

**DIOCESES OF CANADA WEST AND CANADA EAST  
THE ANGLICAN CATHOLIC CHURCH OF CANADA**

**CONGREGATIONS ORDINANCE, 2016/2022**

**No. 5, 2016/No. 1, 2022**

An Ordinance to provide for the formation, structure and change of status of congregations and for non-congregational bodies in the Diocese; for the appointment and functions of Church Wardens and Lay Representatives to the Synod of the Diocese; for the order of Divine Worship; and for purposes connected therewith.

**THE SYNODS OF THE DIOCESE OF CANADA WEST AND THE DIOCESE OF CANADA EAST OF THE ANGLICAN CATHOLIC CHURCH OF CANADA IN JOINT ASSEMBLY ENACT** as follows:

**PART I  
PRELIMINARY**

1. This Ordinance may be cited as the “Congregations Ordinance”, 2016 and is divided into Parts as follows: --
  - Part I Preliminary – ss. 1-2
  - Part II Congregations and their Formation – ss. 3-14
  - Part III Non-Congregational Bodies – ss.15-17
  - Part IV The Church Wardens – ss. 18-28
  - Part V The Lay Representatives to Synod – ss. 29-32
  - Part VI Change of Status of a Parish or Mission – ss.33-36
  - Part VII The Ordering of Divine Worship – s. 37
  
2.
  - (1) The *Congregations Ordinance* enacted by the Eleventh Synod of the Diocese of Canada, 2004, is hereby repealed.
  - (2) All persons elected or appointed under the authority of the *Congregations Ordinance, 2004* hereby repealed, and holding office at the coming into force of this Ordinance, shall be deemed to have been elected or appointed, hereunder or pursuant to this Ordinance, as the case may be.
  - (3) All acts, resolutions, and decisions made under the authority of the *Congregations Ordinance, 2004* hereby repealed, at the coming into force of this Ordinance shall continue in force and effect until such time as they are repealed or revoked in accordance with this Ordinance, as the case may be.

**PART II  
CONGREGATIONS AND THEIR FORMATION**

3. Until the Synod shall otherwise provide by Ordinance or the Bishop-in-Council by regulation, clergy and laity committing themselves to the Anglican Catholic Church of Canada and accepted by the Bishop shall organize themselves into congregations and conduct their affairs subject to the provisions of the Constitution, Canons, Ordinances and Regulations of the Anglican Catholic Church of Canada.

4. A congregation may call itself a parish or mission, or any other term descriptive of itself acceptable to the Bishop.
5. When a new congregation is formed either one or two Wardens and a Treasurer shall be elected by a foundational meeting of the lay and any clerical members of the congregation which shall pass a founding resolution naming the spiritual patron of the congregation and requesting the Bishop to receive the congregation into his jurisdiction, and to appoint a Curate thereto.
6. Where the Bishop is unable to or otherwise does not appoint a Curate to a parish or mission he shall designate a Lay Reader-in-charge to be responsible for the Divine Worship in the parish or mission, and to be the communications officer for the parish or mission to the Deanery, the Bishop and the Diocesan Council.
7. When an existing congregation wishes to be received into the Bishop's jurisdiction it shall through its existing procedures and institutions pass a resolution requesting the Bishop so to receive it and to appoint a Curate thereto.
8. A parish or mission shall hold a general Congregational Meeting annually for the election of the Warden or Wardens, the Treasurer and the Vestry Clerk, the election of two lay representatives and two alternate lay representatives to the Synod, the presentation of financial statements, the adoption of a budget for the ensuing year and presentation of reports by the Warden or Wardens and by the Curate or Lay Reader-in-charge, and for the conduct of such other business as this or any other Ordinance or regulation of the Bishop-in-Council shall require or the Bishop, Curate or Warden or Wardens may request.
9. The Warden or Wardens, the Treasurer, the Vestry Clerk and other persons elected by the Annual Congregational Meeting may from time to time meet with the Curate as a Parish Council, Advisory Board or Vestry and exercise such functions and authority as the foundational or Annual Congregational Meeting may from time to time determine or provide in any constitutional document providing for the governance of the parish or mission, subject to and consistent with the provisions of the Constitution, Canons, Ordinances and Regulations of the Anglican Catholic Church of Canada.
10.
  - (1) A congregation incorporated or registered under the law of the civil jurisdiction in which it is domiciled may have a structure different from that provided for in this Ordinance PROVIDED that such structure conforms to the provisions of this Ordinance as nearly as the law of that civil jurisdiction will allow.
  - (2) A congregation shall conform to and be conducted in accordance with the applicable laws of the civil jurisdiction in which it is domiciled or operates and all statutory and regulatory requirements of Canada and the applicable Province or Territory, as the case may be.
11.
  - (1) All communicant members of the Diocese of the minimum age of sixteen years shall be eligible to sign the congregational register and vote at any meeting of the congregation or vestry for whatever reason convoked.

- (2) A communicant member of the Diocese may be included in the congregational register of only one parish or mission at any one time.
  - (3) The congregational register shall be maintained and kept by the Curate or Lay Reader-in-charge and Warden or Wardens.
  - (4) The Curate or Lay Reader-in-charge shall preside at any congregational or vestry meeting; and, in the event that the Curate or Lay Reader-in-charge is absent or unable to preside, he shall nominate some other person to preside.
  - (5) Any person presiding at a congregational or vestry meeting may request the meeting to elect its own chairman and the election of the chairman shall have precedence over all other items of business.
  - (6) The Vestry Clerk or in that person's absence or unwillingness to act some person appointed by the chairman of the congregational or vestry meeting shall act as the secretary thereof.
  - (7) A special congregational or vestry meeting may be called by the Curate or Lay Reader-in-charge or by the Warden or Wardens thereof *ex proprio motu* or on the application in writing of six or one third of the members of the congregation which ever be less.
  - (8) Notice of any congregational or vestry meeting shall be given during Divine Worship, stating the purpose or purposes for which the meeting has been called, on two successive Sundays preceding the day of the meeting.
12. Each parish or mission through its Warden or Wardens or by resolution passed at its Annual Congregational or Vestry Meeting shall determine, by mutual agreement in writing with its Curate and other clergy, the stipend or stipends to be paid to the Curate and such other clergy and the expenses for which they will be reimbursed.
  13.
    - (1) Nothing in this Ordinance shall be construed to prevent a parish or mission at its foundational or Annual or any special Congregational or Vestry Meeting adopting rules or by-laws or foundational or constitutional documents consistent with the Constitution and Canons of the Anglican Catholic Church of Canada and the Ordinances, Rules and Regulations of the Diocese for the management and conduct of the affairs of the congregation.
    - (2) Notwithstanding subsection (1), no parish or mission shall by motion, by-law, or otherwise, transfer assets or property to any congregation or church organisation that does not adhere to the doctrine of the *Affirmation of Saint Louis* and that does not continue the historic Anglican expression of the Christian Faith as received and practised by the Anglican Catholic Church of Canada.
  14. The Bishop-in-Council may make regulations governing the conduct, periodicity and responsibilities of congregational or vestry meetings, respecting the content and transmission of reports of such meetings and for the transmission of the names and addresses of the lay representatives and alternate lay representatives to the Synod.

**PART III  
NON-CONGREGATIONAL BODIES**

15. Nothing in Part II of this Ordinance contained shall be construed to prevent the formation and operation of non-congregational bodies, whether corporate or un-incorporate, and whether missions, fellowships, societies or other organizations howsoever named, with the consent of the Bishop and with the object of advancing the purposes of the Anglican Catholic Church of Canada in the Diocese.
16. A non-congregational body shall conform to and be conducted in accordance with the applicable laws of the civil jurisdiction in which it is domiciled or operates and all statutory and regulatory requirements of Canada.
17. The Bishop-in-Council may make regulations respecting the establishment and operation of non-congregational bodies for the purposes of the Anglican Catholic Church of Canada in the Diocese.

**PART IV  
THE CHURCH WARDENS**

18. A Warden shall be a communicant member of the parish or mission of the full age of eighteen years whose name appears in the congregational register.
19. A parish or mission may determine by resolution at its foundational meeting or at any subsequent congregational meeting to have one Warden or two Wardens.
20.
  - (1) Where a parish or mission resolves to have two Wardens, one Warden shall be appointed by the Curate and the other Warden elected by the congregational meeting, in which case the former shall be recognized as the Rector's Warden and the latter as the People's Warden.
  - (2) Where a parish or mission resolves to have one Warden, that Warden shall be elected by the congregational meeting.
  - (3) A Rector's Warden appointed by the Curate shall serve at the pleasure of the Curate.
21.
  - (1) Where a parish or mission is a voluntary association the Warden or Wardens during his, her or their term of office shall with the Curate be the trustees of the voluntary association for the purposes of holding the temporalities of the parish or mission in trust for the members thereof under the name or style of "The Incumbent and Church Warden(s) of (the name of the parish or mission) at (location) of the Anglican Catholic Church of Canada".
  - (2) Where there is no Curate of a parish or mission which is a voluntary association the Warden or Wardens during his, her or their term of office and the Lay Reader-in-charge shall serve as the trustees for the purposes of this section.
22.
  - (1) Where a parish or mission is a registered society or is governed by a corporation under the laws of a civil jurisdiction in which it is domiciled the temporalities of the parish or mission shall be held by that registered society or corporation as the

law of the civil jurisdiction provides and in the event of a winding-up the said temporalities shall be disposed of as the constituting documents of the registered society or corporation shall provide.

- (2) The directors of any registered society or corporation referred to in subsection (1) shall include the Curate or Lay Reader-in-Charge, as the case may be, as well as the Warden or Wardens of the parish or mission during his, her or their term of office.
23. The Warden or Wardens of a parish or mission shall represent the interests of the members of the parish or mission to the Curate or the Lay Reader-in-charge, and shall act as the custodian of all registers and other records of the parish or mission.
24.
  - (1) The Curate, or the Lay Reader-in-charge, and Warden or Wardens of a parish or mission, with the Parish Council, Advisory Board or Vestry, as the case may be, shall administer the funds and property, both real and personal, of the parish or mission, receive gifts, donations, offerings, legacies, bequests and devises and transact business on behalf of the parish or mission, contract with and remunerate from the funds of the parish or mission employees and independent contractors retained for the benefit of the parish or mission, and from the funds of the parish or mission supply all things necessary for the conduct of Divine Worship, all registers and books of account and meet all office and communication expenses of the parish or mission and of its Curate or Lay Reader-in-charge, pay the stipend and expenses agreed with the Curate and the expenses of travel and lodging of the Curate and of the lay representatives or alternate lay representatives attending meetings of the Synod of the Diocese.
  - (2) The Warden or Wardens of a parish or mission may delegate the duties pertaining to the office to other persons as occasion may require but subject to any restriction or limitation imposed by the annual or any special congregational or vestry meeting.
25. Where an elected Warden dies, resigns or refuses or is unable to act the Curate or Lay Reader-in-charge shall call a special congregational or vestry meeting for the purpose of electing a new Warden in the place of the Warden who has died or resigned, or has refused or is unable to act, and the meeting's determination that a Warden has resigned, refused or is unable to act shall be final, conclusive and determinative of that question PROVIDED that the Warden who is alleged to have resigned or refused or to be unable to act shall be given a full opportunity to be heard in person or by duly appointed representatives at the meeting before any determination is made.
26. Where a Rector's Warden appointed by the Curate dies or resigns by instrument in writing or is determined to have refused or to be unable to act in accordance with the provisions of section 25 the Curate shall appoint a new Warden in his place.
27. A Warden who has not resigned shall hold office until the election or appointment, as the case may be, of his successor.
28. The Bishop-in-Council may make regulations respecting the office and duties of Church Wardens.

**PART V  
THE LAY REPRESENTATIVES TO THE SYNOD**

29. The lay representatives and the alternate lay representatives to the Synod from any parish or mission shall be communicant members of the parish or mission of the full age of 18 years whose names appear in the congregational register of that parish or mission.
30. The lay representatives to the Synod and any alternate representatives shall act not so much as delegates of their respective parish or mission but as members of a deliberative church assembly gathered that the Gospel of Christ may be faithfully preached and obeyed, the peace, order, discipline and unity of the Church maintained, and the kingdom of our Lord and Saviour Jesus Christ enlarged and extended.
31. Notwithstanding Section 30 an Annual or special Congregational or Vestry Meeting may resolve to express its view on any matter for the information, assistance and guidance of the lay representatives and alternate lay representatives to the Synod from the parish or mission.
32. Unless let by sickness, family contingency, non-postponable business or other pressing impediment lay representatives to the Synod shall attend all meetings of the Synod and of any committee thereof to which they are elected, and upon return from any such meeting shall report to the parish or mission on the proceedings thereof in such manner as the Curate or Lay Reader-in-charge may determine.

**PART VI  
CHANGE OF STATUS OF A PARISH OR MISSION**

33. In this Part “change of status of a parish or mission” includes closure of a parish or mission, merger of a parish or mission with another within the Diocese, the change of a parish to a mission or of a mission to a parish, disaffiliation or withdrawal from the Diocese or the Anglican Catholic Church of Canada, and request for and acceptance of alternate episcopal oversight.
34. Any proposal for a change of status of a parish or mission shall be brought before a special congregational meeting called pursuant to Section 11(7) specifically to consider that question only.
35. The Warden or, where there is a Rector’s Warden and a People’s Warden, the People’s Warden shall preside over and have the conduct of a meeting called pursuant to section 33 provided that in the event of his refusal to act the chairman of the meeting shall be elected by the meeting.
36. Any resolution passed by a meeting held pursuant to this Part shall forthwith be communicated in writing to the Bishop by the Warden or other person presiding at the meeting; and the Bishop shall determine according to his own discretion the change of status of the parish or mission so communicated to him.
37. If a change of status of a parish or mission pursuant to the provisions of sections 33 to 36 above is made by the Bishop, and that change of status includes the winding up or

dissolution of a parish or mission, then that parish or mission shall immediately take all such steps as are necessary to transfer or convey all of its property, including real estate, to the Diocese. *Amendment adopted by Synod 2022 (No. 1, 2022)*

**PART VII**  
**THE ORDERING OF DIVINE WORSHIP**

38. Subject to the Constitution of the Anglican Catholic Church of Canada and the Canons thereof, and to the Ordinances, Rules and Regulations of the Diocese, the Curate, and where there is no Curate, the Lay Reader-in-charge, shall have the ordering of Divine Worship in a parish or mission.