


**Supporting Parish Leaders**  
Governance



Diocese of Toronto  
Anglican Church of Canada

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**Current Legal Framework**

- *Religious Organizations' Lands Act* (Ontario) R.S.O. (1990) c. R.23
- *Anglican Church of Canada Act* (Ontario) S.O. (1979) c.46
- *The Incorporated Synod of the Diocese of Toronto*
- *"The Church Temporalities Act"*, and as later enacted pursuant to *"An Act respecting Churchwardens in the Diocese of Toronto"*
- *The Constitution & Canons* (ie. 'by-laws')
  - [www.toronto.anglican.ca/about-the-diocese/constitution-and-canons/](http://www.toronto.anglican.ca/about-the-diocese/constitution-and-canons/)

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**Parishes and Congregations**

- A Parish is an ecclesiastical unit within the Diocese under the oversight of an Incumbent or Rector
- A parish comprises one or more congregations, at least one of which has its own set of Churchwardens and Vestry and a legally valid corporate entity
- Each congregation is a separate provincial (Ontario) corporation
- Each congregation is a Registered Charity with CRA
- As a Registered Charity, each congregation has the responsibility to devote resources to charitable purposes. It must also maintain adequate books and records, maintain direction and control over resources, and maintain status as a legal entity.



Canon 13

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### Vestry

- Voting membership
  - The Vestry is the voting membership body of a congregation. The Vestry is not necessarily the same as the congregation since a congregation may include people who are not part of the Vestry.
- Annual meetings
  - Chaired by Incumbent
- Vestry list must be published before each meeting of Vestry
- Proxy voting is not allowed
- There is no canonical requirement for a quorum at a Vestry meeting; however, the group gathered needs to represent the congregation



Canon 14

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### Churchwardens

- The Churchwardens form the corporation, and the office of the Churchwardens function as a legal entity.
- The Churchwardens can sue and be sued and act on behalf of the congregation in legal matters.
- The legal name is styled as "The Churchwardens of the Church of <name of parish or church> [in the village of], <location>."
- 2 Churchwardens – 1 elected, 1 appointed
- The Churchwardens must function in concert with the Incumbent



Canon 15

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### Duties of the Churchwardens

The Churchwardens are responsible for administering and managing the parish's temporal (or business) affairs. Main areas of responsibilities include:

- Upkeep of buildings and land
- Management of finances and budget
- Hiring and firing of staff (excluding the Incumbent)



Canon 15

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### Incumbent and Churchwardens

The Incumbent and Churchwardens are responsible for the leadership of the congregation. This includes parish staff supervision.

- Canon 9 sets out the roles and responsibilities for the office of the Incumbent.
- Canon 10 outlines how clergy appointments are made and ended.



Canon 9



Canon 10



Canon 15

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### Incumbent and Churchwardens act jointly concerning the use of church property:

*Anglican Church of Canada Act (Ontario) S.O.(1979) c. 46*

- 1.-(2) The parson or other **incumbent** of the church for the time being and the **churchwardens** thereof shall, for the purposes of *The Religious Organizations' Lands Act, 1979* be deemed to be **trustees** within the meaning thereof.
- 2.-(1) Land shall not be sold or leased, mortgaged or otherwise encumbered under the powers conferred by *The Religious Organizations' Lands Act, 1979* except with the **consent of the vestry** of the church or congregation interested therein **and of the bishop** of the diocese **and the executive committee of the synod of the diocese**, and the consent of the vestry given in accordance with the rules and canons of the church shall be deemed to be the consent of the congregation.



Canon 6

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### Deputy Churchwardens

- Under Canon 15, the Incumbent may appoint a Deputy Churchwarden, and the vestry may elect a Deputy Churchwarden to assist the Churchwardens in the performance of their duties.
- Deputy Churchwardens appointments or elections are optional. Each of the Incumbent and vestry has a right, but not an obligation, of appointing or electing an equal number of Deputy Churchwardens.
- A Deputy Churchwarden does not automatically succeed a Churchwarden.



Canon 15

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### Treasurers

- The Churchwardens may appoint a Treasurer to assist them in their duties. The Treasurer is appointed by and responsible to the Churchwardens.
- The Churchwardens may not delegate their cheque signing authorities, and the treasurer may only act as a second signature on cheques.
- Treasurers are encouraged to read the Parish Finance Manual.



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### Signing Officers

- All cheques shall be signed by both Churchwardens or by either of them and another person appointed by vestry for that purpose.
- One of the churchwardens must sign the cheque.
- The Incumbent should not be a signing officer.



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### Other Bodies

- Advisory Board ⇒ "advisory" role  
Canon 17 describes the Advisory Board's role
- Parish Executive Committee ⇒ multi-point parishes  
Canon 18 describes the committee and sets out the membership, scope of responsibilities and duties



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### Resources



- The Constitution and Canons
- Parish Leaders' Manual
- Parish Finance Manual
- Parish Human Resources Manual
- Parish Property Management Guide
- Diocese of Toronto website  
[www.toronto.anglican.ca](http://www.toronto.anglican.ca)

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### Team



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