

## **CANON 28**

### **EPISCOPAL JURISDICTION RESPECTING THE CLERGY**

*Adopted by Synod 1984, and amended 2009*

\*indicates changes in 2009

- 1 Every bishop of the Anglican Church of Canada, resident in the Diocese of Nova Scotia, and every priest and deacon of the Anglican Church of Canada, resident in the Diocese of Nova Scotia, or licensed by the Bishop of Nova Scotia (the 'Bishop') shall be subject to the jurisdiction of the Bishop, provided that:
  - (a) notwithstanding residence in the Diocese of Nova Scotia a chaplain holding a commission requiring full-time service in the Canadian Forces shall be subject to the episcopal jurisdiction of the Bishop Ordinary to the Canadian Forces;
  - (b) a priest or deacon licensed by the Bishop who is engaged in specialized ministries outside of the Diocese of Nova Scotia with the consent of the Bishop, shall be considered to be on leave of absence from the Diocese and subject to the general supervision of the bishop of the Diocese in which the specialized ministry is exercised, and in the case of a priest or deacon employed at the National Office of the Anglican Church of Canada subject to the episcopal jurisdiction of the Primate;
- 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:
  - (a) dates and places of ordination as deacon/priest/bishop and in each case the name of the ordaining bishop(s);
  - (b) a record of ecclesiastical appointments;
  - (c) the date of entering the Diocese;
  - (d) a notation of any change of canonical status;
  - (e) a report of any transfer to another ecclesiastical jurisdiction;
  - \**(f) the status of any license held by the individual and issued by the Bishop.*
- 3
  - (a) No priest or deacon shall exercise an ordained ministry within the Diocese of Nova Scotia without holding a valid license from the Bishop issued in accordance with the provisions of this Canon;

- (b) No bishop shall exercise an ordained ministry in the Diocese of Nova Scotia without the permission of the Bishop.
- 4 When the Bishop has reasonable grounds to believe that a bishop, not of the Diocese, or a priest or deacon not licensed or permitted by the Bishop is officiating, or is about to officiate in the Diocese of Nova Scotia, the Bishop may, by notice in writing to such bishop, priest or deacon, inhibit that person from officiating in the Diocese. All clergy in the Diocese shall be advised in writing of the Bishop's decision and instructed not to allow the inhibited bishop, priest or deacon to officiate.
- 5
- (a) Any priest or deacon not licensed by the bishop of any other Diocese, wishing to exercise an ordained ministry within the Diocese of Nova Scotia shall apply to the Bishop for a license.
- (b) Any priest or deacon in good standing in another Diocese and holding a license issued by the bishop of that Diocese wishing to exercise an ordained ministry within the Diocese of Nova Scotia shall request the bishop of the Diocese where that person is licensed to forward Letters *Bene Decessit* to the Bishop in the form set out in Schedule "A".
- (c) On receipt of the application referred to in paragraph 5(a) or of Letters *Bene Decessit* as referred to in paragraph 5(b) and on receipt of such further information as the Bishop may reasonably require, the Bishop may grant a license.
- (d) On the issuance of a license to a priest or deacon with respect to whom Letters *Bene Decessit* have been received the Bishop shall notify the bishop from whom the Letters *Bene Decessit* have been received of their acceptance in the form set out in Schedule "B".
- 6 Notwithstanding the provisions of paragraph 3 the Bishop, whose discretion shall be absolute, may consent to any bishop, priest or deacon exercising an ordained ministry within the Diocese for some temporary purpose. Any bishop, priest or deacon to whom such consent has been given shall be deemed to be licensed or permitted for purposes of paragraph 3. The Bishop may, at any time withdraw any consent given.
- 7 When a priest or deacon in good standing and holding a license of the Bishop requests a transfer to another Diocese, the Bishop shall forward Letters *Bene Decessit* to the bishop of the new Diocese in the form set out in Schedule "A". The priest or deacon shall be subject to the episcopal jurisdiction of the Bishop until the Letters are accepted and acknowledged by the bishop of the Diocese to which such priest or deacon requests a transfer. On receipt of notice by the Bishop of acceptance of the Letters *Bene Decessit* the license previously issued by the Bishop shall automatically be terminated.

- 8 The license of any priest or deacon who has relinquished the ordained ministry or whose abandonment of the ordained ministry has been affirmed by the Bishop in accordance with Canon shall automatically be terminated effective on the date of relinquishment or affirmation of abandonment.

**CANON 28 - SCHEDULE A**

**Form of Letters *Bene Decessit*.**

I hereby certify that the Reverend \_\_\_\_\_, who has signified to me his/her desire to be transferred to the ecclesiastical jurisdiction of the Diocese of \_\_\_\_\_, is a priest/deacon in good standing of the Diocese of \_\_\_\_\_.

Witness my Hand and Seal this \_\_\_\_\_ day of 20\_\_\_\_\_.

Signed \_\_\_\_\_

Bishop of \_\_\_\_\_

**CANON 28 - SCHEDULE B**

**Form of Letters *Bene Decessit* with respect to a Chaplain in the Canadian Forces.**

I hereby certify that the Reverend \_\_\_\_\_, having with my consent accepted a commission as a chaplain in the in the Canadian Forces, is a priest in good standing, and I hereby transfer the Reverend \_\_\_\_\_ to your episcopal jurisdiction.

Signed \_\_\_\_\_

Bishop of \_\_\_\_\_

**CANON 28 - SCHEDULE C**

**Form of Acceptance**

The Letters *Bene Decessit* from the Bishop of \_\_\_\_\_ with respect to the transfer to this diocese of the Reverend \_\_\_\_\_ have been presented to me, and have been accepted.

Witness my Hand and Seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ .

Signed \_\_\_\_\_

Bishop of \_\_\_\_\_