

CONSTITUTION AND CANONS COMMITTEE RECOMMENDED CHANGES

Forwarded to the 156th Regular Session of Synod from Diocesan Council

Prepared by: Canon Clare E. Burns, Chancellor

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Pages __ revised on October 30, 2015

The Diocesan Council, at its June 25, 2015 meeting, approved the proposed changes to *The Constitution and Canons of the Diocese of Toronto* contained in this report and recommends them to Synod for approval.

Background Information

Since the last Regular Session of Synod, Diocesan Council considered two significant matters and referred them to the Constitution and Canons Committee for review and consideration. These included: (i.) eliminating references to **mandatory retirement for office holders** in *The Constitution and Canons*, and (ii.) revising *The Constitution and Canons* to incorporate recommendations contained in the Working Group on Synod's report around the **composition of Synod**.

The Constitution and Canons Committee prepared draft "works in progress" for Council's consideration in February 2015. With a few minor revisions these were widely circulated throughout the Diocese for further comment. Briefing Notes were prepared for each topic and were made available in advance of the Town Hall meetings held in April 2015.

Feedback received was considered by both the Working Group on Synod and the Constitution and Canons Committee in May 2015. The revised revisions were presented to Diocesan Council on June 18, 2015. On June 25, 2015, Diocesan Council approved the changes and recommends them to Synod for approval.

The proposed revisions have been organized within this Report as follows:

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Attachments

Blackline versions showing the changes are attached as appendices for your information.

Section A - Mandatory Retirement for Office Holder Changes

Commentary:

A motion was brought to Diocesan Council proposing that the matter of mandatory retirement as it relates to members of the clergy be abolished. Currently, such a policy exists in Canon 10, section 6 and requires clergy to resign at age 70. Thereafter they can be appointed annually to continue their roles.

In order to assist with the discussion of this issue at Synod, set out below is a brief background with respect to the law as it relates to mandatory retirement in Ontario.

The Ontario *Human Rights Code* (“Code”) prohibits mandatory retirement in relation to all employees of the Diocese and of the parishes, whether their employment is professional, technical or clerical.

Section 5(1) of the Code provides:

Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

Section 10(1) of the Code provides:

In Part 1 and in this Part, “age” means an age that is 18 years or more.

Section 24(1) of the Code provides:

The right under section 5 to equal treatment with respect to employment is not infringed where,

- (a) A religious, philanthropic, educational, fraternal or social institution or organization that is primarily engaged in serving the interests of persons identified by their race, ancestry, place of origin, colour, ethnic origin, creed, sex, age, marital status or disability employs only, or gives preference in employment to, persons similarly identified if the qualification is a reasonable and *bona fide* qualification because of the nature of the employment. (emphasis added)
- (b) The discrimination in employment is for reasons of age, sex, record of offences or marital status if the age, sex, record of offences or marital status of the applicant is a reasonable and *bona fide* qualification because of the nature of the employment. (emphasis added)

There is therefore a legal issue as to whether clergy are “employees” of the Diocese such that there can be no mandatory retirement policy in relation to them. The issue is not simple. Historically a distinction has been made in the law between office holders and employees and the terms governing the way office holders are selected and or terminated have not been subject to the Code. An “office” has been described by the courts as a position of a public nature, filled by successive incumbents, whose duties were defined not by agreement but by law or by the rules of the institution. In that context, clergy have historically been treated as office holders not employees.

Recently, there has been a move in the United Kingdom and at some human rights tribunals to re-examine the question of whether clergy are office holders or employees. Canadian courts have not addressed the issue in recent years so there is now some doubt as to what they would conclude if asked to address the issue.

In summary, there is not currently a legal requirement that mandatory retirement be abolished in respect of the clergy but the law may be moving in that direction.

In the place of mandatory retirement, the concepts of being declared mentally incapable of managing property or personal care was incorporated into the definition of resignation and/or resignation by an attorney pursuant to a power of attorney.

The Constitution

Revise s. 3(13) to read “Any Lay Member of Synod may resign, personally or by their attorney, by giving notice to that effect to the Secretary of Synod who shall forthwith communicate such resignation to the Incumbent of the Parish in order that a new election may be held as herein prescribed. Any Lay Member declared to be mentally incapable to manage their property or personal care by an Ontario Superior Court shall be deemed to have resigned.”

Revise s. 9(3) to read “Upon retirement, the Bishop, the Coadjutor Bishop or a Suffragan Bishop, shall tender a resignation to the Metropolitan, pursuant to Canon 3(4) of the Provincial Synod of Ontario, and shall inform the Diocesan Council of such action”

Canon 10 – Clerical Appointments, Exchanges, Retirements and Terminations

Delete s.6 Deemed Resignation at Age 70
“A cleric on attaining the full age of seventy (70) years shall be deemed to have submitted a resignation to the Bishop. The Bishop shall accept such resignation forthwith, or, upon agreement with such cleric, shall fix a date which shall be earlier than the seventy-first (71st) birthday of such cleric upon which date such resignation shall be effective.”

Insert s. 7(a) “Any Cleric may resign, personally or by their lawyer, by giving written notice to the Bishop.” as the first sentence.

Replace s. 7(a) “any such Cleric” with “such cleric”
New s. 7(b) “Any Cleric declared to be mentally incapable to manage their property or personal care by an Ontario Superior Court shall be deemed to have resigned.”

Delete s. 8 “Appointment of Clerics who are 70 years of age
Any appointment by the Bishop of a cleric who has attained the age of seventy (70), to any position within the power of the Bishop, shall normally be for a term of not more than one (1) year at a time.”

Canon 19 – Archdeacons

Insert s. 1(4) “and” at the end of the subsection

Delete s. 1(5) “An Archdeacon shall retire from office on attaining the age of seventy years and shall thereafter be entitled to be known as “Archdeacon Emeritus”; and”

Revise s. 1(5) to read “An Archdeacon retiring from office on pension may thereafter, if so authorized by the Bishop at the time of the Archdeacon’s retirement, be entitled to be known as “Archdeacon Emeritus.”

[The numbering of section 1 will be adjusted accordingly.]

Canon 28 – Secretary of Synod

Revise s. 4 to read “Deemed Resignation of Office
Upon the:
a. termination of an employment relationship with the Diocese,
b. resignation, personally or by their attorney, in writing to the Bishop, or
c. declaration that the Secretary be mentally incapable to manage their property or personal care by an Ontario Superior Court,
the Secretary shall be deemed to have resigned the office of Secretary.”

Canon 48 – The Registrar

Insert s. 1 the title “Office”

Insert s. 2 the title “Qualification”

Insert s. 3 the title “Duties”

Insert s. 4 the title “Death or Retirement of the Bishop”

Replace s. 4 “Committee” with “Council” after “Diocesan”

Revise s. 5 to read “Deemed Resignation of Office
Upon the:
a. resignation, personally or by their attorney, in writing to the Bishop, or
b. declaration that the Registrar be mentally incapable to manage their property or personal care by an Ontario Superior Court,
the Registrar shall be deemed to have resigned the office of Registrar.”

Canon 49 – The Chancellor

Revise s. 7 to read “Deemed Resignation of Office

Upon the:

- a. resignation, personally or by their attorney, in writing to the Bishop, or
 - b. declaration that the Chancellor or Vice-Chancellor, as the case may be, is mentally incapable to manage their property or personal care by an Ontario Superior Court,
- the Chancellor or Vice-Chancellor, as the case may be, shall be deemed to have resigned the office of Chancellor or Vice-Chancellor.”

Section B - Synod Composition Changes

Commentary:

In 2012 the Diocesan Council set up a Working Group with membership drawn from all the Episcopal Areas. The group’s mandate was to review and recommend any required changes regarding the composition and structure of Synod. The review was in response to comments made by many Synod members in recent years and to the challenges encountered by the Agenda Committee and others in planning for Synod meetings.

In Acts 15 we hear about the apostles and elders meeting together in the Council of Jerusalem to discern the Spirit’s leading for the future shape of the Church. Our synodical gatherings follow in this tradition as we gather together as the people of God seeking God’s will for our diocese. Since the nineteenth century, Anglican synods have included representatives of both the laity and clergy meeting with the diocesan bishop. They are opportunities to seek the *sensus fidei*, that is the mind of Christ as expressed in the community of the faithful. With that in mind, it is critical that synods be organized in such a way that there is plenty of opportunity for the members to listen for the Spirit’s leading through prayer, worship, the reading of Scripture, study, and discussion so that decisions that are taken for the life of the diocese truly reflect the will of God. Due to the present size of Synod (over 600 voting and in excess of 1,100 voting and non-voting) this has become a challenge. As the Working Group reviewed the present situation and thought about possible changes, their great desire was to ensure Synod was both representative of the community of the Church in the diocese while making sure that it was of such a size that members could truly participate in the decision making process.

In consultation with Diocesan Council the Working Group developed certain guiding principles. The group believed that it was important that each parish be represented with a lay and clerical voice in the councils of the Diocese. It further understood that Synod needs to be structured in such a way as to perform effectively, economically, and efficiently. It also came to understand that Synod has four different purposes (complying with legal and statutory requirements, electing bishops, making policy, communicating and implementing the ministry of the Diocese) and that Synod could perform these tasks more effectively by being tailored to meet these specific purposes.

After many months of work, recommendations were made by the group to Diocesan Council which after much discussion accepted the recommendations and referred them to the wider diocese for discussion at Town Hall meetings held in the various Episcopal Areas.

The suggested reforms are as follows:

Lay Members

- The number of Lay Members of Synod from each parish will be determined by the Average Sunday Attendance: one member for attendance of 1-249, a further member for attendance of 250-499, a further member for attendance of 500 and above,
- Sixteen Youth and Young Adult Members will be chosen, four from each of the Episcopal Areas, and
- one Member representing the Religious Communities (lay or clerical).

Clerical Members

- At Regular and Special Sessions of Synod:
 - each Parish, Designated Ministry and Diocesan Mission will be entitled to send one cleric,
 - up to four Chaplains, appointed by the Bishop,
 - up to four Vocational Deacons selected by the Community of Deacons,
 - up to four Associate Priests, selected by the Associate Priests in the Diocese,
 - up to four Assistant Curates, selected by the Assistant Curates, and
 - one Member representing the Religious Communities (lay or clerical).
- At all Sessions of Synod:
 - As in all other Canadian dioceses, Retired Clergy would not have a vote.

As a result of these reforms, it is estimated that for Regular and Special Sessions of Synod, total membership would be 470 voting members instead of 730, representing a reduction of 260 voting members. These figures exclude approximately 120 Retired Clergy. When taking into account both voting and non-voting members, the current number of members eligible to attend Synod is approximately 1130 which under the new reforms will drop to approximately 500.

Regular Sessions of Synod will be held every other year, as is our current practice, and will begin mid-day on a Friday with the Eucharist and Bishop's Charge continuing with the business of Synod until later Saturday afternoon. With this change, the Synod will be able to conduct all its business with the cost of only one over-night stay and will decrease the need for lay members to take time off work.

For electoral Synods, where voting is done by houses (the house of laity, and the house of clergy), Lay Member representation will be according to the formula for Regular Sessions of Synod. However, all active clergy, canonically resident in the Diocese and holding the Bishop's License for a regular parochial or missionary charge, will be able to attend and vote.

It is further recommended that Synod Forum days be held, if needed, to allow for wider and more in depth discussion of significant issues coming before Synod. These Synod Forums while not legislative would be part of the synodical process, being held in each Episcopal Area, and chaired by the Bishop or his or her designate. Results of these Synod Forums including any memorials,

petitions and intentions would be fed into the next Regular Session of Synod. These Synod Forum days would be open to both regular lay and clerical members of Synod and other interested members of the Diocese.

As a result of these proposed reforms, Synod Members would be able to engage more directly in the work of Synod. The reduced size and shortened length of a Regular Session of Synod allow for cost savings for Parishes and the Diocese and allow for a broader choice of venues across the Diocese. The new schedule will also allow for greater lay attendance from a wider variety of people. The tailoring of Synod to meet its various purposes allows for flexibility so that major issues and decisions can be considered in depth and a wide variety of people be involved in the decision making process.

The Constitution

Replace s. 1 “Representatives” with “Members” in two instances

Insert at end of s.1 “For purposes of The Constitution the following terms shall have the following meanings:

- a. A “Regular Session of Synod” is any Synod at which there is to be no election of either a Diocesan or Suffragan Bishop;
- b. An “Electoral Session of Synod” is any Synod at which there is to be the election of a Diocesan or Suffragan Bishop;
- c. A “Special Session of Synod” is any Synod, which is not a Regular Session of Synod or an Electoral Session of Synod.
- d. “Synod Forums” are meetings that may be held during the period of time between Regular Sessions of Synod and as more fully described in s. 40 of The Constitution;
- e. “Session of Synod” shall mean either a Regular Session of Synod, an Electoral Session of Synod, or a Special Session of Synod.”

Revise s. 2 to read

“Clerical Members of a Session of Synod

Clergy on the Clergy List of the Diocese are those Clergy of the Anglican Church of Canada who are under the jurisdiction of the Bishop of the Diocese of Toronto. Clergy are entitled to sit, speak, and vote in a Session of Synod as follows:

- a. At a Regular Session of Synod
 1. One (1) Cleric from each Parish, Designated Ministry or Diocesan Mission, selected by the clergy of the parish;
 2. Up to four (4) Chaplains appointed by the Bishop;
 3. Up to four (4) Vocational Deacons, selected by the Community of Deacons;
 4. Up to four (4) Associate Priests, selected by the Associate Priests in the Diocese, pursuant to a process to be established from time to time by the Bishop;

5. Up to four (4) Assistant Curates, selected by the Assistant Curates, pursuant to a process to be established from time to time by the Bishop;
 6. One (1) Member representing the Religious Communities, as defined by the Bishop (clerical or lay).
- b. At a Special Session of Synod
1. One (1) Cleric from each Parish, Designated Ministry or Diocesan Mission, selected by the clergy of the parish;
 2. Up to four (4) Chaplains appointed by the Bishop;
 3. Up to four (4) Vocational Deacons, selected by the Community of Deacons;
 4. Up to four (4) Associate Priests, selected by the Associate Priests in the Diocese, pursuant to a process to be established from time to time by the Bishop;
 5. Up to four (4) Assistant Curates, selected by the Assistant Curates, pursuant to a process to be established from time to time by the Bishop;
 6. One (1) Member representing the Religious Communities, as defined by the Bishop (clerical or lay).
- c. At an Electoral Session of Synod
1. All active clergy, canonically resident in the Diocese of Toronto, who hold the Bishop's License who are appointed by the Bishop to a Parish, Designated Ministry or Diocesan Mission;
 2. All Chaplains who hold the Bishop's License as Chaplain to Institutions in the Diocese of Toronto;
 3. All Vocational Deacons who hold the Bishop's License as a Deacon in the Diocese of Toronto;
 4. One (1) Member representing the Religious Orders (lay or clerical).
- d. Ex-Officio
If not already a Clerical Member pursuant to s. 2(a) or 2(b), the following shall be Clerical Members ex-officio:
- a. The Coordinator of Chaplaincy Services
 - b. The Coordinator of the Community of Deacons"

Revise s.3 title to read "Lay Members of a Session of Synod"

Replace s. 3(1) "...Member of the Synod" with "...Member of a Session of Synod"

Insert s.3(1)(c) "; and" at the end

Revise s3(1)(d) to read "not have been a Lay Member of a Session of Synod for more than the previous two (2) consecutive Regular Sessions of Synod.

Replace s. 3(2) "...Member of the Synod" with "...Member of a Session of Synod"

- Replace s. 3(2)(a) “Sessions of the Synod” with “Session of Synod and Synod Forums”
- Replace s. 3(2)(c) “...of the Synod” with “...of a Session of Synod”
- Replace s. 3(2)(d) “Canon 9, Sections 11 and 12” with “Canon 9, s. 10 and s.11”
- Replace s. 3(4) “the Constitution” with “The Constitution”
- Replace s. 3(4) “...Members of the Synod” with “...Members of a Session of Synod”
- Replace s. 3(5) “...three (3)...” with “...two (2)...”
- Revise s. 3(5) insert “of Synod” following “Regular Sessions” and replace “...committee of the Synod” with “...committee of a Session of Synod”
- Replace s. 3(6) “Vestry of a Congregation” with “Parish”, “weekly” with “Sunday”, and “Section” with “s.”
- Revise s. 3(6) certification to read
 “I hereby certify that in there was an Average Sunday Attendance of which allows this Parish or Designated Ministry to elect Lay Member(s) of a Session of Synod.”
- Revise s. 3(7) to read “Number of Lay Members of a Session of Synod
 The number of Lay Members of a Session of Synod that each Parish is entitled to send to the Synod shall be as follows:
- a. Where Average Sunday Attendance (ASA) is from one (1) to two hundred and fifty (250) – One (1) Member.
 - b. Where Average Sunday (ASA) attendance is from two hundred and fifty one (251) to five hundred (500) – Two (2) Members.
 - c. Where Average Sunday (ASA) is five hundred and one (501) or greater – Three (3) Members.
- Average Sunday Attendance (ASA) is calculated by taking the total Sunday attendance throughout the year, and dividing that total by the number of Sundays in the year, usually 52.
- All parishes who elect two (2) or more Lay Members of a Session of Synod are encouraged to elect at least one (1) member who shall not have attained the age of thirty (30) when elected.”
- Revise s. 3(8) title to read “Substitute Lay Members of a Session of Synod”
- Replace s. 3(8)(a) “...take the place of regular members who from any cause are unable to attend the session or sessions of the Synod during...” with “...take the place of regular Lay Members who from any cause are unable to attend a Session of Synod during...”

- Replace s. 3(8)(b) “substitute” with “Substitute” and remove “the” from “Session of the Synod”
- Insert s. 3(8)(c) “Session of” after the words “the first day of the”
- Replace s. 3(8)(c) “lay member” with “Lay Member”
 Insert s. 3(8)(d) “of a Session of” after the words “Where a sitting” and capitalize the “S” in “Substitute”
- Revise s. 3(12) remove “the” from the phrase “Session of the Synod” and insert “Session of” after “refused a seat at the”
- Revise s. 3(16)(a) to read “the Chancellor, any Vice Chancellor, the Registrar, the Secretary of Synod, and the President of Diocesan Anglican Church Women.”
- Delete s. 3(16)(b) “the Provost of Trinity College and the Principal of Wycliffe College if they are not clerical members pursuant to s. 2(2).
- Replace s. 3(17) “five (5) members between the ages of sixteen (16) and twenty one (21), and five (5) members between the ages of twenty-two (22) and thirty (30)” with “four (4) members”
- Replace s. 3(18) “...speak in the Synod” with “...speak at a Regular Session of Synod”
- Revise s. 23(1) to insert the words “of Synod” following “in a Session” and replace “Clergy will receive...” with “Clerical Members will receive...”
- Replace s. 23(2) “...for the regular session...” with “...for a Regular Session...” and delete the “(1990)”
- Replace s. 23(3) “At a special session of Synod...” with “At a Special or Electoral Session of Synod...”
- Revise s. 24 to read “Time, Place, Etc. of a Session of Synod
 (1) A Regular Session of Synod is any Synod at which there is to be no election of either a Diocesan or Suffragan Bishop. A Regular Session of Synod shall be held every two (2) years at a time or times appointed by the Bishop after consultation with the Diocesan Council. The Bishop shall likewise appoint the place of meeting.
 (2) An Electoral Session of Synod is any Synod at which there is to be the election of a Diocesan or Suffragan Bishop. An Electoral Session of Synod may be called by the Bishop, or in the absence of the Bishop by the Commissary, or by the Administrator of the Diocese, at such time and place as the Bishop, or Commissary, or Administrator, after consultation with the Diocesan Council, shall appoint, subject to the provision of Section 9 (1).

- (3) A Special Session of Synod may be called at a time or times appointed by the Bishop after consultation with the Diocesan Council. The Bishop shall likewise appoint the place of meeting.
- (4) Synod Forums are meetings that may be held during the period of time between Regular Sessions of Synod and as more fully described in s. 40 of The Constitution.”

New s. 27

“Convening Circular

A Convening Circular issued by the Secretary of Synod shall be made available to all Members of Synod at least twenty-one (21) days prior to the date fixed for a Session of Synod. Members of Synod shall be advised how to access the Convening Circular by electronic or such other means as Diocesan Council and the Bishop shall direct.

(1) Regular Session of Synod

For a Regular Session of Synod, the following information shall be included in the Convening Circular:

- a. Notice of Meeting,
- b. Agenda,
- c. List of Officers,
- d. List of Members of Synod,
- e. List of Nominees and Biographical Information, if elections are to take place,
- f. Notices of Motion,
- g. Diocesan Council’s Report to Synod,
- h. Other Reports to Synod,
- i. Audited Financial Statements,
- j. Priorities and Plans (Budget),
- k. Constitution and Canons Changes,
- l. Minutes of the previous Session of Synod,
- m. Diocesan Apportionment Calculations,
- n. Incumbent’s Annual Statistical Return information, and
- o. such other additional materials as Diocesan Council and the Bishop may direct.

(2) Electoral Session of Synod

For an Electoral Session of Synod, the following information shall be included in the Convening Circular:

- a. Notice of Meeting,
- b. Agenda,
- c. List of Nominees,
- d. Biographical information on each of the Nominees, including age, academic background, date of ordination, all ecclesiastical appointments, and other relevant qualifications and experience,
- e. Procedures for voting,
- f. such other additional materials as Diocesan Council and the Bishop may direct.

(3) Special Session of Synod

For a Special Session of Synod, the following information shall be included in the Convening Circular:

- a. Notice of Meeting,
- b. Agenda,
- c. such other additional materials as Diocesan Council and the Bishop may direct.”

[The numbering of sections will be adjusted accordingly.]

Revise s. 30 to read

“Hours of Meeting

The Synod shall meet for business at a time to be established by Diocesan Council, on the recommendation of the Agenda Committee, no less than sixty (60) days before a Regular Session of Synod and no less than one (1) week before an Electoral Session of Synod. In default of the establishment of such a time, the Session of Synod shall commence at 9:30 a.m. and each sitting shall be opened with prayers chosen for the occasion by the Bishop.”

New s. 40

“Synod Forums

- a. Synod Forums may be called by the Bishop.
- b. When called, Synod Forums shall:
 - i. take place in each Episcopal Area;
 - ii. be chaired by the Bishop or the Bishop’s designate;
 - iii. be conducted with rules of order as set out by the presiding Bishop or Bishop’s designate;
 - iv. may make non-binding recommendations to the Bishop and Diocesan Council.
- c. Synod Forums shall be open to all clergy of the Diocese (whether active, non-active, or retired) and all the laity who are otherwise qualified to be Lay Members of a Session of Synod.”

Canon 18 – Parish Executive Committee

New s. 4(4)

“To establish the procedure for the election of a Lay Member, or Lay Members, to represent the Parish pursuant to The Constitution s.3.”

Section C - Committee Composition Changes

Commentary:

Diocesan Council was asked to reconsider the stipulation that members of General and Provincial Synod must be members of Diocesan Synod. Although Council affirmed this decision, they felt that some latitude could be given to Committees of Synod and Committees of Diocesan Council. Council agreed that half of the membership could be comprised of persons who are not Members of Synod provided they are Anglican and members of a Vestry in the Diocese of Toronto.

It was pointed out at the October 24, 2015 Pre-Synod meeting that if we require that a non-Synod member of a Committee be an Anglican with membership in a vestry in the Diocese of Toronto then we are excluding ELCIC parishioners from serving on committees. After consultation with the Chair of the Working Group on Synod, at its October 29, 2015 meeting Diocesan Council considered revisions to add “or a member of a church in full communion with the Anglican Church of Canada” which are incorporated below.

The Constitution

Revise s. 19 to read “At the first meeting of the Diocesan Council following a Regular Session of Synod, it shall appoint an Agenda Committee, consisting of the Honorary Secretaries and not less than three other members. All Lay Members must be members of a Vestry as prescribed by Canon 14(4), or a member of a church in full communion with the Anglican Church of Canada, and at least one member must be a Member of a Session of Synod. The Committee shall prepare an agenda for the succeeding session of Synod and submit the same to the Diocesan Council.”

Insert s. 21 “All Lay Members must be members of a Vestry as prescribed by Canon 14(4), or a member of a church in full communion with the Anglican Church of Canada, and at least half of the members must be Members of a Session of Synod.” to be the second sentence.”

Canon 5 – Trusts Committee

Replace s. 2(iv) “Three (3) clerical and three (3) lay members of Synod who shall hold office for not more than a maximum of three successive two-year terms, following which no such appointment may be made for one two-year term” with “Six (6) members, three from each order. All Lay Members must be members of a Vestry as prescribed by Canon 14(4), or a member of a church in full communion with the Anglican Church of Canada, and at least half of the members must be Members of a Session of Synod. Members shall hold office for not more than a maximum of three successive two-year terms, following which no such appointment may be made for one two-year term.”

Canon 37 – Constitution and Canons Committee

Insert s. 21 “All Lay Members must be members of a Vestry as prescribed by Canon 14(4), or a member of a church in full communion with the Anglican Church of Canada, and at least half of the members must be Members of a Session of Synod.” to be the second sentence.”

Section D - Housekeeping and Other Changes

Commentary:

This section deals with a number of housekeeping changes.

Highlights of major changes include:

- changing the timeframe for the calling of an Electoral Session of Synod from a maximum of four (4) weeks to six (6) months,
- clarifying details around the Convening Circular,
- providing a definition for a “Designated Ministry”,
- updating Diocesan Staff positions, and
- revamping Canon 47 to be consistent with our current practice.

The Constitution

Insert s. 3(9)(a) “Session of” after the words “Lay Member (Members) of the ...” in the certification statement

Replace s. 3(9)(b) “printed” with “included”

Insert s. 3(9)(b) “Session of” after the words “...Convening circular of the”

Replace s. 3(9)(b) “mailed” with “made available to be accessed by”

Revise s. 3(14)(a) to read “If a member be elected by more than one (1) Vestry or Designated Ministry, such member shall be notified thereof forthwith by the Secretary of Synod. Such member shall within thirty (30) days of the sending of such notice by mail or courier advise the Secretary of Synod in writing which parish or Designated Ministry that member wishes to represent, and the Secretary of Synod shall in turn inform the Incumbent of the Parish where the vacancy occurs, of such vacancy, in order that a new election may be held.”

Replace s. 3(15) “substitute” with “Substitute”

Insert s. 3(15) “Lay” before the word “Member” in two instances

Revise s. 4(1) to read “At least one (1) month before a Session of Synod the Bishop shall furnish to the Honorary Secretaries of the Session of Synod for publication in the Convening Circular and Synod Journal, a complete list of the Clergy on the Clergy List of the Diocese, indicating into which of the categories set forth in s. 2 of The Constitution each such Cleric should be placed, and the Secretary of Synod shall furnish to the Honorary Secretaries of the Session of Synod for the same purpose the list of the Lay Members as given in the

Certificates of Election received, together with a list of those Parishes and Congregations:-

- Insert s. 4(1)(b) “Session of” following the words “...to be made to the”
- Insert s. 4(4) “Session of” after the words “...whose seats in the” and “Sessions of” after the words “...election to Committees of”
- Extract s. 5(1) and (2) “the” from the phrase “Session of the Synod”
- Replace s. 5(1) and (2) “Sections” and “Section” with “s.”
- Revise s. 6 to read “The Chancellor and the Secretary of Synod shall examine certificates and statistical and other returns, and shall prepare and submit to the Synod on the first day of its Session of Synod the list of Clergy and Lay Members entitled by the provisions of The Constitution and Canons to sit and vote in the Session of Synod. They shall report to the Court on Contested Seats, upon any irregularities in connection with these or other matters that may affect the right of any Clerical or Lay Member to a seat in the Session of Synod.
- Extract s. 7(1) “the” from the phrase “Session of the Synod”
- Replace s. 7(2) “...a session of the Synod” with “... a Session of Synod”
- Replace s. 8(1) “Lay Members of the Synod” with “...Lay Members of a Session of Synod” and capitalize the “s” in “Session of Synod”
- Replace s. 8(2) and (3) “...the session” with “...the Session of Synod”
- Replace s. 8(4) “...a session of the Synod” with “a Session of Synod”
- Replace s. 8(4) “...sitting and speaking or sitting or voting in the...” with “sitting and speaking or sitting and voting in the...”
- Revise s. 9(1) to read “If a vacancy occurs in the See, and there be no Coadjutor Bishop, the Suffragan Bishop(s) in order of seniority, the Dean, or the Senior Archdeacon present and able to act, shall summon an Electoral Session of Synod to elect a successor in the See; such meeting shall be held on a day to be fixed by the Diocesan Council of the Synod, not earlier than one (1) week nor later than six (6) months after the occurrence of such vacancy.
- Insert s. 10(1)(a) “Members of a Session of Synod” following the word “Clerical”
- Replace 10(1)(a) “of Synod” with “of a Session of Synod”
- Replace s. 10(1)(b) “...any member of the Synod” with “...any Member of a Session of Synod”

- Insert s. 10(1)(b) “the Electoral Session of” prior to the word “Synod”
- Replace s. 10(1)(c) “members of Synod” with “Members of the Session of Synod”
- Replace s. 10(1)(d) “committee” with “Nominations Committee”
- Replace s. 10(2) “orders” with “Orders”
- Replace s. 10(2)(a),(b) and (c) “Clergy” with “Clerical Members of an Electoral Session of Synod”
- Insert s. 10(2)(a) and (b) “an Electoral Session of” following the words “...Lay Members of”
- Replace s. 10(2)(b) “Cleric” with “cleric”
- Insert s. 10(2)(c) “(12)” after the word “twelve”
- Replace s. 10(2)(c) “had” with “conducted”
- Replace s. 10(2)(c) “Clergy” with “Clerical Members of an Electoral Session of Synod”
- Replace s. 10(2)(c) “Cleric” with “cleric” in three instances
- Insert s. 10(2)(c) “an Electoral Session of” following the words “...percentage of the Lay Member of”
- Replace s. 11(1) “...Diocesan Council of the synod” with “...Diocesan Council of the Synod”
- Replace s. 11(1) “...Session of the Synod” with “...Session of Synod”
- Replace s. 11(1) “...concurr in” with “...concurr with”
- Replace s. 11(2) “...suffragan” with “...Suffragan”
- Insert s. 13(1) “of the Synod” following the words “...by the Diocesan Council”
- Insert s. 13(4) “of the Synod” following the words “...the Diocesan Council”
- Extract s. 15(1) “the” from “...as President of the Synod”
- Replace s. 15(2) “Section” with “s.” and “the Constitution” with “The Constitution”
- Replace s. 15(3) “...referred to in sub-section (2) above” with “...referred to in s. 15(2) above”
- Replace s. 15(4) “...referred to in sub-section (1) above” with “...referred to in s. 15(1) above”

- Insert s. 15(4) “and Director of Finance...” following the word “Treasurer”
- Replace s. 15(5) “...mentioned in sub-sections (2) to (4) inclusive...” with “...mentioned in s. 15(2) to 15(4) inclusive...”
- Revise s. 15(6) to read “All deeds, leases, mortgages and other assurances of land shall be approved by the Solicitor of the Synod, or such other Barrister or Solicitor, licensed to practice law in the Province of Ontario, as designated by the Bishop, Diocesan Council or Secretary of Synod for such purpose, in writing before they are executed by the Bishop and Officers of a Session of Synod, and no covenant for payment by the Synod shall be inserted in any mortgage without the consent of the Diocesan Council of Synod.
- Replace s. 16(1) “...Clerical and Lay Members voting collectively...” with “...Clerical and Lay Members of a Session of Synod voting collectively...”
- Replace s. 16(1) “...(see Rules of Order No. 15).” with “...(see s. 38(13)).”
- Replace s. 16(1) “...next regular session of the synod.” with “...next Regular Session of Synod.”
- Replace s. 16(2) “...next regular session of the Synod.” with “...next Regular Session of Synod.”
- Insert s. 16(2) “2/3” after the words “...two-thirds”
- Extract the word “THE” in the heading “OFFICERS AND COMMITTEES OF A SESSION OF THE SYNOD”
- Revise s. 17(1) to read “Honorary Secretaries of a Session of Synod
 (1) There shall be two (2) Honorary Secretaries of each Session of Synod; one of each Order, both Members of the Synod; the Honorary Clerical Secretary shall be elected by Clerical Members of a Session of Synod, and the Honorary Lay Secretary by Lay Members of a Session of Synod. They shall hold office until the Regular Session of Synod following that at which they were elected, or until their successors are elected.”
- Replace s. 17(2) “...the session of the Synod” with “...a Session of Synod”
- Replace s. 17(3) “...a session of the Synod” with “...a Session of Synod”
- Replace s. 17(4) “...Honorary Secretaries of the Synod...” with “...Honorary Secretaries of Synod...”
- Replace s. 17(5) “Section (1) above” with “s. 1 above”

- Revise s. 18 to read “Prior to each Session of Synod, the Diocesan Council of the Synod shall elect from among the Members of Synod, a Clerical Member of the Session of Synod and a Lay Member of the Session of Synod to act as Scrutineers. It shall be the duty of the Scrutineers to appoint suitable persons to assist them with the tasks of monitoring the registration of the members; the balloting; and the counting of the ballots.”
- Revise s. 19 to read “At the first meeting of the Diocesan Council following a Regular Session of Synod, it shall appoint an Agenda Committee, consisting of the Honorary Secretaries and not less than three (3) other members, which shall prepare an agenda for the succeeding Sessions of Synod and submit the same to the Diocesan Council of the Synod.”
- Replace s. 20 “...of each session...” to “...of each Regular Session of Synod,...”
- Replace s. 21 to read “Nominations” with “Nominating Committee”
- Replace s. 21(1) “...regular session of the Synod” with “...Regular Session of Synod”
- Insert s. 21(1) “(8)” following “eight” and “(4)” following “four”
- Replace s. 21(1) “order” with “Order”
- Replace s. 21(1)(a) “Committee” with “Committees” and “members” with “Members”
- Revise s. 21(1)(c) “The list of such nominations shall be reviewed by the Diocesan Council and the names of nominees who have not been canonically disqualified shall be included in the Convening Circular for the next Regular Session of Synod.”
- Replace s. 21(2) “...the regular session of the Synod” with “...the Regular Session of Synod”
- Insert s. 21(3) “(7)” following the word “seven”
- Replace s. 21(4) “...in subsection (3) above” with “...in s. 21(3) above”
- Replace s. 22(1) “members” with “Members”
- Replace s. 22(4) “...in Section 2 and Section 3 (16) of the Constitution” with “...in The Constitution, s. 2 and s. 3(16).”
- Replace s. 22(5) “...the session of the Synod” with “...the Session of Synod”
- Revise s. 22(7)(b) to read “General and Provincial Synod:- The Clerical Members of a Session of Synod are entitled to vote for the prescribed number of Clerical Members of General Synod, and the Lay Members of a Session of Synod for the prescribed number of Lay Members of General Synod.
- Replace s. 22(7)(c) “candidate” with “nominee”

- Replace s. 22(7)(d) “candidates” with “nominees”
- Revise s. 25 to read “A quorum of a Session of Synod shall consist of not less than one-fifth (1/5) of the Clerical Members of the Session of Synod entitled to sit and vote in the Synod and not less than one-fifth (1/5) of the Lay Members of the Session of Synod who registered in accordance with s. 23 of The Constitution.”
- Replace s. 26 “...a session of the Synod” with “...a Session of Synod”
- Delete s. 27 “Prayers for a Session of the Synod
During one month prior to a session each shall at the Sunday Services use the form of prayer to be found in the Prayer Book, for the Divine Blessing on the proceedings of the Session of the Synod.”
- Replace s.28(11) “of” with “over” and “Third Day” with “last day”
- Replace s. 29 “...a session...” with “...a Session of Synod...”
- Replace s. 29 “members” with “Members”
- Revise s. 30 to read “The Synod shall meet for business at a time to be established by Diocesan Council, on the recommendation of the Agenda Committee, no less than sixty (60) days before a Regular Session of Synod and no less than one (1) week before an Electoral Session of Synod. In default of the establishment of such a time, the Session of Synod shall commence at 9:30 a.m. and each sitting shall be opened with prayers chosen for the occasion by the Bishop.”
- Replace s. 31 “...five o’clock...” with “...5:00 p.m. (five o’clock)...”
- Delete s. 32 “the” in the section heading “Minutes of a Session of the Synod”
- Replace s. 32(1) “At each session of the Synod” with “At each Session of Synod”
- Replace s. 32(1) “minutes” with “Minutes” in two instances
- Replace s. 32(2) “of” with “with”
- Replace s. 32(3) “minutes” with “Minutes”
- Revise s. 33 to read “Election of Members to General Synod
(1) At the Regular Session of Synod immediately preceding a Session of General Synod, the Synod shall elect the prescribed number of Clerical Members and Lay Members to General Synod. These shall be elected by ballot.
(2) Only Members of Synod possessing a vote therein are eligible for election as members of General Synod. They shall be:-

- (a) A Cleric licensed to and residing in a parish outside the Municipality of Metropolitan Toronto, and a Lay Member representing and residing in a Parish outside the Municipality of Toronto, who receive a greater number of votes than any other such Cleric or Lay Member respectively.
- (b) The remaining number of Clergy and Lay Members respectively who receive the highest number of votes.
- (3) A similar number of each Order arranged in a list according to the number of votes received, beginning with the highest, shall be Substitute Members whenever for any cause a regularly elected member is unable to attend a Session of General Synod.
- (4) In addition to the persons elected under s. 33(2), the Bishop shall appoint one (1) Member or call for the election of one (1) Member who will be at least sixteen (16) years of age upon the opening of the tri-annual session of General Synod and under the age of twenty-six (26) years upon the termination of General Synod, who shall be a communicant member of The Anglican Church of Canada.
- (5) The Secretary of Synod shall enquire of the Members at least three (3) weeks prior to a Session of General Synod whether they can attend or not. In case a member is unable to attend, a notice shall be sent to a Substitute Member in the order in which the names of such substitutes appear in the list, notifying such substitute of that person's right to attend the Session of General Synod.

Revise s. 35 to read "The Members of the Synod of the Ecclesiastical Province of Ontario from the Diocese of Toronto shall be elected at a Regular Session of Synod immediately preceding a Session of Provincial Synod. Such election shall be held under the regulations governing the election of members of General Synod."

Replace s. 36 "...between session of the Synod" with "...between Sessions of Synod"

Replace s. 37 "...to the Constitution" with "...to The Constitution"

Revise s. 38(8)(b) "...with Rule of Order 12." with "...with s. 38(12)."

Replace s. 38(18) "If there if..." with "If there is..."

Insert s. 38(18) "(3)" following the word "three"

Canon 1 – Definitions and Procedure

Replace s. 1 "...purposes of the Constitution..." with "...purposes of The Constitution..."

Replace s. 1(11) "Diocesan Ministry Area" with "Diocesan Mission or Designated Ministry"

Replace s. 1(11) "area" with "ministry"

- Replace s. 1(17) “session” with “Session”
- Replace s. 1(21) “35” with “25”
- New s. 23 “DESIGNATED MINISTRY – A separately incorporated corporation that Diocesan Council may, with the approval of the Bishop, designate and authorize to be a Designated Ministry pursuant to Canon 29.”
- Insert s. 2(3) “(35)” following “thirty-five”
- Insert s. 2(5)(b) “(75%)” following “seventy-five percent”
- Insert s. 2(6)(a) “(60%)” following “sixty percent”
- Replace s. 2(6)(a) “...successive annual regular sessions of Synod” with “...successive Regular Sessions of Synod”
- Insert s. 7(a) “(50%)” following the words “fifty percent” and “(2)” following the word “two”
- Replace s. 7(a) “regular sessions of Synod” with “Regular Sessions of Synod”
- Replace s. 8 “session” with “Session”
- Insert s. 8(b) “(75%)” following the words “seventy-five percent”
- Replace s. 4(2) “Lay Representatives” with “Lay Members”

Canon 2 – The Diocesan Council of the Synod

- Delete s. 2(e) “the Chairperson, if a member of the Synod, or a delegate who is a member of the Synod, of each of the following Boards: Communications, Ministry Resources, Planning and Development, Social Justice and Advocacy, Stewardship Development and Treasury.”
- [re-number accordingly]
- Delete s. 2 the word “the” in the first paragraph following s. 2(j) from the phrase “Regular Session of the Synod”
- New s. 2 Insert the following as the final paragraph:
 “Any member of Diocesan Council declared to be mentally incapable to manage their property or personal care by an Ontario Superior Court shall be deemed to have resigned.”

- Revise s. 3(g) Replace “Executive Assistant to the Diocesan Bishop” with “Diocesan Executive Assistant” and “Ministry Resources” with “Human Resources”, and delete “Planning and Development”
- Replace s. 4(b) “the Constitution” with “The Constitution”
- Replace s. 4(f) “...with Section 21 of the Constitution” with “...with s. 21 of The Constitution”
- Insert s. 5 “(2/3)” following the words “two-thirds”
- Replace s. 5 “regular session” with “Regular Session” in two instances

Canon 11 – Clerical Stipends

- Revise s. 1 to read “Amount
When a cleric is appointed, the Area Bishop, in consultation with the Churchwardens, shall determine the stipend to be paid to the cleric. Thereafter, the Churchwardens meet annually with the cleric to determine changes to the stipend. The parish is responsible for the total cost of the clerical remuneration package including stipend, housing and benefits unless otherwise specified.
- Delete s. 2 “Definition of Stipend
Any income from an endowment, or from any Synod fund that is declared to be for the benefit of the Incumbent, or Associate Incumbent, shall be part of the stipend.”
- Revise s. 3 to read “Honoraria
Honoraria received by the cleric shall not be considered part of the stipend.”
- Revise s. 4 to read “Reduction of Stipend
Except with the written consent of the Bishop and the cleric there shall be no reduction of stipend.
- Revise s. 5 to read “Minimum Stipend and Travel Allowance
The Diocesan Council shall determine annually the minimum stipend scale and mileage allowance to be paid to each cleric and shall so advise the Churchwardens.”
- Revise s. 6 to read “Living Accommodation and Allowances
In addition to stipend and mileage allowance, the parish shall:
1) Supply living accommodation and pay reasonable costs of fuel, telephone and public utilities; or
2) Pay a reasonable housing allowance and reasonable costs of fuel, telephone and public utilities.
- Revise s. 7 to read “Moving Expense

When a cleric assumes a new appointment within the Diocese or retires on pension from an appointment within the Diocese; or where the surviving spouse of a cleric moves from a rectory on the death of the cleric prior to retirement, a contribution to the moving costs up to an amount to be determined annually by the Diocesan Council will be a charge on the Diocesan Budget.”

Canon 28 – Secretary of Synod

Replace s. 2 “shall” with “, in the opinion of the Bishop,”

Canon 29 – Designated Ministries

Insert s. 1 “terms and” following the words “...and other such”

Replace s. 2 (b) “...of Section 2 of the Constitution” with “...of s. 2 of The Constitution”

Delete s. 2(b) “and,” at the end of the subsection

Insert s. 2(c) “and,” at the end of the subsection

Replace s. 2(d) “...to Section 3 of...” with “...to s. 3 of...”

Replace s. 2(d) “conditions” with “terms”

Replace s. 2(d) “...Section 1” with “...s. 1”

Insert s. 5 “,” between the words “Ministry” and “unless”

Insert s. 5 “,” between the words “Bishop” and “shall”

Canon 47 – The Solicitor

Rename Canon from “The Solicitor” to “Retention of Legal Counsel”

Replace s. 1 “shall” with “may”

Insert s. 3 “or the Secretary of Synod” following the words “...the Diocesan Council,”

Revise s. 4 to read “The Bishop, the Diocesan Council or the Secretary of Synod may in their discretion retain other Barristers and Solicitors, licensed to practice law in Ontario, in particular matters.

Remove s. 5 “Deemed Resignation at Age 70
Upon attaining the age of 70 years the Solicitor shall be deemed to have resigned the office.”

Proposed Changes to The Constitution and Canons re: Mandatory Retirement of Office Holders
(Showing Changes)

THE CONSTITUTION

There are no proposed changes prior to this point.

3. Lay Members of Synod

(13) Resignation

Any Lay Member of Synod may resign, **personally or by their attorney**, by giving notice to that effect to the Secretary of Synod who shall forthwith communicate such resignation to the Incumbent of the Parish in order that a new election may be held as herein prescribed. **Any Lay Member declared to be mentally incapable to manage their property or personal care by an Ontario Superior Court shall be deemed to have resigned.**

9. Vacancy in See

- (1) If a vacancy occurs in the See, and there be no Coadjutor Bishop, the Suffragan Bishop(s) in order of seniority, the Dean, or the Senior Archdeacon present and able to act, shall summon a meeting of the Clergy and Lay Members in Synod to elect a successor in the See; such meeting shall be held on a day to be fixed by the Diocesan Council of the Synod, not earlier than one (1) week nor later than four (4) weeks after the occurrence of such vacancy.
- (2) The summons shall be issued as soon as conveniently possible after the announcement, by the Metropolitan of the Ecclesiastical Province, of the date of the occurrence of the vacancy, but not later than three (3) weeks prior to the date fixed for such meeting.
- (3) **Not less than six (6) months prior to attaining the full age of seventy years, the Bishop, the Coadjutor Bishop or a Suffragan Bishop, shall tender a resignation to the Metropolitan, pursuant to Canon 3(4) of the Provincial Synod of Ontario, to take effect not later than the end of the month in which the age of seventy is attained and shall inform the Diocesan Council of such action. Upon retirement, the Bishop, the Coadjutor Bishop or a Suffragan Bishop, shall tender a resignation to the Metropolitan, pursuant to Canon 3(4) of the Provincial Synod of Ontario, and shall inform the Diocesan Council of such action.**
- (4) A Bishop having attained the full age of sixty-five (65) years may, if such Bishop so desires, resign and receive a pension in accordance with Section 13(6) of the Constitution.

There are no proposed changes beyond this point.

CANON 10
CLERICAL APPOINTMENTS, EXCHANGES, RETIREMENTS AND TERMINATIONS

No proposed changes prior to this point.

6. Deemed Resignation at Age 70

~~A cleric on attaining the full age of seventy (70) years shall be deemed to have submitted a resignation to the Bishop. The Bishop shall accept such resignation forthwith, or, upon agreement with such cleric, shall fix a date which shall be earlier than the seventy-first (71st) birthday of such cleric upon which date such resignation shall be effective.~~

7. Resignation of Clerics Clerical Resignations

a) ~~Any Cleric may resign, personally or by their attorney, by giving written notice to the Bishop. The Bishop may accept the written resignation of any such cleric under the Bishop's jurisdiction. If the Bishop declines to accept such resignation, the applicant may demand a Commission of three, consisting of a cleric of the Diocese appointed by the Bishop, a cleric of the Diocese named by the applicant, and a lay member of the Synod, not a representative of such parish, named by the other two members of the Commission. If this Commission within one (1) month of its appointment, unanimously recommends the acceptance of such resignation, the Bishop shall comply therewith.~~

b) ~~Any Cleric declared to be mentally incapable to manage their property or personal care by an Ontario Superior Court shall be deemed to have resigned.~~

8. Appointment of Clerics who are 70 years of age

~~Any appointment by the Bishop of a cleric who has attained the age of seventy (70), to any position within the power of the Bishop, shall normally be for a term of not more than one (1) year at a time.~~

No proposed changes beyond this point.

Note to Draft:

The Committee is of the view that section 7(a), as it relates to the Bishop refusing to accept a resignation can be removed as it is not clear what situation it is meant to address.

CANON 19
ARCHDEACONS

1. Office

1. Archdeacons may be appointed by the Bishop to or for such jurisdictions as the Bishop may determine and shall hold office at the Bishop's pleasure;
2. Archdeacons shall be installed in the Cathedral by the Dean under the mandate of the Bishop;
3. Upon the resignation of an Archdeacon from a charge or other employment in the Diocese such Archdeacon shall also forthwith tender a resignation to the Bishop as Archdeacon;
4. An Archdeacon, on the death or retirement of the Bishop, shall tender a resignation of the office to the successor in the See; and
- ~~5. An Archdeacon shall retire from office on attaining the age of seventy years and shall thereafter be entitled to be known as "Archdeacon Emeritus"; and~~
5. An Archdeacon retiring from office on pension ~~before attaining the age of seventy years shall~~ may thereafter, if so authorized by the Bishop at the time of the Archdeacon's retirement be entitled to be known as "Archdeacon Emeritus".

No proposed changes beyond this point.

CANON 28
SECRETARY OF SYNOD

There are no proposed changes prior to this point.

4. Deemed Resignation of Office

Upon the earlier of:

- a. attaining the age of sixty-five (65) years, or
 - b. termination of an employment relationship with the Diocese, or
 - c. resignation, personally or by their attorney, in writing to the Bishop, or
 - d. declaration that the Secretary be mentally incapable to manage their property or personal care by an Ontario Superior Court.
- the Secretary shall be deemed to have resigned the office of Secretary.

CANON 48
THE REGISTRAR

1. **Office**
There shall be a Registrar of the Diocese who shall be appointed by the Bishop and who shall hold office during the Bishop's pleasure.
2. **Qualification**
The Registrar shall be a member of the Bar of the Province of Ontario of at least 10 years standing and shall be a member in full Communion of the Church of the Diocese.
3. **Duties**
It shall be the duty of the Registrar to see that the following records are kept at the Offices of the Synod.
 - (a) Such official acts of the Bishop or of the Synod as require record or registration.
 - (b) A list of the Clergy of the Diocese from time to time, with their academic standing and the respective duties of their admission as deacons and priests, and of their licences on admission to the Diocese, and a record of the different parishes, missions, or stations in which they have served or of any Diocesan position which they have filled.
 - (c) The election or appointment of clergy or laymen to any office of the Diocese.
 - (d) All letters of orders, licences, institution, induction and other official instruments issued by the Bishop from time to time.
 - (e) A record of consecration of churches, and burial grounds and of the revocation of the Sentence of Consecration.
 - (f) A record of all churches, church buildings and memorials dedicated by the Bishop.
 - (g) The Registrar shall record the election, confirmation, consecration and installation of the Bishops of the Diocese and shall provide that such records be counter-signed by the responsible witnesses, who have themselves been present at such ceremonies.
4. **Death or Retirement of the Bishop**
On the death or retirement of the Bishop of the Diocese, the Registrar shall tender a resignation of office to the Diocesan **Committee Council**.
5. ~~Upon attaining the age of 70 years, the Registrar shall be deemed to have resigned the office.~~
5. **Deemed Resignation of Office**
Upon the:
 - a. ~~resignation, personally or by their attorney, in writing to the Bishop, or~~
 - b. ~~declaration that the Registrar be mentally incapable to manage their property or personal care by an Ontario Superior Court,~~**the Registrar shall be deemed to have resigned the office of Registrar.**

CANON 49
THE CHANCELLOR

No proposed changes prior to this point.

7. Deemed Resignation at Age 70

Upon attaining the age of 70 years the Chancellor shall be deemed to have resigned the office.

7. Deemed Resignation of Office

Upon the:

- a. resignation, personally or by their attorney, in writing to the Bishop, or
- b. declaration that the Chancellor or Vice-Chancellor, as the case may be, is mentally incapable to manage their property or personal care by an Ontario Superior Court.

the Chancellor or Vice-Chancellor, as the case may be, shall be deemed to have resigned the office of Chancellor or Vice-Chancellor.

Proposed Changes to *The Constitution and Canons re: Synod Composition* (Showing Changes)

THE CONSTITUTION

1. Composition of Synod

Whereas by "An act to incorporate the Synod of the Diocese of Toronto, and to unite the Church Society of the Diocese of Toronto therewith" (being 32 Victoria Cap 51; as amended by 62 Victoria Cap. III) it is enacted that:-

The said Synod shall consist of the Bishop of the said Diocese, who shall be the head of the said Synod, and any Suffragan or Coadjutor Bishop thereof, and of such Clergy and Lay **Representatives Members** of Parishes and Missions as possess the qualifications prescribed by the Synod.

The Synod may from time to time prescribe the qualifications of the Clergy and Lay **Representatives Members** of Parishes and Missions necessary to the right to sit and vote in Synod, and may exclude from the Synod those who do not possess or are declared by the Synod not to possess the prescribed qualifications.

It is hereby declared that as hereinafter defined, such of the Clergy on the Clergy List of said Diocese, and all Lay Persons elected as hereinafter provided possess the qualifications necessary to the right to sit and vote in said Synod subject nevertheless to the disqualifications if any under the provisions of sections of this Constitution.

For purposes of The Constitution the following terms shall have the following meanings:

- a. A "Regular Session of Synod" is any Synod at which there is to be no election of either a Diocesan or Suffragan Bishop;
- b. An "Electoral Session of Synod" is any Synod at which there is to be the election of a Diocesan or Suffragan Bishop;
- c. A "Special Session of Synod" is any Synod, which is not a Regular Session of Synod or an Electoral Session of Synod.
- d. "Synod Forums" are meetings that may be held during the period of time between Regular Sessions of Synod and as more fully described in s. 40 of The Constitution;
- e. "Session of Synod" shall mean either a Regular Session of Synod, an Electoral Session of Synod, or a Special Session of Synod.

2. Clerical Members of the a Session of Synod

Clergy on the Clergy List of the Diocese are those Clergy of the Anglican Church of Canada who are under the jurisdiction of the Bishop of the Diocese of Toronto. **All such** Clergy are entitled to sit, **and** speak, **and** vote in a **Session of Synod** as follows:

a. At a Regular Session of Synod

1. One (1) Cleric from each Parish, Designated Ministry or Diocesan Mission, selected by the clergy of the parish;
2. Up to four (4) Chaplains appointed by the Bishop;
3. Up to four (4) Vocational Deacons, selected by the Community of Deacons;
4. Up to four (4) Associate Priests, selected by the Associate Priests in the Diocese, pursuant to a process to be established from time to time by the Bishop;
5. Up to four (4) Assistant Curates, selected by the Assistant Curates, pursuant to a process to be established from time to time by the Bishop;
6. One (1) Member representing the Religious Communities, as defined by the Bishop (clerical or lay).

b. At a Special Session of Synod

1. One (1) Cleric from each Parish, Designated Ministry or Diocesan Mission, selected by the clergy of the parish;
2. Up to four (4) Chaplains appointed by the Bishop;
3. Up to four (4) Vocational Deacons, selected by the Community of Deacons;
4. Up to four (4) Associate Priests, selected by the Associate Priests in the Diocese, pursuant to a process to be established from time to time by the Bishop;
5. Up to four (4) Assistant Curates, selected by the Assistant Curates, pursuant to a process to be established from time to time by the Bishop;
6. One (1) Member representing the Religious Communities, as defined by the Bishop (clerical or lay).

c. At an Electoral Session of Synod

1. All active clergy, canonically resident in the Diocese of Toronto, who hold the Bishop's License who are appointed by the Bishop to a Parish, Designated Ministry or Diocesan Mission;
2. All Chaplains who hold the Bishop's License as Chaplain to Institutions in the Diocese of Toronto;
3. All Vocational Deacons who hold the Bishop's License as a Deacon in the Diocese of Toronto;
4. One (1) Member representing the Religious Orders (lay or clerical).

d. Ex-Officio

If not already a Clerical Member pursuant to s. 2(a) or 2(b), the following shall be Clerical Members ex-officio:

- a. The Coordinator of Chaplaincy Services
- b. The Coordinator of the Community of Deacons

~~Those of such Clergy who are entitled to sit and vote in the Synod are those:-~~

~~(1) who are appointed by the Bishop of the Diocese of Toronto to a regular parochial or missionary charge as rector, or incumbent, or missionary, or associate rector or incumbent, or vicar, or assistant cleric, or priest-in-charge, or to an official position under Synod arrangement or control,~~

~~(2) who hold the Bishop's license as Chaplains to Institutions in the Diocese, or~~

~~(3) who hold any of the following offices:-~~

~~Provost of Trinity College.~~

~~Principal of Wycliffe College.~~

~~Professor or Member of the staff of Trinity College, Wycliffe College or the Toronto School of Theology.~~

~~Head or Chaplain of a Residential School.~~

~~Member of the Staff of General Synod or its Boards.~~

~~Member of the Staff of the Canadian Council of Churches.~~

~~Chaplains in the Armed Forces.~~

~~(4) Clergy on the retired list who regularly attend Synod, until such time as they miss two (2) consecutive meetings of the Synod, without showing cause, or a total of four (4) meetings of the Synod, whatever the cause.~~

3. Lay Members of the a Session of Synod

(1) Qualifications

A person to qualify as a Lay Member of the a Session of Synod shall:

- (a) be not less than sixteen (16) years of age;
- (b) be a Lay Member of the Vestry of that person's Church or a Lay Member of a Designated Ministry established under Canon 29;

- (c) be a member in full Communion of the Anglican Church of Canada and shall have received the sacrament of Holy Communion at least three (3) times during the previous year; and
- (d) not have been a Lay Member of ~~the a Sessions of~~ Synod for more than the previous ~~three (3) two (2)~~ consecutive Regular Sessions ~~of Synod~~.

(2) Duties

It shall be the duty of a Lay Member of ~~the a Session of~~ Synod:

- (a) To attend the Sessions ~~of the Synod and Synod Forums~~.
- (b) To serve on committees to which such member may be elected or to which such member has accepted appointment.
- (c) To communicate the decisions of ~~the a Session of~~ Synod as may be requested by the Incumbent.
- (d) To assist, when requested by the Incumbent, in the discharge of the duties of the Incumbent as set forth in Canon 9, ~~s. 10 and s.11~~ ~~Sections 11 and 12~~.

(3) Election

Lay Members shall be elected at the annual meeting of the Vestry or Designated Ministry, or at a special meeting thereof, respectively, called for the purpose as hereinafter provided.

(4) Appointment

In addition to the Lay Members elected in accordance with s. 3(3) and appointed in accordance with s. 3(17) of ~~t~~he Constitution, the Bishop may, after consultation with the Diocesan Council, appoint not more than twenty (20) Lay Members of ~~the a Session of~~ Synod qualified as required by s. 3(1), save and except that the qualification in s. 3(1)(d) shall not apply.

(5) Term of Office

Except in cases of death, resignation, or removal from the Diocese, the term of office of an elected Lay Member shall commence on that member's election at an annual or special meeting of the Vestry or Designated Ministry and shall continue until that member's successor is elected or until that member has served for ~~three (3) two (2)~~ consecutive Regular Sessions ~~of Synod~~, whichever ever comes first. Membership in any committee of ~~the a Session of~~ Synod shall continue until the next Regular Session of Synod or until the term of office has been completed, whichever period is longer.

(6) Basis of Membership

The number of Lay Members that a ~~Vestry of a Congregation Parish~~ or Designated Ministry is entitled to elect shall be determined by average ~~weekly Sunday~~ attendance in accordance with ~~Section s. 3 (7)~~. The following certification to be signed by the Incumbent or Priest-in-Charge shall form part of the statistical return required from the Incumbent by Synod:-

"I hereby certify that in there was an Average ~~Weekly Sunday~~ Attendance of which allows this ~~vestry Parish~~ or Designated Ministry to elect Lay Member(s) of ~~the a Session of~~ Synod."

(7) Number of Lay Members of ~~the a Sessions of~~ Synod

~~The number of Lay Members of the Synod of the Diocese that each Vestry or Designated Ministry is entitled to elect, shall be determined based on the following:-~~

- ~~Average weekly attendance from one (1) to one hundred (100) – One (1) Member~~
- ~~Average weekly attendance from one hundred and one (101) to two hundred (200) – Two (2) Members~~
- ~~Average weekly attendance from two hundred and one (201) to three hundred (300) – Three (3) Members~~
- ~~Average weekly attendance from three hundred and one (301) to four hundred (400) – Four (4) Members~~
- ~~Average weekly attendance above four hundred (400) – Five (5) Members~~

~~This would include all church services held during the week, with the exception of weddings and funerals.~~

The number of Lay Members of the a Session of Synod that each Parish is entitled to send to the Synod shall be as follows:

- a. Where Average Sunday Attendance (ASA) is from one (1) to two hundred and fifty (250) – One (1) Member.
- b. Where Average Sunday (ASA) attendance is from two hundred and fifty one (251) to five hundred (500) – Two (2) Members.
- c. Where Average Sunday (ASA) is five hundred and one (501) or greater – Three (3) Members.

Average Sunday Attendance (ASA) is calculated by taking the total Sunday attendance throughout the year, and dividing that total by the number of Sundays in the year, usually 52.

Synod encourages a All parishes who elect two (2) or more Lay Members of the a Session of Synod are encouraged to elect at least one (1) member who shall not have attained the age of thirty (30) when elected.

(8) Substitute Lay Members of the a Sessions of Synod

- (a) Substitute Lay Members may be elected by a Vestry or Designated Ministry, and such substitutes shall, in the order of their election, take the place of regular Lay mMembers who from any cause are unable to attend the a session of sSessions of the Synod during the period for which they are elected.
- (b) A sSubstitute Lay Member shall serve only during the Session of the Synod for which such Lay Member is reported to the Synod to act and shall not be eligible for election to any Standing Committee of the Synod.
- (c) It shall be the duty of the Incumbent to notify the Secretary of Synod of the appointment of a substitute to act as member not later than the day preceding the first day of the Session of Synod for which such Lay Member is appointed, giving name and address of the substitute and also the name and address of the member in whose place the substitute is acting. The Incumbent shall certify also that such substitute was elected at a meeting of the Vestry or Designated Ministry in the regular way, and fulfills the requirements of a llay mMember.
- (d) Where a sitting of a Session of Synod is adjourned to another sitting date more than one (1) week later, the rules respecting sSubstitute Lay Members shall apply mutatis mutandis to that adjourned sitting to provide for substitution of Lay Members for that adjourned sitting.

No proposed changes to sections 3(9) to 3(11).

(12) Certificate Necessary

The Chairperson of the meeting shall furnish each Lay Member with a certificate similar to that to be forwarded to the Secretary of Synod. Any person requesting registration as a Lay Member at a Session of the Synod without such certificate may be required, before such registration is permitted, to afford sufficient proof of identity and may be refused a seat at the Session of Synod in the discretion of the Court on Contested Seats.

No proposed changes to sections 3(13) to 3(15).

(16) Ex Officio

If qualified as required by s. 3(1), except that the qualification in s. 3(1)(d) shall not apply, the following, if otherwise qualified, shall be Lay Members ex-officio:

- (a) the Chancellor, any Vice Chancellor, the Registrar, the Secretary of Synod, any Chancellor Emeritus, and the President of Diocesan Anglican Church Women, and the Mother Superior of the Sisters of St. John the Divine and,
- (b) the Provost of Trinity College and the Principal of Wycliffe College if they are not clerical members pursuant to s. 2(2).

(17) Youth and Young Adult Members

In addition to the Lay Members elected and appointed in accordance with this section, the Bishop may appoint as a Lay Member of Synod for each area, nominated by each Area Council, **four (4) members, five (5) members between the ages of sixteen (16) and twenty one (21), and five (5) members between the ages of twenty two (22) and thirty (30).** For the purpose of this section these shall be additional qualifications to those set out in s. 3(1) such members must not have attained the age of 30 years at the time of appointment.

(18) Lay Canons of the Diocese

A lay canon of the Diocese is a member of the laity who has been named a lay canon of the Cathedral Church by the Bishop. All lay canons of the Diocese are entitled to sit and speak **in at a Regular Session of the** Synod.

No proposed changes to sections 4 to 22.

23. Registration

- (1) Each Member of Synod, before taking a seat in a Session **of Synod** shall register and receive an identity card. Lay Members shall produce their Certificates of Election which will be exchanged for identity cards by the Scrutineers. **Clergy Clerical Members** will receive identity cards on presentation of a written registration card.
- (2) Registration hours for **the a Regular sSession** of Synod shall be the first day of Synod - 9 a.m. to 2 p.m., or such other time or times as may be determined by the Diocesan Council. **(1990)** No further registrations may be made after registration has closed without permission of the Court on Contested Seats.
- (3) At a **sSpecial or Electoral sSession** of Synod, registration hours shall be set by the Diocesan Council.

24. Time, Place, Etc. of a Sessions of Synod

- ~~(4) A regular session of the Synod ('Regular Session') shall be held every two years at a time or times appointed by the Bishop after consultation with the Diocesan Council. The Bishop shall likewise appoint the place of meeting.~~
- (1) A Regular Session of Synod is any Synod at which there is to be no election of either a Diocesan or Suffragan Bishop. A Regular Session of Synod shall be held every two (2) years at a time or times appointed by the Bishop after consultation with the Diocesan Council. The Bishop shall likewise appoint the place of meeting.**
- ~~(2) A special session may be called by the Bishop, or in the absence of the Bishop by the Commissary, or by the Administrator of the Diocese, at such time and place as the Bishop, or Commissary, or Administrator, after consultation with the Diocesan Council, shall appoint, subject to the provision of Section 9 (1).~~
- (2) An Electoral Session of Synod is any Synod at which there is to be the election of a Diocesan or Suffragan Bishop. An Electoral Session of Synod may be called by the Bishop, or in the absence of the Bishop by the Commissary, or by the Administrator of the Diocese, at such time and place as the Bishop, or Commissary, or Administrator, after consultation with the Diocesan Council, shall appoint, subject to the provision of Section 9 (1).**
- (3) A Special Session of Synod may be called at a time or times appointed by the Bishop after consultation with the Diocesan Council. The Bishop shall likewise appoint the place of meeting.**
- (4) Synod Forums are meetings that may be held during the period of time between Regular Sessions of Synod and as more fully described in s. 40 of The Constitution.**

No proposed change to sections 25 to 26.

Sections will be renumbered accordingly from this point forward.

27. Convening Circular

A Convening Circular issued by the Secretary of Synod shall be made available to all Members of Synod at least twenty-one (21) days prior to the date fixed for a Session of Synod. Members of Synod shall be advised how to access the Convening Circular by electronic or such other means as Diocesan Council and the Bishop shall direct.

(1) Regular Session of Synod

For a Regular Session of Synod, the following information shall be included in the Convening Circular:

- a. Notice of Meeting,
- b. Agenda,
- c. List of Officers,
- d. List of Members of Synod,
- e. List of Nominees and Biographical Information, if elections are to take place,
- f. Notices of Motion,
- g. Diocesan Council's Report to Synod,
- h. Other Reports to Synod,
- i. Audited Financial Statements,
- j. Priorities and Plans (Budget),
- k. Constitution and Canons Changes,
- l. Minutes of the previous Session of Synod,
- m. Diocesan Apportionment Calculations,
- n. Incumbent's Annual Statistical Return information, and
- o. such other additional materials as Diocesan Council and the Bishop may direct.

(2) Electoral Session of Synod

For an Electoral Session of Synod, the following information shall be included in the Convening Circular:

- a. Notice of Meeting,
- b. Agenda,
- c. List of Nominees,
- d. Biographical information on each of the Nominees, including age, academic background, date of ordination, all ecclesiastical appointments, and other relevant qualifications and experience,
- e. Procedures for voting,
- f. such other additional materials as Diocesan Council and the Bishop may direct.

(3) Special Session of Synod

For a Special Session of Synod, the following information shall be included in the Convening Circular:

- a. Notice of Meeting,
- b. Agenda,
- c. such other additional materials as Diocesan Council and the Bishop may direct.

No proposed changes to sections 28 and 29.

30. Hours of Meeting

The Synod shall meet for business at 9:30 a.m. on each day or at such other times as the Synod may determine a time to be established by Diocesan Council, on the recommendation of the Agenda Committee, no less than sixty (60) days before a Regular Session of the Synod and no less than one (1) week before an Electoral Session of the Synod. In default of the establishment of such a time, the Session of Synod shall commence at 9:30 a.m. and each sitting shall be opened with prayers chosen for the occasion by the Bishop.

No proposed changes to sections 31 to 39.

40. Synod Forums

- a. Synod Forums may be called by the Bishop.
- b. When called, Synod Forums shall:
 - i. take place in each Episcopal Area;
 - ii. be chaired by the Bishop or the Bishop's designate;
 - iii. be conducted with rules of order as set out by the presiding Bishop or Bishop's designate;
 - iv. may make non-binding recommendations to the Bishop and Diocesan Council.
- c. Synod Forums shall be open to all clergy of the Diocese (whether active, non-active, or retired) and all the laity who are otherwise qualified to be Lay Members of a Session of Synod.

CANON 18
PARISH EXECUTIVE COMMITTEE

1. In each parish consisting of two or more congregations there shall be formed a committee to be known as the Parish Executive Committee, hereinafter called the Committee.
2. **Membership**
It shall be composed of:
 1. The Incumbent;
 2. The Churchwardens; and
 3. Two members of the laity from each congregation, one to be appointed by the Incumbent, and one elected by the vestry of that congregation.
3. **Meetings**
 1. The Chairperson shall be the Incumbent who shall have a vote, but shall not be required to exercise the same;
 2. A Vice-Chairperson shall be elected annually by the Committee;
 3. The Committee shall elect a Secretary and the minutes of each meeting shall be entered in a book to be kept for that purpose; and
 4. The Committee shall hold meetings at least twice during each calendar year.
4. **Duties**
The duties of the Committee shall be:
 1. To advise the Incumbent and Churchwardens in such matters as are of a parochial, deanery, or diocesan nature, but not those solely of an individual congregation;
 2. To consider any such matters referred to it by any of the several vestries;
 3. To receive from the Churchwardens at each regular meeting a written financial statement of each congregation; and
 4. **To establish the procedure for the election of a Lay Member, or Lay Members, to represent the Parish pursuant to The Constitution s.3**
 - 4.5. To prepare from time to time recommendations for the consideration of each congregation of its share of responsibility with respect to:
 - a. Assessable Expenditure;
 - b. Incumbent's remuneration;
 - c. Incumbent's travel expense;
 - d. Rectory maintenance as appropriate; and
 - e. Other matters of parochial concern.

THE CONSTITUTION

No proposed changes prior to this point.

19. Agenda Committee

At the first meeting of the Diocesan Council following a ~~r~~Regular ~~s~~Session of ~~the~~ Synod, it shall appoint an Agenda Committee, consisting of the Honorary Secretaries and not less than three other members. All Lay Members must be members of a Vestry as prescribed by Canon 14(4), or a member of a church in full communion with the Anglican Church of Canada, and at least one member must be a Member of a Session of Synod. The Committee shall prepare an agenda for the succeeding session of Synod and submit the same to the Diocesan Council.

There are no proposed changes to Section 20.

21. Nominations

- (1) At the first meeting of the Diocesan Council following a regular session of the Synod, it shall appoint a Nominating Committee consisting of eight members, four from each order. All Lay Members must be members of a Vestry as prescribed by Canon 14(4), or a member of a church in full communion with the Anglican Church of Canada, and at least half of the members must be Members of a Session of Synod. It shall be the duty of this committee:-
 - (a) To receive nominations for all Standing Committees from such committees and from members of Synod.
 - (b) To review such nominations and to prepare ballots for those committees whose membership is to be elected by the Diocesan Council and a list of nominations for the committees whose members are to be elected by Synod.
 - (c) The list of such nominations shall be reviewed by the Diocesan Council and the names of nominees who have not been canonically disqualified shall be mailed to all members of Synod at least fourteen days prior to the next regular session of the Synod.
- (2) For those committees, the members of which are to be elected by the Diocesan Council, balloting shall take place at the meeting of the Diocesan Council next following the regular session of the Synod.
- (3) Members of Synod may make written nominations at any time of the year for any Standing Committee of Synod provided that each nomination shall be accompanied by the written consent of the nominee. Nominations shall be delivered to the Secretary of Synod not later than 2:30 p.m. of that day which is seven days prior to the opening day of Synod, at such other time or times as may be determined by the Diocesan Council, at which time nominations shall close.
- (4) Any nominee wishing to withdraw from any election shall notify the Secretary of Synod not later than the times set forth in subsection (3) above for the close of nominations.

There are no proposed changes beyond this point.

CANON 5
TRUSTS COMMITTEE

1. There shall be a standing committee of the Diocesan Council to be known as the Trusts Committee, hereinafter called the "Committee".
2. Members
The membership of the Committee shall consist of:
 - (i) The Chancellor
 - (ii) The Vice-Chancellor(s)
 - (iii) The Registrar
 - (iv) ~~Three (3) clerical and three (3) lay members of Synod who shall hold office for not more than a maximum of three successive two-year terms, following which no such appointment may be made for one two-year term.~~
Six (6) members, three from each order. All Lay Members must be members of a Vestry as prescribed by Canon 14(4), or a member of a church in full communion with the Anglican Church of Canada, and at least half of the members must be Members of a Session of Synod. Members shall hold office for not more than a maximum of three successive two-year terms, following which no such appointment may be made for one two-year term.
3. Duties and Responsibilities
The duties of the Committee shall be:
 - (a) To consider and report on devises, bequests, gifts or grants for church purposes to be held by the Synod in trust;
 - (b) To consider and report on applications to purchase, sell, license, lease or mortgage church property or to incur any financial obligation not expected to be liquidated within one year;
 - (c) To consider and report on plans and applications for the building of or structural alterations to church property;
 - (d) To consider and report on any other matters referred to it by the Diocesan Council.
4. At any time that may be authorized by the Diocesan Council, the Committee shall have power to act on behalf of the Diocesan Council in any of the matters referred to in subsections (a), (b), and (c) of Section 3 of this Canon.

THE CONSTITUTION

CANON 37 **CONSTITUTION AND CANONS COMMITTEE**

1. Membership

~~There shall be a Committee of the Synod known as the Constitution and Canons Committee, consisting of the Chancellor, the Vice Chancellor(s), the Registrar, and two (2) clerical and two (2) lay members, elected annually by the Diocesan Council.~~

There shall be a Committee of the Synod known as the Constitution and Canons Committee, elected annually by the Diocesan Council, consisting of the:

- (i) Chancellor,
- (ii) Vice Chancellor(s),
- (iii) Registrar,
- (iv) Four (4) Members, two from each order. All Lay Members must be members of a Vestry as prescribed by Canon 14(4), or a member of a church in full communion with the Anglican Church of Canada, and at least half of the members must be Members of a Session of Synod.

2. Duties

The duties of the said Committee shall be:

- (1) To consider such amendments or revisions to the Constitution and Canons of the Synod as may be referred to it by Synod, or any Committee thereof, and to report how best such revisions and/or amendments may be incorporated in the Constitution and Canons; and
- (2) To consider from time to time the Constitution and Canons, and to report to the Diocesan Council any needed revision in terminology or arrangement.

THE CONSTITUTION

No proposed changes prior to this point.

3. Lay Members of Synod

(9) Lay Membership Return

- (a) Within ten (10) days after the election of the Lay Members the Incumbent or in the absence of an Incumbent the Chairperson of the meeting shall send to the Secretary of Synod a certificate of such election in the form following:-

“This is to certify that at a meeting of the Vestry or Designated Ministry ofChurch, in the Parish of held on the day of 20.... the following who is (are), a Communicant (Communicants) of at least one year’s standing, of the full age of sixteen (16) years, not in Holy Orders, and who has (have) Communicated at least three (3) times during the twelve (12) months preceding such election, was (were) elected a Lay Member (Members) of the **Session of Synod** by those entitled to vote at such election.”

- (b) The Secretary of Synod shall forward the names of the Lay Members contained in these certificates to the Honorary Secretaries to be **printed included** in the Convening circular of the **Session of Synod**, a copy of which shall be **made available to be accessed by mailed to** each member of the Synod.
- (c) A list of the Lay Members shall also be prepared for the Committee on Credentials and for the Court on Contested Seats

No proposed changes to sections 3(10) to 3(13).

(14) Members Elected by more than one Vestry or Designated Ministry

- (a) If a member be elected by more than one (1) Vestry or Designated Ministry, such member shall be notified thereof forthwith by the Secretary of Synod. Such member shall within thirty (30) days of the **mailing sending** of such notice **by mail or courier signify advise** the Secretary of Synod **in writing** which parish or Designated Ministry that member wishes to represent, and the Secretary of Synod shall in turn inform the Incumbent of the Parish where the vacancy occurs, of such vacancy, in order that a new election may be held.
- (b) In case such Lay Member fails to make a selection and to signify it as required, all the elections of such member shall be void, and the Secretary of Synod shall forthwith notify the Incumbent of each of the Parishes or Designated Ministry concerned to proceed to hold a new election.

(15) New Election

In case a Lay Member dies, resigns or removes from the Diocese, or is in any way disqualified, the seat of such member shall be vacated thereby and the first named **sSubstitute Lay Member**, if one has been elected, shall automatically become a fully qualified **Lay Member**. If no Substitute Lay Member has been elected, a special meeting of the Vestry of the Congregation or Designated Ministry which such **Lay Member** represented may be called to elect a successor.

No proposed changes to section 3(16) to 3(18).

4. List of Members

- (1) At least one (1) month before a Session of Synod the Bishop shall furnish to the Honorary Secretaries of the **Session of** Synod for publication in the Convening Circular and Synod Journal, a complete list of the Clergy on the Clergy List of the Diocese **with post office addresses**, indicating into which of the categories set forth in **section s. 2** of ~~t~~he Constitution each such Cleric should be placed, and the Secretary of Synod shall furnish to the Honorary Secretaries of the **Session of** Synod for the same purpose the list of the Lay Members as given in the Certificates of Election received, together with a list of those Parishes and Congregations:-
 - (a) for which no Certificates of Election of Lay Members have been received,
 - (b) in which there has been default in the matter of return required to be made to the **Session of** Synod.
- (2) The last-mentioned list shall be subject to revision from time to time by the Secretary of Synod.
- (3) Honorary Secretaries shall print in the Convening Circular, and also in the Synod Journal, the names of the said Clergy, and also the names of the Lay Members which appear in the Certificates of Election.
- (4) The Honorary Secretaries shall indicate the Parishes and Congregations in default and the names of the Clergy and Lay Members whose seats in the **Session of** Synod and the right of election to Committees of **the Session of** Synod are affected by such default, in such manner as they see fit in order to draw attention to the default and the disability attaching thereto.

5. Disqualification

- (1) No Cleric shall be entitled to take a seat in a Session of ~~the~~ Synod if such Cleric has failed to comply with the provisions of Canon 9, **Sections s. 11** and 12, if applicable.
- (2) No Lay Member shall be entitled to take a seat in a Session of ~~the~~ Synod if the Churchwardens of the congregation represented by such member have failed to comply with the provision of Canon 15, **Section s. 4(9)**.

6. Committee on Credentials

The Chancellor and the Secretary of Synod shall examine certificates and statistical and other returns, and shall prepare and submit to the Synod on the first day of its Session **of Synod** the list of Clergy and Lay Members entitled by the provisions of ~~t~~he Constitution and Canons to sit and vote in **the Session of** Synod. They shall report to the Court on Contested Seats, upon any irregularities in connection with these or other matters that may affect the right of any Clerical or Lay Member to a seat in the **Session of** Synod.

7. Court on Contested Seats

- (1) There shall be a Court to be known as the Court on Contested Seats composed of the Chancellor of the Diocese, or in the absence of the Chancellor, the Registrar of the Diocese, together with two (2) Clerical and four (4) Lay Members appointed by the Bishop under the Bishop's hand and seal prior to the first day of a Session of ~~the~~ Synod. This Court shall consider all protests as to the right of persons to sit and speak, or to sit and vote in the Session of ~~the~~ Synod, and adjudicate thereon. The judgment of the Court shall be announced to the Session of ~~the~~ Synod on the first day thereof, and shall be final.
- (2) The members of the Court on Contested Seats who are appointed by the Bishop shall be persons against whose right to sit and vote in a ~~s~~Session of ~~the~~ Synod no protests have been received for that particular session. In case neither the Chancellor nor the Registrar is able, from any cause, to act, the Bishop shall appoint another member of the Court but the right of such temporary appointee to act as a member of the Court shall cease when either the Chancellor or the Registrar is again able to act.
- (3) The Chancellor, or in the absence of the Chancellor, the Registrar, shall be Chairperson of the Court, and the Secretary of Synod, or other Synod official, shall be the Clerk of the Court. In case of the absence of both the Chancellor and the Registrar, the Court shall elect a Chairperson.

- (4) The Court shall meet at the call of the Chairperson, after the receipt of the report of the Committee on Credentials.
- (5) Members of the Court shall hold office until their successors are appointed.

8. Right of Protest

- (1) Any member of the Church may object to the right of any person whose name appears in the list of Lay Members of ~~the a Session of~~ Synod, elected by a Vestry or Designated Ministry, to take a seat in a ~~sSession of~~ Synod, provided that such objector is a member of the Vestry or Designated Ministry which such person claims to represent, and makes the objection together with the grounds thereof, in writing to the Secretary of Synod within twenty days after the election of such Lay Member.
- (2) On receipt of the objection, the Secretary of Synod shall forthwith send notice thereof by registered letter to the person whose right to a seat in the ~~sSession of Synod~~ is contested. The Secretary of Synod shall also enter the name of such person and particulars of the objection in a list of protests, for the use of the Court on Contested Seats.
- (3) If such objection is withdrawn prior to its consideration by the Court on Contested Seats, the Secretary of Synod shall thereupon send notice by registered letter to the person whose right to a seat in the ~~sSession of Synod~~ is contested, such notice to be sent to the address given in the return.
- (4) Objection may be taken at any time during a ~~sSession of the~~ Synod to any person sitting and speaking or sitting ~~or~~ ~~and~~ voting in the same who is not entitled thereto.

9. Vacancy in See

- (1) If a vacancy occurs in the See, and there be no Coadjutor Bishop, the Suffragan Bishop(s) in order of seniority, the Dean, or the Senior Archdeacon present and able to act, shall summon ~~a meeting~~ ~~an Electoral Session of the of the Clergy and Lay Members in~~ Synod to elect a successor in the See; such meeting shall be held on a day to be fixed by the Diocesan Council of the Synod, not earlier than one (1) week nor later than ~~four (4) weeks~~ ~~six (6) months~~ after the occurrence of such vacancy.
- (2) The summons shall be issued as soon as conveniently possible after the announcement, by the Metropolitan of the Ecclesiastical Province, of the date of the occurrence of the vacancy, but not later than three (3) weeks prior to the date fixed for such meeting.
- (3) Not less than six (6) months prior to attaining the full age of seventy years, the Bishop, the Coadjutor Bishop or a Suffragan Bishop, shall tender a resignation to the Metropolitan, pursuant to Canon 3(4) of the Provincial Synod of Ontario, to take effect not later than the end of the month in which the age of seventy is attained and shall inform the Diocesan Council of such action.
- (4) A Bishop having attained the full age of sixty-five (65) years may, if such Bishop so desires, resign and receive a pension in accordance with Section 13(6) of the Constitution.

10. Election of a Bishop

- (1) Nominations
 - (a) A Nominations Committee, consisting of three (3) Clerical ~~Members of a Session of Synod~~ and three (3) Lay Members of ~~a Session of~~ Synod, shall be appointed by the Chancellor.
 - (b) One (1) written nomination for the office of Bishop may be made by any ~~Member of thea~~ ~~Session of~~ Synod, who may submit the same to the Nominations Committee at least twenty-one (21) days before the date of ~~the Electoral Session of~~ Synod. Any individual receiving ten (10) or more nominations will be placed on the ballot.
 - (c) All nominations shall be circulated to all ~~Members of~~ ~~the Session of~~ Synod at least fourteen (14) days before the date of the said Synod, together with biographical material on each nominee, including age, academic background, date of ordination, all ecclesiastical appointments, and other relevant qualifications and experience.
 - (d) Further nominations may be made to the Nominations Committee at any time until an election is completed. Any individual receiving ten (10) or more nominations will be placed on the ballot. Biographical material will be furnished at the discretion of the ~~Nominations Ce~~ ~~ommittee~~ where possible.

(2) Election

A Bishop shall be elected from those nominated, by voting by ~~e~~Orders by ballot in the following manner:

- (a) A majority of the total votes validly cast in each Order shall determine the choice, provided at least one-half of the ~~Clergy~~ Clerical Members of an Electoral Session of Synod and at least one-half of the Lay Members of ~~an~~ Electoral Session of Synod, entitled to vote are present and vote.
- (b) If fewer than one-half of the ~~Clergy~~ Clerical Members of an Electoral Session of Synod or fewer than one-half of the Lay Members of ~~an~~ Electoral Session of the Synod entitled to vote are present and vote, a ~~C~~cleric must secure two-thirds of the votes validly cast of each such group that is deficient, in order to be elected.
- (c) If, after twelve (12) successive ballots have been ~~had~~ conducted at any one election, and no cleric has been elected as provided in subsection (a) and (b) herein, a further ballot shall be taken and the percentage of the ~~Clergy~~ Clerical Members of an Electoral Session of Synod voting thereat for each ~~C~~cleric shall be added to the percentage of the Lay Members of ~~an~~ Electoral Session of Synod voting thereat for the same ~~C~~cleric, and the ~~C~~cleric who obtains the highest total of percentages shall be declared elected.

11. Coadjutor or Suffragan Bishop

- (1) Whenever the Bishop of the Diocese, shall, in writing, signify to the Diocesan Council of the ~~s~~Synod that the Bishop is desirous of having the assistance of a Coadjutor Bishop, the Diocesan Council shall give notice of such request at the next Session of ~~the~~ Synod. If the Synod concurs ~~in~~ with the Bishop's request, the election of such Coadjutor Bishop shall be proceeded with at such time and place as shall be determined by the Bishop after consultation with the Diocesan Council.
- (2) Whenever the Bishop of the Diocese, shall, in writing, signify to the Diocesan Council of the Synod that the Bishop is desirous of having the assistance of a ~~s~~Suffragan Bishop or Bishops, the Diocesan Council shall consider the request and, if approved, the election shall be proceeded with at such time and place as shall be determined by the Bishop after consultation with the Diocesan Council.
- (3) An election of a Coadjutor and/or Suffragan Bishop or Bishops shall be conducted in the same manner as in the case of election of a Bishop of the Diocese.
- (4) A Coadjutor Bishop shall without further election become and be the Bishop of the Diocese whenever any vacancy occurs in the See.
- (5) A Suffragan Bishop, on a vacancy occurring in the See shall not become Bishop of the Diocese unless thereto duly elected.
- (6) When a Coadjutor Bishop or a Suffragan Bishop is elected and consecrated, such Bishop shall exercise all powers, privileges and authority in subordination to the Bishop of the Diocese.

No proposed change to section 12.

13. Episcopal Stipends

- (1) The stipends of the Bishops shall be determined by the Diocesan Council ~~of the Synod~~ from time to time.
- (2) The income for these stipends shall be derived from the following sources:
 - (a) Interest on the capital of the Episcopal Endowment Fund.
 - (b) Grants for this purpose from any other fund or funds.
 - (c) The diocesan budget.
- (3) The Bishop of the Diocese shall have the free use and occupation of the See House, and all proper charges there against for taxes, local improvement rates, insurance and necessary repairs shall be paid out of the diocesan budget.
- (4) All necessary travelling expenses incurred by the Bishops in the performance of their official duties, within the Diocese, shall be paid out of the diocesan budget. Policies with respect to other necessary expenses by any of the Bishops shall be fixed from time to time by the Diocesan Council ~~of the Synod~~.

- (5) The income of the Episcopal Endowment Fund shall be administered by the Diocesan Council of the Synod through the Executive Board.
- (6) Upon the resignation of the Bishop or the Coadjutor Bishop or a Suffragan Bishop becoming effective, such Bishop shall thereafter be paid for the balance of the Bishop's life such amount, if any, in each year as shall, when added to the pension received by such Bishop from the Pension Fund of the Anglican Church of Canada and from any other comparable source (as determined by the Pension Committee), provide a total annual pension in an amount equal to thirty percent of the annual stipend of such Bishop at the time of resignation plus an amount equal to one percent thereof for each completed year of episcopal service in the Diocese of Toronto.
Upon the death of any such Bishop leaving a spouse, such spouse shall thereafter be paid so long as that spouse shall live and so long as that spouse does not remarry, a total annual pension of sixty percent of the amount of pension which the Bishop was receiving, or would have been entitled to receive, had such Bishop resigned as of the date of the Bishop's death. Each such pension shall be paid in the first instance from the Pension Fund of the Anglican Church of Canada and any balance of such pension shall be paid out of the Diocesan budget. This shall apply retrospectively, not only to the present Bishops of the Diocese of Toronto, but also to all retired Bishops of the Diocese of Toronto and to the widows of all retired Bishops of the Diocese of Toronto.

No proposed changes to section 14.

15. Execution of Documents

- (1) All documents requiring execution under the Common Seal of the Synod, except such documents where the manner of execution is prescribed by Act of the Legislature of the Province of Ontario, shall be executed by the Bishop of the Diocese as President of the Synod causing the Common Seal to be affixed and attesting thereto by the Bishop's signature and by the signature of the Secretary of Synod attesting thereto.
- (2) In the absence of the Bishop of the Diocese (no Administrator having been appointed under Section s. 12 of the Constitution), the Coadjutor Bishop, if any, or the Suffragan Bishops, in order of seniority shall have power to sign for the President and affix the Common Seal.
- (3) In the absence of all of the Bishops mentioned in sub-section s. 15(2) above, a Bishop's Commissary appointed by the Bishop of the Diocese under Seal shall have power to sign for the President and affix the Common Seal.
- (4) In the absence of the Secretary of Synod the documents referred to in sub-section s. 15 (1) above shall be signed by the Treasurer and Director of Finance of the Diocese or by each of the Honorary Clerical Secretary and the Honorary Lay Secretary.
- (5) Documents sealed and attested in accordance with the provisions of the foregoing subsections shall be deemed for all purposes to have been executed by The Incorporated Synod of the Diocese of Toronto, and the signature of any of the persons referred to in sub-sections s. 15(2) to 15(4) inclusive on any document shall be conclusive evidence of the authority of such person to affix the Common Seal to and attest such document.
- (6) All deeds, leases, mortgages and other assurances of land shall be approved by the Solicitor of the Synod, or such other Barrister or Solicitor, licensed to practice law in the Province of Ontario, as designated by the Bishop, Diocesan Council or Secretary of Synod for such purpose, in writing before they are executed by the Bishop and Officers of a Sessions of the Synod, and no covenant for payment by the Synod shall be inserted in any mortgage without the consent of the Diocesan Council of the Synod.

16. Consent of Bishop

- (1) No act or resolution of the Synod shall be valid without the assent of the Bishop, or of the Coadjutor Bishop or of a Suffragan Bishop when presiding, and a majority of the votes of the members present. Such majority to be a majority of the Clerical and Lay Members of a Session of Synod voting collectively unless a vote by Orders is demanded (see Rules of Order No. 15 s. 38(13)). If a difference should be found to exist between the Orders after a vote by Orders is taken the subject

- under consideration shall stand over to the next Regular Session of the Synod. This section, so far as it requires the assent of the Bishop, shall not apply to the Election of a Bishop.
- (2) In case of dissent by the Bishop, or of the Coadjutor Bishop, or a Suffragan Bishop when presiding, the matter shall stand over to the next Regular Session of the Synod when, if the act or resolution is concurred in by not less than two-thirds (2/3) of the total membership of the Synod, voting collectively, it shall become effective.

OFFICERS AND COMMITTEES OF A SESSION OF THE SYNOD

17. Honorary Secretaries of the a Session of Synod

- (1) There shall be two (2) Honorary Secretaries of each Session of the Synod; one of each Order, both Members of the Synod; the Honorary Clerical Secretary shall be elected by Clerical Members of the Session of Synod entitled to sit and vote therein, and the Honorary Lay Secretary by Lay Members of a Session of Synod. They shall hold office until the Regular Session of the Synod following that at which they were elected, or until their successors are elected.
- (2) It shall be the duty of the Honorary Secretaries to keep regular minutes of the proceedings of the Session of the Synod; to preserve all papers, memorials and documents pertaining to the session; to conduct the correspondence and attest the public acts of the sessions; to furnish daily during the session, as may be necessary, a summary of the unfinished business, and to deliver all records and documents to the Registrar of the Diocese.
- (3) The Honorary Secretaries shall be responsible for the printing of all notices, reports, minutes of proceedings, and other matters relating to a Session of the Synod. Arrangements for such printing shall be subject to the approval of the Executive Board.
- (4) The Honorary Secretaries so elected shall be the Honorary Secretaries of the Synod for the purposes set forth in 52 Vict., Cap 97.
- (5) When deemed advisable, an assistant Honorary Secretary of each order may be elected in accordance with the procedure outline in Section s. (1) above. The Honorary Secretaries may delegate to the Assistant Honorary Secretaries any of the duties enumerated in this section.

18. Scrutineers

Prior to each Session of the Synod, the Diocesan Council of the Synod shall elect from among the Members of Synod, a Cleric Clerical Member of the Session of Synod and Lay Person a Lay Member of the Session of Synod to act as Scrutineers. It shall be the duty of the Scrutineers to appoint suitable persons to assist them with the tasks of monitoring the registration of the members; the balloting; and the counting of the ballots.

19. Agenda Committee

At the first meeting of the Diocesan Council following a Regular Session of the Synod, it shall appoint an Agenda Committee, consisting of the Honorary Secretaries and not less than three (3) other members, which shall prepare an agenda for the succeeding session Session of Synod and submit the same to the Diocesan Council of the Synod.

20. Reception Committee

On the first day of each Regular Session of Synod, the Synod shall appoint a Reception Committee. It shall be the duty of the Reception Committee to make the necessary arrangements for the introducing of visitors to the Synod.

21. Nominations Nominating Committee

- (1) At the first meeting of the Diocesan Council following a Regular Session of the Synod, it shall appoint a Nominating Committee consisting of eight (8) members, four (4) from each Order. It shall be the duty of this committee:-
 - (a) To receive nominations for all Standing Committees from such committees and from Members of Synod.

- (b) To review such nominations and to prepare ballots for those committees whose membership is to be elected by the Diocesan Council and a list of nominations for the committees whose members are to be elected by Synod.
- (c) The list of such nominations shall be reviewed by the Diocesan Council and the names of nominees who have not been canonically disqualified shall be ~~mailed~~ **included in the Convening Circular for** ~~to all members of Synod at least fourteen days prior to~~ the next ~~Regular~~ **s**Session of ~~the~~ Synod.
- (2) For those committees, the members of which are to be elected by the Diocesan Council, balloting shall take place at the meeting of the Diocesan Council next following the ~~Regular~~ **s**Session of ~~the~~ Synod.
- (3) Members of Synod may make written nominations at any time of the year for any Standing Committee of Synod provided that each nomination shall be accompanied by the written consent of the nominee. Nominations shall be delivered to the Secretary of Synod not later than 2:30 p.m. of that day which is seven **(7)** days prior to the opening day of Synod, at such other time or times as may be determined by the Diocesan Council, at which time nominations shall close.
- (4) Any nominee wishing to withdraw from any election shall notify the Secretary of Synod not later than the times set forth in **subsection s. 21(3)** above for the close of nominations.

22. Elections of Synod

- (1) Ballot papers shall be given to ~~m~~**M**embers of Synod at the time of registration.
- (2) Completed ballots may be placed in the ballot boxes at any time during the first day of Synod – 9 a.m. to 5 p.m., or at such other time or times as may be determined by the Diocesan Council.
- (3) Ballot boxes shall be conveniently located and announcements made as to their locations.
- (4) Ballot papers shall be prepared under the direction of the Honorary Secretaries and only such ballots shall be accepted and counted by the Scrutineers. On the ballots for all committees, nominees shall be listed in alphabetical order followed by the name of the parish or special category as shown in ~~Section 2 and Section 3 (16) of the Constitution~~ **The Constitution, s. 2 and s. 3(16).**
- (5) The Scrutineers shall hand over the ballot papers to the Honorary Secretaries, whose duty ~~is~~ shall be to preserve them until the close of the ~~s~~**S**ession of ~~the~~ Synod, and to see that they are then destroyed.
- (6) The above instructions shall not apply to Episcopal Elections.
- (7) Instructions to Voters:-
 - (a) Members of Synod shall be entitled to vote for the number of Clerical and Lay Members of the Diocesan Council in the manner prescribed by the Canons.
 - (b) General and Provincial Synod:- The ~~Clergy~~ **Clerical Members of the a Session of Synod** are entitled to vote for the prescribed number of Clerical ~~m~~**M**embers **of General Synod**, and the ~~Lait~~ **Lay Members of the- a Session of Synod** for the prescribed number of Lay ~~m~~**M**embers **of General Synod**.
 - (c) Voters shall place a cross (thus: X) opposite the name of each ~~candidate~~ **nominee** for whom they desire to vote.
 - (d) Ballot papers with crosses opposite the names of more ~~candidates~~ **nominees** than the number required to be elected, shall be regarded as spoiled and shall not be counted.

Note: The above instructions (c) and (d) shall be printed on the front of each ballot, and the other instructions on the ballots to which they apply.

No proposed changes to sections 23 or 24.

25. Quorum

A quorum of a ~~s~~Session of Synod shall consist of not less than one-fifth (1/5) of the Clergy Clerical Members of the Session of Synod entitled to sit and vote in the Synod and not less than one-fifth (1/5) of the Lay Members of the Session of Synod who registered in accordance with Section s. 23 of ~~t~~he Constitution.

26. Presiding Officer

The Bishop shall be Chairperson of a ~~s~~Session of the Synod. If the Bishop be absent, and has not named a Deputy Chairperson, the Synod shall elect one.

~~27. Prayers for a Session of the Synod~~

~~During one month prior to a session each shall at the Sunday Services use the form of prayer to be found in the Prayer Book, for the Divine Blessing on the proceedings of the Session of the Synod.~~

Sections will be renumbered accordingly from this point forward.

28. Synod Services

The order of proceedings after the assembly of Synod for business shall be as follows, unless varied by the Agenda Committee with the consent of the Bishop:-

- (1) Election of Honorary Secretaries
- (2) Reading, correcting and approving of minutes of previous sessions
- (3) Appointing sessional Committees
- (4) Delivery by the Bishop of the Bishop's Charge
- (5) Presenting, reading and referring of memorials, petitions and correspondence
- (6) Presenting reports
- (7) Giving notices of motion
- (8) Reading and consideration of the reports of Standing Committees
- (9) Reading and consideration of nominations
- (10) Reading and consideration of Reports of the General Synod as required by Canon of the General Synod
- (11) The consideration of reports of Committees, and of all motions which in the judgment of the Diocesan Council are of special importance, shall take precedence over all other motions, provided that motions of which notice have been given in the Convening Circular shall have precedence ~~of~~ over all other business on the ~~Third Day last day~~ of the sessions.

29. Order of Business

On the first day of a ~~s~~Session of Synod there shall be held a Service of Holy Communion for the ~~m~~Members of Synod and during the session there shall be held such other services as the Bishop may direct.

30. Hours of Meeting

The Synod shall meet for business at ~~9:30 a.m. on each day or at such other times as the Synod may determine~~ a time to be established by Diocesan Council, on the recommendation of the Agenda Committee, no less than sixty (60) days before a Regular Session of the Synod and no less than one (1) week before an Electoral Session of the Synod. In default of the establishment of such a time, the Session of Synod shall commence at 9:30 a.m. and each sitting shall be opened with prayers chosen for the occasion by the Bishop.

31. Evening Sitting

Should an evening sitting of the Synod be necessary, notice thereof shall be given by the Bishop, or other person presiding, not later than ~~5:00 p.m.~~ (five o'clock) of the same day, or shall be given in the Convening Circular.

32. Minutes of a Session of the Synod

- (1) At each sSession of the Synod, the Honorary Secretaries, (or one of them), of the last preceding session, or someone on their behalf, shall submit for adoption three printed copies of the mMinutes of the proceedings of the last preceding session. On the adoption of the mMinutes so printed, with such corrections as may be made thereto, the said copies shall be authenticated by affixing thereto the Common Seal attested by the signatures of the Bishop (as President of the Synod) and of the Honorary Secretaries for the time being.
- (2) One of the above copies shall be deposited with the Bishop, one of with the Registrar of the Diocese, and one with the Secretary of Synod and any one of these copies shall constitute and be received as the authentic and official record of the proceedings of such session.
- (3) There shall be appended to the printed mMinutes of a session a list of amendments, and resolutions adopted by the Synod, together with an Index or Table of Contents.
- (4) The number of votes received by each elected member of the General or Provincial Synod, and each substitute member shall be printed in the Minutes.

33. Election of Members to General Synod

- (1) At the Regular sSession of Synod immediately preceding a sSession of the General Synod, the Synod of Toronto shall elect the prescribed number of Clerical Members and Lay Members to the General Synod. These shall be elected by ballot.
- (2) Only mMembers of the Synod of the Diocese possessing a vote therein are eligible for election as members of the General Synod. They shall be:-
 - (a) A Cleric licensed to and residing in a parish outside the Municipality of Metropolitan Toronto, and a Lay person Member representing and residing in a Parish outside the Municipality of Toronto, who receive a greater number of votes than any other such Cleric or Lay person Member respectively.
 - (b) The remaining number of Clergy and Lay Persons Members respectively who receive the highest number of votes.
- (3) A similar number of each Order arranged in a list according to the number of votes received, beginning with the highest, shall be sSubstitute mMembers whenever for any cause a regularly elected member is unable to attend a sSession of General Synod.
- (4) In addition to the persons elected under subsection s. 33(2), the Bishop shall appoint one (1) representative Member or call for the election of one (1) representative Member who will be at least sixteen (16) years of age upon the opening of the tri-annual session of General Synod and under the age of twenty-six (26) years upon the termination of General Synod, who shall be a communicant member of The Anglican Church of Canada.
- (5) The Secretary of Synod shall enquire of the mMembers at least three (3) weeks prior to a sSession of the General Synod whether they can attend or not. In case a member is unable to attend, a notice shall be sent to a sSubstitute mMember in the order in which the names of such substitutes appear in the list, notifying such substitute of that person's right to attend the sSession of General Synod.

34. Term of Office of Members of General Synod

The members of the General Synod from the Diocese of Toronto shall hold office until their successors are elected, provided that they continue to be members of this Synod.

35. Election of Members to Provincial Synod

The Members of the Synod of the Ecclesiastical Province of Ontario from the Diocese of Toronto shall be elected at the a Regular sSession of the Synod of this Diocese immediately preceding a sSession of the Provincial Synod. Such election shall be held under the regulations governing the election of members of the General Synod.

36. Vacancies

The Bishop shall fill all vacancies occurring between sSessions of the Synod in the membership of the Diocesan Council, Standing and other Committees of Synod, and shall make appointments

to fill vacancies in the representation of this Diocese on the General Synod and the Provincial Synod of Ontario, where a sufficient number of elected substitutes are unable to attend.

37. Division of the Diocese

In the event of a division of the Diocese, the portion of the territory intended to form the new Diocese shall be subject to the Constitution of the Synod of the Diocese of Toronto until its Synod has been organized, and its Bishop has been elected and consecrated.

38. Rules of Order

- (1) When the Bishop, or other person presiding, take the Chair, all members shall immediately come to order.
- (2) The Bishop or other person presiding shall preserve order and decorum and shall decide questions of order subject to an appeal to the Synod.
- (3) When the Bishop, or other person presiding, rises for the purpose of calling order or deciding any point of order or otherwise, no member shall remain standing.
- (4) Any member desiring to speak shall rise and address the Chair.
- (5) When two or more members rise to speak at the same time, the Bishop, or other person presiding, shall decide which member is entitled to the floor.
- (6) (a) All motions and amendments shall be in writing and seconded, with the names of the mover and seconder thereon, and shall be read from the Chair before being debated.
(b) Only one amendment shall be considered until disposed of, but an amendment to the amendment may be proposed at any time, but so that only one such amendment shall be before the Synod at one time. Nevertheless, a substitute to the whole matter may be proposed and received, provided it deals with the subject matter in hand.
- (7) A member who has made a motion or moved an amendment, may withdraw the same with the consent of the seconder and the unanimous leave of the Synod.
- (8) No member shall speak more than once on the same motion, nor more than once on an amendment, except the mover of the original motion who shall have the right of reply.
- (9) (a) When a question is under consideration, no other motion shall be received, except to adjourn, to lay it on the table, to postpone it to a certain time, to postpone it indefinitely, to commit it, to amend it, or, with the consent of the Bishop, or other person presiding, to move that the question be now put; and motions for any of these purposes shall have precedence in order here named.
(b) The motion "that the question be now put" shall be understood to have the following effect:-
It shall be put to the vote forthwith, and if decided in the affirmative, a vote must be taken at once on the motion before the Synod and without debate. If it be decided in the negative, the motion that "the question be now put" cannot again be proposed until a vote has been taken on the motion before the Synod.
In taking a vote on a motion as above, it is understood that any amendments thereto then before the House are to be first disposed of in accordance with **Rule of Order 12 s. 38(12)**.
- (10) Motions to adjourn shall be decided without debate.
- (11) Any member shall have the right, subject to the consent of the Bishop or other person presiding, to require at any period of the debate, that a question under discussion be read for the information of such member.
- (12) In voting on amendments, the one last moved shall be put first, in every case, and not more than two amendments shall be under consideration at the same time.
- (13) When any question is being put from the Chair, the members shall continue in their seats, and shall not hold any private discourse: and when a motion is so put, no member shall retire until such motion is disposed of.
- (14) The ordinary mode of voting shall be by the Chairperson calling first upon those who vote in the affirmative to rise, and then those who vote in the negative.

- (15) On the requisition of the Bishop, or other person presiding, or of four members of each of the respective orders, which requisition must be made before the result of the voting is declared by the Chair, the votes of the Clergy and Laity shall be taken separately.
- (16) A question being once determined shall not be brought into discussion again in the same session without the sanction of the Bishop, or other person presiding, and of a majority of the members present.
- (17) No protest of dissent shall be entered on the minutes of the proceedings; but, when required by any one member, the number of affirmative and negative votes shall be recorded.
- (18) An address from the Bishop shall be in order at any time.
- (19) When the Synod is about to rise, every member shall remain seated until the Bishop or other person presiding has left the Chair.
- (20) The mover of a motion may speak for not more than five minutes or such greater time as the Chairperson may allow. Each other speaker may speak for not more than three minutes unless otherwise directed by the Chairperson; the mover may speak for not more than three minutes in closing. **If there is a Members' Time scheduled, each speaker shall have no more than three **(3)** minutes to address the house.**
- (21) Committees must report in writing to the body appointing them.
- (22) Every report must be dealt with by the body to which it is presented, and, on motion, may be :-
 - (a) Received
 - (b) Laid on the table
 - (c) Read, or taken as read
 - (d) Considered as a whole, or clause by clause
 - (e) Referred back for amendment
 - (f) Sent to another committee
 - (g) Ordered to be filed, entered among proceedings, or printed.
 - (h) Adopted or rejected
- (23) When in a report some action is recommended, in order to give its proposition practical effect, a distinct corresponding substantive motion must be appended, or notice thereof must be given in the report.
- (24) Report of Committees to Synod, with the exception of the report of the Diocesan Council, shall be presented and discussed but not read.

No proposed changes to section 39.

CANON 1

DEFINITIONS AND PROCEDURE

1. Definitions

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

- 1) **BY-LAW**- An enactment setting forth in detail the rules to be observed in the practical carrying out of some canon.
- 2) **CANON**- An enactment of the Synod declared so to be upon its adoption.
- 3) **CLERGY OR CLERIC**- These terms include the three (3) orders of the ministry- Bishops, Priests and Deacons.
- 4) **INCUMBENT**- The Cleric who for the time being has the cure of souls in a Church, Parish, Mission or area, and who has been licensed or appointed by the Bishop to perform such ecclesiastical duties therein.
- 5) **MEMBER OF THE ANGLICAN CHURCH OF CANADA**- A person who has been admitted into the Christian Covenant by Holy Baptism as our Lord commanded "in the name of the Father, and of the Son, and of the Holy Ghost", and who is a self-declared member of and who has accepted the authority of the Anglican Church of Canada.
- 6) **MEMORIAL**- an address containing an exposition of facts and circumstances, and soliciting attention thereto.
- 7) **MINISTRY ALLOCATION FUND** – The fund maintained and accounted for within the financial accounts of the Diocese under the authority of Diocesan Council to receive, hold, and disburse the Diocesan share of proceeds realized from any sale or other disposition of Real Property together with income earned thereon.
- 8) **MOTION**- A form of words by which it is sought to elicit an expression of opinion regarding some proposal contained therein.
- 9) **AN ORDER**- A direction given by the Synod to one (1) or more of its officers or other persons to perform some specific act, or acts. It remains in force until it has been complied with, or until the next session of the Synod.
- 10) **ORPHAN**- A person under the full age of eighteen (18) years one (1) of whose parents was a Cleric, but is deceased.
- 11) **PARISH**- A defined area in the Diocese that has been set apart by the Bishop in accordance with the canon on parishes, having within it one (1) or more congregations under one (1) Incumbent, one (1) at least of which has a regularly organized Vestry, with the right to elect members of the Synod, and shall include a **Diocesan Ministry Area** **Diocesan Mission or Designated Ministry** when such **area ministry** has been so designated by the Diocesan Council.
- 12) **PETITION**- A written or printed request addressed to a person or body of persons for the redress of some wrong or for the granting of some favour.
- 13) **REAL PROPERTY** – Real property includes land, buildings, any other things that is erected or growing on or affixed to land, minerals and other things under the land, and all rights issuing out of, annexed to, and exercisable within or about land such as leases, licenses, mortgages, air rights, easement and right of access.
- 14) **REGULATION**- A regulation lays down the way in which certain duties of officers or members of Synod are to be performed.
- 15) **RESOLUTION**- A motion which has been adopted.
- 16) **RULE**- A rule prescribes some mode of procedure under a canon or by-law.
- 17) **RULES OF ORDER**- Rules adopted for the government of the proceedings of a **s**Session of Synod.
- 18) **REGIONAL DEANERY**- A group of parishes within the Diocese so arranged for purposes of administration and mutual assistance.
- 19) **STANDING ORDER**- One (1) that holds from year to year until withdrawn or altered by the Synod.
- 20) **AREA**- One (1) of the geographical areas of the Diocese.
- 21) **DIOCESAN MISSIONS**- Shall be such geographical area as may be determined by the Diocesan Council, pursuant to Canon **35 25**, or such area of interest or mission as the Diocesan Council, in consultation with the Bishop, shall determine.
- 22) **AREA BISHOP**-The Bishop and Suffragan Bishops designated by the Bishop to have episcopal responsibility for an Area under the authority of the Bishop.
- 23) **DESIGNATED MINISTRY** – **A separately incorporated corporation that Diocesan Council may, with the approval of the Bishop, designate and authorize to be a Designated Ministry pursuant to Canon 29.**

2. Notices of Motion

- (1) Notices of motion for Synod shall be delivered to the Secretary of Synod at any time. Such notices placed upon the agenda of the next meeting of the Diocesan Council.
- (2) The Diocesan Council shall cause such notices to be printed verbatim in the Convening Circular or any additional or Supplementary Convening Circular with or without expressing any opinion or making any recommendation.
- (3) Any notices of motion received by the Secretary of Synod after the last regular meeting of the Diocesan Council held at least thirty-five (35) days prior to any sitting of Synod shall be referred to the Agenda Committee. The Agenda Committee shall consider such notices and report its recommendations to Synod. Such notices shall be placed on the agenda only with the consent of the majority of the Synod present and voting.
- (4) Each notice of motion for the enactment, amendment, or repeal of any part or provision of The Constitution or of any canon, by-law or rule of order, shall be in writing, and shall set out in full the part or provision affected and the proposed enactment or amendment.
- (5) A motion to enact, amend, or repeal a part or provision of The Constitution or of any canon, by-law, or rule of order, shall become effective upon:
 - (a) Having been recommended for adoption by the Diocesan Council; and
 - (b) Receiving the approval of not less than seventy-five percent (75%) of the members of Synod present and voting at the session at which it is considered; and
 - (c) Receiving the assent of the Bishop.
- (6) A motion to enact, amend, or repeal a part or provision of the constitution or of any canon, by-law, or rule of order, which shall not have been recommended for adoption by the Diocesan Council, shall nevertheless become effective upon:
 - (a) Receiving the approval of not less than sixty percent (60%) of the members of Synod present and voting at two successive annual Regular Sessions of Synod; and
 - (b) Receiving the assent of the Bishop following the second of such approvals.
- (7) A motion to enact, amend, or repeal a part or provision of The Constitution or of any canon, by-law, or rule of order, which shall have been recommended by the Diocesan Council, but which shall not have received the requisite approval referred to in clause 5 (b) hereof, shall nevertheless become effective upon:
 - (a) Receiving the approval of not less than fifty percent (50%) of the members of Synod present and voting at two (2) successive Regular Sessions of Synod; and
 - (b) Receiving the assent of the Bishop following the second of such approvals.
- (8) Any motion to suspend a part or provision of the constitution or of any canon, by-law, or rule of order, if passed, shall only be effective until the next Session of Synod, and shall become effective upon:
 - (a) Having been recommended for adoption by the Diocesan Council; and
 - (b) Receiving the approval of not less than seventy-five percent (75%) of the members of Synod present and voting at the session at which it is considered, and
 - (c) Receiving the assent of the Bishop.
- (9) Notices of motion dealing with expenditures which will result in an increase in the Diocesan budget must be submitted to the Diocesan Council for its opinion prior to being dealt with by the Synod.

3. By-laws

- (1) Any committee having charge of the administration of any canon or fund of the Synod, may make, and from time to time alter and amend any by-laws passed by the committee for its internal management; provided always that such by-laws are not inconsistent with any canon, by-law, or rule of order then in force.
- (2) Any by-law or amendment thereof, made from time to time by such committee, shall remain in force until the next session of Synod; but if not then confirmed by the Synod, shall be of no further force, and if reenacted by the committee shall not be put into force until authorized by the Synod.

4. Memorials and Petitions

- (1) Memorials and petitions shall be dated and shall be signed by the persons presenting the same, and shall be in the following form:-
- (2) "To the Right Reverend the Bishop, the Reverends, the Clergy, and the Lay Representatives Members of the Diocese of Toronto, in Synod assembled: The Petition (or Memorial), of (description) Humble sheweth, etc."

CANON 2
The Diocesan Council of the Synod

There are no proposed changes prior to this point.

2. Members

The membership of the Council shall consist of:

- (a) the Bishop, the Coadjutor Bishop and the Suffragan Bishops.
- (b) the Chancellor, or in the absence of the Chancellor, a Vice Chancellor
- (c) the Registrar
- (d) the Dean of Toronto
- ~~(e) the Chairperson, if a member of the Synod, or a delegate who is a member of the Synod, of each of the following Boards: Communications, Ministry Resources, Planning and Development, Social Justice and Advocacy, Stewardship Development and Treasury.~~
- (f) the President of the Diocesan Anglican Church Women.
- (g) the Honorary Clerical Secretary of Synod and the Honorary Lay Secretary of Synod.
- (h) one (1) clerical and two lay members from each Area, elected by the members of that Area, at or prior to the date of the meeting of the Synod.
- (i) up to fifteen (15) members of the Synod appointed by the Bishop in consultation with the Area Bishops.
- (j) one (1) member from each Area Council.

The elected members shall hold office from the conclusion of that meeting of Synod until the conclusion of the next Regular Session of ~~the~~ Synod.

The appointed members shall retain their office until such time as the Bishop's appointments have been made.

In the event of the resignation or death of an elected member, the Bishop shall appoint a replacement to complete the term of office.

~~Any member of Diocesan Council declared to be mentally incapable to manage their property or personal care by an Ontario Superior Court shall be deemed to have resigned.~~

3. Meetings

- (a) The Bishop shall be Chairperson of the Diocesan Council. If the Bishop be absent and has not named a Deputy Chairperson, the Diocesan Council shall elect one.
- (b) A quorum shall be eleven (11) members of the Diocesan Council.
- (c) At least six (6) regular meetings shall be held in a year.
- (d) A special meeting may be called at any time by the Chairperson.
- (e) A special meeting may, at the discretion of the Chairperson, be held using teleconference or videoconference facilities in place of a face-to-face meeting.
- (f) Where the Chairperson decides that it is in the best interests of the Diocese for a decision to be made by the Diocesan Council between meetings by use of polling, the Chairperson shall instruct the Secretary of Synod to carry out a poll of the Diocesan Council members according to the following requirements:

- i) The Secretary of Synod shall attempt to reach all members using all reasonable means available.
 - ii) At least a quorum of members must vote.
 - iii) The decision shall be structured so as to require an answer of “yes” or “no”.
 - iv) All members shall be given exactly the same information and be required to respond to exactly the same question.
 - v) Responses to any questions answered as part of the polling process are to be shared with all members polled and no vote is considered final unless all members voting have been given the same information and been informed of all responses to questions.
 - vi) The poll shall be recorded by the Secretary of Synod and the record of the poll received at the next regular meeting of the Diocesan Council.
- (g) The following shall be present at meetings: the **Diocesan** Executive Assistant ~~to the Diocesan Bishop~~; the Chief Administrative Officer & Secretary of Synod; the Treasurer & Director of Finance; the senior staff person of: Communication, Congregational Development, ~~Ministry Resources~~, ~~Human Resources~~, ~~Planning and Development~~, Stewardship Development, and Social Justice and Advocacy. Where any Canon specifically refers to a person by title, and the function of that person changes, the Diocesan Council may by resolution substitute the person who has assumed the function of the person named in the Canon.

4. **Duties and Responsibilities**

The Council shall:

- (a) Exercise the powers conferred on the Synod by any Act of the Legislature of Ontario except with respect to property administered by the Investment Committee under Canon 39.
 - (b) Appoint the Agenda Committee and Nominations Committee as required by ~~t~~the Constitution.
 - (c) Consider and deal with the matters referred to it by Synod.
 - (d) Receive reports and recommendations on policy, program and finance from the various boards and committees and decide on appropriate action.
 - (e) Authorize the payment of money under the control of Synod.
 - (f) Make necessary arrangements for the sessions of Synod; prepare in due form such matters as the Bishop or any member of Synod may desire to bring before Synod; prepare nominations for all elections to be held by ballot in accordance with **Section s.** 21 of ~~t~~The Constitution.
 - (g) Receive notices of motion, memorials, or other matters to be considered by the Synod, and shall have the same printed in the Convening Circular in full, or in part, as it may deem expedient. No notice of motion or other matter to be considered by the Synod shall be printed in the Convening Circular until it has been considered by the Diocesan Council.
5. Where it appears to the Diocesan Council to be in the best interests of the Diocese that any Canon should be suspended in any particular case, the Diocesan Council may by a two-thirds **(2/3)** vote of the members present suspend any Canon or provision thereof in a particular case until the next ~~R~~Regular ~~s~~Session of Synod. Where any Canonical provision has been suspended under this section, full reasons for the suspension shall be attached to the minutes and a full explanation shall be given at the next ~~R~~Regular ~~s~~Session of Synod.

CANON 11 CLERICAL STIPENDS

1. Amount

The amount of the stipend to be paid to the Incumbent or to an Associate Incumbent shall be arranged by the Bishop and the Parish Selection Committee who are members of the congregation or congregations of the parish, at a meeting held at or prior to the time of appointment. The sources from which the stipend is to be derived and the amount to be paid from each such source shall be declared and recorded. When a cleric is appointed, the Area Bishop, in consultation with the Churchwardens, shall determine the stipend to be paid to the cleric. Thereafter, the Churchwardens meet annually with the cleric to determine changes to the stipend. The parish is responsible for the total cost of the clerical remuneration package including stipend, housing and benefits unless otherwise specified.

2. Definition of Stipend

Any income from an endowment, or from any Synod fund that is declared to be for the benefit of the Incumbent, or Associate Incumbent, shall be part of the stipend.

3. Christmas Offering Honoraria

The Christmas offering, unless specifically designated by the donor as being for the Incumbent, shall be included in the regular income of the parish. Fees shall likewise be excluded in estimating the amount of the stipend. Honoraria received by the cleric shall not be considered part of the stipend.

4. Reduction of Stipend

Except with the written consent of the Bishop and the Incumbent or Associate Incumbent as the case may be, cleric there shall be no reduction of stipend from a parish paying source or sources shall take effect until at least six months have elapsed from the date of the vestry resolution fixing such a reduction.

5. Minimum Stipend and Travel Allowance

The Diocesan Council shall determine from time to time annually the minimum stipend scale and travelling mileage allowance to be paid to each cleric who is appointed on a regular and full time basis as Incumbent or Assistant in a parish and shall so advise the Churchwardens.

6. Living Accommodation and Allowances

In respect of the clergy referred to in Section 5, in addition to stipend and travelling mileage allowance, the parish shall:

- 1) Supply living accommodation and pay reasonable costs of fuel, telephone and public utilities; or
- 2) Pay a reasonable housing allowance and reasonable costs of fuel, telephone and public utilities.

7. Moving Expense

When a cleric assumes a new appointment within the Diocese or retires on pension from an appointment within the Diocese; or where the surviving spouse of a cleric moves from a rectory on the death of the cleric prior to retirement, a contribution to the moving costs up to an amount to be determined annually by the Executive Board Diocesan Council will be a charge on the Diocesan Budget.

CANON 28
SECRETARY OF SYNOD

There are no proposed changes prior to this point.

2. Qualification

The Secretary shall be not less than the age of majority, and, **in the opinion of the Bishop, shall** possess the necessary skills, experience and judgment to carry out the duties of Secretary.

There are no proposed changes beyond this point.

CANON 29
DESIGNATED MINISTRIES

1. Designation

The Diocesan Council may with the approval of the Bishop designate and authorize Designated Ministries, subject to the provisions of this Canon, and other such **terms and** conditions as Council may specify from time to time.

2. Corporation

A Designated Ministry designated and authorized pursuant to this Canon:

- a) shall be carried out by a corporation incorporated for that purpose as is authorized by the Diocesan Council and approved by the Bishop;
- b) shall be deemed to be a missionary charge for the purposes of **Section s. 2** of ~~the~~ Constitution only; **and,**
- c) may be performed, in part or in full, by a cleric appointed by the Bishop whose duties shall include, so far as applicable, the duties required of an Incumbent in Canon 9 and who shall be subject to the provisions, so far as applicable, of Canon 10 ~~;~~ **and**
- d) may elect Lay Members of Synod pursuant to **Section s. 3** of The Constitution, if permitted by Diocesan Council as one of the **conditions terms** referred to in **Section s. 1**.

3. Conflict with Other Canons

In any conflict between this and any other Canon, the provisions of this Canon shall apply.

4. Reports

A Designated Ministry shall report to the Bishop, as the Bishop requires. Reports of a Designated Ministry to the Bishop shall be communicated to the Diocesan Council and to Synod members before each Regular Session of the Synod.

5. Employees

The corporation carrying out the Designated Ministry, unless otherwise directed by the Diocesan Council and the Bishop, shall employ all employees of a Designated Ministry.

6. Revocation

With the approval of the Bishop, the Diocesan Council may revoke the designation and authorization referred to in Section 1 of this Canon.

CANON 47
THE SOLICITOR RETENTION OF LEGAL COUNSEL

1. Solicitor

There ~~shall~~ may be a Solicitor of the Incorporated Synod of the Diocese of Toronto who shall be appointed by the Diocesan Council on the nomination of the Chancellor and who shall hold office during the pleasure of the Diocesan Council.

2. Death or retirement of Bishop

On the death or retirement of the Bishop of the Diocese the Solicitor shall tender a resignation of the office to the Diocesan Council.

3. Duties

The Solicitor shall perform such duties as are required by the Bishop, the Diocesan Council, or the Secretary of Synod and the Constitution and the Canons of the Diocese.

4. Use of Other Counsel

The Bishop, the Diocesan Council or the Secretary of Synod may in their discretion specific circumstances retain other Barristers and Solicitors, licensed to practice law in Ontario, in particular matters.

~~5. Deemed Resignation at Age 70~~

~~Upon attaining the age of 70 years the Solicitor shall be deemed to have resigned the office.~~