

NOTICE OF MOTION #14

A MOTION TO REVISE CANON 35

It will be moved and seconded that

“Canon 35 be amended as follows.

(a) adding immediately after Section 7 the following Section:

7A(1) Subject to subsections (2) and (3), a parish council may, at a duly called meeting, make, amend or repeal by-laws respecting the affairs of the parish or a church that forms part of the parish if notice of intention to propose the by-law or to amend or repeal a by-law is given

(a) at a previous meeting of the parish council; or

(b) in the notice of the meeting at which the making of the by-law, or its amendment or repeal will be proposed.

(2) A by-law made pursuant to subsection (1) does not come into force unless and until it is

(a) ratified at the next duly called annual or special meeting of the members of the parish; and

(b) approved by the Bishop.

(3) An amendment or repeal pursuant to subsection (1) does not come into force unless and until it is approved by the Bishop.

(b) adding to subsection 8(1) the words shown below as underlined and striking out from subsection 8(1) the words shown below as italicized

8(1) A parish council consists of

(a) the rector or incumbent serving the parish for which the parish council is established;

(b) each member of the clergy canonically appointed by the Bishop to serve the parish;

(c) subject to subsections 1(A), and 1(B) no less than two and no more than three wardens, elected by an annual meeting of the parish;

(d) the secretary of the parish council elected by an annual meeting of the parish or appointed by the other members of the parish council

(e) subject to subsections (1C) and (1D), the treasurer of the parish, elected by an annual meeting of the parish;

(f) subject to subsection (3), not less than and no more than twelve of the parishioners who constitute the parish elected by an annual meeting of the parish;

(g) one or more parish organization representatives, not exceeding the number of members elected pursuant to clause (f);

(h) each person who is, pursuant to the constitution of the Diocese elected as a lay representative or a youth lay delegate representative from the parish to the Synod of the Diocese.

(1A) No person may hold the office of warden unless that person is confirmed or received, or in the process of being confirmed or received, into the Anglican Church of Canada;

(1B) The treasurer of the parish, a paid staff person of the parish, a postulant and a non-stipendiary ordained minister shall not hold the office of warden.

(1C) A paid staff person of the parish, a postulant, and a non-stipendiary ordained minister shall not hold the office of treasurer.

(1D) A warden shall not hold the office of treasurer without the written approval of the Regional Dean.

(c) adding to subsection 8(8) the words shown below as underlined:

(8) A person may be re-elected as a warden, secretary or treasurer, except that no person may, without the consent of the Bishop, hold office as a warden, secretary or treasurer for a continuous period of more than nine years

(d) striking out the words shown below as italicized from items (q), (r) and (v) of subsection (1) (which is the list of items to be considered at an annual meeting of a parish) and adding to items (q), (r) and (v) the words shown below as underlined:

(q) the election of other members of parish council;

(r) the election of lay representatives and youth lay representatives delegates to Synod pursuant to the Constitution of Synod

(t) the election of a treasurer of the parish, unless a meeting of the parish has authorized the parish council established for the parish to elect or appoint the treasurer or the by-laws of the parish provide for the appointment of a *secretary* treasurer *other than* than by election at an annual meeting of the members of the parish

(e) striking out the words in subsection 9(2) shown below as italicized and adding the words shown below as underlined.

(2) The amount that each church shall pay during any year as its share of the operating expenses is that proportion of the operating expenses for that year that the total of *all the* assessable income of the church for the year bears to the total of *all the* assessable income for that year of all the churches that constitute the parish.

(f) adding to Section 10 the words, figure and symbols shown below as underlined.

10(1) Parish council may fill a vacancy in its elected membership, including a vacancy that occurs as a result of an annual meeting failing to elect all the members to the council that the meeting was entitled to elect.

(2) The filling of a vacancy in the membership of a parish council pursuant to subsection (1) must be ratified at either the first annual meeting of the parish for which the parish council was established that is held after the vacancy is filled or at a special meeting of the parish that is held after the vacancy is filled.

(3) If a parish council is unable to fill a vacancy in its elected membership, then the Regional Dean should be contacted for assistance.

(g) adding to Section 13 the words, figure and symbols shown below as underlined.

(2) The filling of a vacancy in the membership of a church council must be ratified at either the first annual meeting of the church for which the church council was established that is held before the first annual meeting of the church held after the vacancy is filled.

(3) If a church council is unable to fill a vacancy in its elected membership, then the Regional Dean should be contacted for assistance.

(h) adding to subsection 13(3) the words shown below as underlined.

(3) The date, time and place of an annual meeting or a special meeting of a parish or of a church that forms part of the parish shall be announced at all divine services of the parish during a period of time beginning at least fourteen days before that date.

(i) striking out the words in subsection 18(1) shown below as italicized and adding the words shown below as underlined.

18(1) At a meeting of a parish, any person who

(a) has attained the age of sixteen years;

(b) is a communicant of a congregation that forms a part of a parish who *customarily* attends worship services in the parish at least monthly unless prevented from doing so by reason of sickness, extended travel or work; and

(c) contributes to the support of the parish either financially or by participating in the ministries of the parish, may vote on any question before that meeting.

(v) the election of *regional* delegates to Regional Council (all clergy are ex officio members; one synod delegate, between three and six additional members representing men, women and youth).

Commentary

1. Ongoing revision of a complicated canon in light of its use.