one Synod Delegate from each parish,
  - (b) between three and six additional members elected from each parish representing men, women and youth.
  - (c) all the clergy in the region,
  
- (2) A Regional Council shall meet at least four times a year
  - (a) to provide a forum for parishioners and clergy to discuss matters of importance to the Region, its parishioners and churches
  - (b) to assess matters of diocesan concern, including subjects that will arise at Synod.
  - (c) to hold a pre Synod meeting so that Synod Delegates may assess the wishes of the parishes and Region and be familiar with the motions and agenda of synod.
  - (d) to provide opportunities for fellowship within the wider Church.
  
- (3) The Regional Council shall elect two persons from among its members, one of which may be lay and one of which shall be a member of the clergy, or two laypersons, to be co-chairs of the council.
  
- (4) The Regional Council may elect a secretary or a treasurer or both, and a member of the clergy to support the lay leadership team
  
- (5) A Regional Dean shall provide support to the leadership team
  
- (6) In respect to Prince Edward Island the existing "Diocesan Church Society" may substitute for and function as a Regional Council of the Region as it so desires, and would thereby be subject to its own constitution.

#### **6. DIOCESAN STRUCTURE**

- (1) Regional Deans shall meet as a body, chaired by the Bishop or the Bishop's designate.
  
- (2) A minimum of two such meetings shall be convened by the chair each year, the major portion of which shall be for training, mutual education and support, coordination of activities, planning, and for sharing leadership skills.
  
- (3) The Regional Deans may institute studies, make recommendations to the Bishops or Diocesan Committees, or serve as consultants to the Bishops or Diocesan Committees on specific issues.

## **GUIDELINES REPECTING REGIONAL DEANS**

### **General**

The Diocesan Bishop is supported by the Episcopal Ministry Team, which includes the Suffragan Bishop, the Diocesan Executive Director, an Administrative Assistant, Archdeacons, Regional Deans and Representative Lay Leaders in each region.

The Episcopal Ministry requires a strategy to administer our financial and personnel resources well. The Ministry of a Regional Dean is to extend the administrative and financial support of the Episcopal office.

Regional Dean's are not only accountable to the Bishop that appoints us to the position but also to the people we are asked to be in relationship with and vice versa. So whenever there is a duty listed with another person whose duties are also outlined in the canons and guidelines than a reciprocal responsibility and accountability will be written into that canon or guideline.

This ministry requires the development of relationships in the region and the diocese that are built on mutuality, trust, acceptance, honesty, and love. This is the pastoral component, the foundation required in order to carry out our respective duties.

Every effort is to be made to maintain open and transparent communication in all of these Relationships and by all parties to the necessary relationships to live out one's ministry.

### **Relationship between Diocesan Bishop and Regional Deans:**

While every effort is to be made to maintain open and transparent communication in all of our relationships it is also important to recognize the Bishop has appointed Regional deans to reduce the Bishop's workload. Keeping this in mind the Bishop should only be disturbed if necessary. The seriousness or complexity of issues being dealt with in a region may suggest the bishop be informed, while other larger issues may suggest the bishop have an opportunity for input to the solution. The Bishop may initiate something to be addressed; or it can be identified internally within the region. Even if the Regional Dean has been able to resolve an issue of concern, it may be appropriate to inform the bishop.

### **Certain Regional Matters:**

Regional Councils are encouraged to meet at least four times a year.

Regions may consider,

- (a) regional ministries that may otherwise not happen at a parish level, such as ongoing continued education, outreach or justice ministry,
- (b) regional opportunities for worship and fellowship to build up the body of Christ within the region.

### **Regional Councils:**

Regional Councils are encouraged to meet at least four times a year.

### **Committee Service:**

Regional Deans are encouraged to serve on at least one Diocesan Committee that is related to the ministry of a Regional Dean.

**Team Work:**

The complexity of some matters that are being dealt with by the Archdeacon and the Regional Dean as part of the Ministry Team may reasonably suggest a Team approach for working towards a solution.