



163rd Regular Session of Synod

November 7 & 8, 2025

CONVENING CIRCULAR

SECTION E

CONSTITUTION AND CANONS COMMITTEE REPORT

CONSTITUTION AND CANONS COMMITTEE

The Constitution and Canons Committee (the “Committee”) comprised of Chancellor Marg Creal, KC (Chair), Vice-Chancellor and Registrar Gail Smith, Charlie Cutts, the Rev. Canon Dr. Stephen Fields, The Rev. Canon Susan Haig, Vice-Chancellor Mark Hemingway, The Rev. Dr. Connie Philipson and Vice-Chancellor John van Gent, submit the following report to the 163rd Regular Session of Synod.

The Synod Council, at its Sept. 13th and Oct 23rd meetings, approved the proposed changes to *The Constitution and Canons of the Diocese of Toronto* contained in this report. Synod Council further recommends them to Synod for approval.

This report has the proposed revisions organized as Housekeeping, Governance, and Suspensions.

Housekeeping

The following eight revisions are being made to update language and timelines.

Canon 1 Section 1(21)

Change Diocesan Council to Synod Council.

Canon 2 4(b & f)

Change Nominations Committee to Nominating Committee & remove typo “Page 8”

Canon 9 (14)

Change his/her to their.

Canon 10 (2(a), 3(a) 8 (b, c, g))

Change his/her, he/she to they/them or their.

Canon 14

Add “or by the last Sunday in October for those parishes which have a year end of June 30th” and change language for clarity.

Canon 15 (1(2))

Diocesan Council changed to Synod Council.



Canon Suspensions – Presented by Area and Area Council Working Group

Canon 43 – Areas and Area Bishops

Suspend Canon 43 until the next Regular Session of Synod

Canon 44 – Area Councils

Suspend Canon 44 until the next Regular Session of Synod

CANON 1 DEFINITIONS AND PROCEDURE

1. **21. DIOCESAN MISSIONS-** Shall be such geographical area as may be determined by the Synod Council, pursuant to Canon 25, or such area of interest or mission as the ~~Diocesan Council~~, **Synod Council** in consultation with the Bishop, shall determine.

CANON 2 The Synod Council of the Synod

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~~ **Nominating Committee** as required by The Constitution.
- (c) Consider and deal with the matters referred to it by Synod.
- (d) Establish subcommittees pursuant to "Terms of Reference", including the 5 standing committees of Synod Council: Audit, Finance, Property, Human Resources, and Risk and Governance, and working groups on an ad hoc basis to assist the Synod Council in carrying out its duties and responsibilities.
- (e) Receive reports and recommendations on policy, program and finance from the various boards and committees, including without limitation, the 5 standing committees of Synod Council: Audit, Finance, Property, Human Resources, and Risk and Governance, and decide on appropriate action.
- (f) Obtain or request the Secretary of Synod to obtain on its behalf, such information and specialized advice as the Synod Council **Page 8** determines necessary to carry out its duties and responsibilities.

CANON 9 INCUMBENT

14. Priest-in-Charge

A Priest-in-Charge of a Parish shall exercise the functions of an Incumbent for the period of ~~his/her~~ **their** appointment.



CANON 10
CLERICAL APPOINTMENTS, EXCHANGES, RETIREMENTS
AND TERMINATION

2. Clerical Vacancies

a) Filling a Vacancy in a Parish Incumbency

When a vacancy occurs in a parish incumbency, the Bishop will decide whether or not to fill the vacancy. In the event that the Bishop decides to fill the vacancy, ~~he/she~~ they may do so as follows:

- i) The Bishop may begin to fill the vacant incumbency immediately by asking the Churchwardens to form a PSC, as set out below; or
- ii) The Bishop may appoint an interim priest in charge for such period as the Bishop considers appropriate, following which the Bishop will ask the Churchwardens to form a PSC, as set out below to begin to fill the incumbency; or
- iii) The Bishop may, with the concurrence of the Churchwardens, appoint a priest in charge for a definite term on the understanding that, at the conclusion of the definite term and with the concurrence of the Churchwardens and the Bishop, the cleric's appointment as parish incumbent will become indefinite.

3. Parish Selection Committee ("PSC")

a) Formation of PSC

If the Bishop has decided to fill the vacancy, ~~he/she~~ they will ask the Churchwardens to form a PSC in accordance with section 2(a) (i) or (ii).

8. Non-Disciplinary Termination of Appointment

a) Termination by the Bishop in writing

The Bishop, or pursuant to a delegation in writing of the Bishop's responsibility and authority under the provisions of this section, a Suffragan Bishop may terminate the appointment of a cleric, whether incumbent or assisting clergy, in accordance with the provisions of this section, upon notice to the cleric in writing;

b) Circumstances of Termination

Although it is not possible to set out all the circumstances which may lead the Bishop or a Suffragan Bishop to such a decision, they include financial difficulties within a parish, decline in parish membership, redeployment of human resources, and the inability of the cleric to carry out ~~his/her~~ their ministry.

c) Preliminary steps required of Bishop

When the Bishop or Suffragan Bishop considers that there are circumstances within a parish which may require the termination of an appointment, the Bishop or Suffragan Bishop will first meet with the cleric and, where appropriate, with the churchwardens and other members of the parish:

- i) To review the particular circumstances with the parish;
- ii) To advise the cleric and lay members of the parish of ~~his/her~~ their concerns;
- iii) To consider the views of the cleric and lay members of the parish;
- iv) To consider possible alternatives to the termination of the appointment including other appointments within the Diocese, a leave of absence, further education or professional development;
- v) To provide, financial, pastoral, vocational, or other assistance to the cleric or parish as may be appropriate; and



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- vi) To review the procedure for the termination of clerical appointments, including the responsibilities of the Bishop or Suffragan Bishop, the Advisory Commission and the Arbitration Board.

g) Establishment of Arbitration Board

In the event that the cleric is not satisfied with the amount of notice or remuneration and benefits in lieu of notice offered by the Bishop or Suffragan Bishop, the cleric may within thirty (30) days of receiving the offer, notify the Bishop or Suffragan Bishop in writing of his/her desire to submit the matter to arbitration and the notice shall contain the name of the cleric's appointee to the Arbitration Board. After receiving notice from the cleric, the Bishop or Suffragan Bishop shall within fourteen (14) days, inform the cleric of ~~his/her~~ **their** appointee to the Arbitration Board. The two appointees so selected shall, within fourteen (14) days of the appointment of the second of them, appoint a third person who shall be the Chair. If the Bishop or Suffragan Bishop fails to appoint an Arbitrator, or if the two appointees fail to agree upon a Chair within the timeframe, the appointment shall be made by the Chancellor of the Ecclesiastical Province of Ontario.

CANON 14
VESTRIES

11. Annual Meeting of Vestries

1. The annual meeting of the vestry in every church should be held on the last Sunday in January, **but no later than the end of February, or by the last Sunday in October for those parishes which have a year end of June 30th in each and every year but shall be held not later than the end of February,** after due notice thereof given during Divine Service on the next two preceding Sundays.

2. Notwithstanding the provisions of Sub-section (1), the **parish's** annual vestry meeting may, in special circumstances, be held on another day, **as near as may be to the last Monday in February,** due notice having been given as aforesaid.

CANON 15
CHURCHWARDENS

1. Qualifications

1. A person to qualify as a Churchwarden shall:-
 - a. be not less than twenty-one (21) years of age;
 - b. be a Lay Member of the vestry of the church in question;
 - c. have received the Sacrament of Holy Communion at least three (3) times during the previous year in the church in which he/she would serve as a Churchwarden;
 - d. not be the spouse of the Incumbent or any assistant, associate or honorary Cleric of the parish who is in receipt of remuneration for services rendered;
 - e. be in compliance with the diocesan policy "Responsible Ministry: Screening in Faith";
 - f. not be the spouse of any lay employee of the church, the other Churchwarden, any Deputy Churchwarden, Treasurer, Envelope



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- Secretary, or any member of the Board of Trustees of the Cemetery;
and
g. shall not hold any lay office subordinate to the churchwarden within the church whether or not in receipt of remuneration.
2. The qualifications set forth in 1(1)f and 1(1)g may be varied by the ~~Diocesan Council.~~ Synod Council

CANON 43 [RESUSPEND] **AREAS AND AREA BISHOPS**

1. Areas
The Diocese shall be divided into geographical areas (the “Areas”) fixed from time to time by the Bishop in consultation with the Area Bishops and the Synod Council.
2. Area Bishops
The Bishop may designate a Suffragan Bishop, to be called an Area Bishop, to exercise episcopal office within an Area. An Area Bishop shall execute such matters pertaining to the episcopal office as the Bishop may delegate.
3. Unless otherwise authorized by the Bishop, an Area Bishop shall reside within the Area to which he or she has been designated.

CANON 44 [RESUSPEND] **AREA COUNCILS**

Each Area shall have an Area Council which shall act in an advisory capacity to the Bishop or Area Bishop on matters referred to it for advice by the Bishop, Area Bishop, Synod Council, or Synod. The Area Council shall have a minimum of ten members and meet at least three times a year.

An Area Council shall be composed of:

- (a) the Bishop or Area Bishop;
- (b) any person appointed to be the Chair of the Area Council;
- (c) archdeacons serving in the Area; and
- (d) representatives of the clergy and laity elected in a manner determined by the Area Bishop in consultation with the area Council;

In addition to the above-named members, an Area Council may have representatives of the clergy and laity appointed in a manner determined by the Area Bishop in consultation with the Area Council, some or all of whom shall be subject to the term limitations specified in Section 4.

Membership of an Area Council shall be restricted to clergy serving or living in the Area and to lay persons over the age of sixteen years who are members of a Vestry in the Area. Any member of the Area Council appointed or elected to represent the Area Council on the Diocesan Council must be a member of Synod.

Elected members of an Area Council shall be limited to a maximum of three successive terms of two years each, following which no such member may be elected for two years. Any person appointed to be the Chair of the Area Council is not subject to this limitation of term. Further, the Bishop or Area Bishop may appoint some persons as members without limitation of the term.



The Area Council shall:

- (a) propose and recommend a budget for its operations to the Synod Council;
- (b) supervise and authorize the payment of money pursuant to its budget as authorized by Synod and the Synod Council;
- (c) develop and propose policy recommendations to the Diocesan Council for its consideration;
- (d) provide opportunities in the Area for lay and clergy training events and other Area gatherings;
- (e) appoint youth and young adult members to Synod as required by the Constitution; and
- (f) report on its activities to the Synod Council at least annually.
- (g) appoint or elect one Area Council member who is a member of Synod as a representative of the Area Council to the Diocesan Council.

