



**Anglican Network
in Canada**

CANONS AND BYLAWS

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**CANONS AND BYLAWS OF
THE ANGLICAN NETWORK IN CANADA
("The Canons")**

Section I – Organization and Administration of ANiC

ARTICLE 1 DEFINITION OF CERTAIN TERMS

"Act" means the Canada not for Profit Corporation Act Part II or its replacement respecting not-for-profit corporations and certain other corporations (Chapter 23 of Statutes of Canada 2009) as in force from time to time and regulations and policies related thereto.

"ANiC" means Anglican Network in Canada.

"ANiC Council" means the same as the Board of Directors of ANiC for purposes of these Canons and the Act.

"ASA" means the Average Sunday Attendance of the Parish Member (or Group D Member as defined in the Constitution) for the previous calendar year as certified by the Rector or Priest in charge of the Parish Member, submitted to and accepted by the Registrar of ANiC. ASA may include regular weekly worship.

"Articles and Constitution" means the Articles and Constitution of ANiC in effect from time to time.

"Canons" means the Bylaws and Canons in effect from time to time.

"Chancellor" means the Chief Legal Advisor to the Moderator and ANiC Council who is appointed pursuant to Article 3.1 (h) and any policies adopted from time to time by the ANiC Council.

"Clergy Member" includes any deacon, priest or bishop who is an ordained Member of ANiC admitted to the Order of Clergy by the Moderator.

"Cleric" means any person in Holy Orders.

"Coadjutor" means a bishop elected by the Synod to assist the Moderator. A coadjutor bishop has the right of succession to the position of Moderator.

"Diocese" shall have the meaning ascribed by the Constitution and Canons of the Anglican Church in North America.

"Episcopal Commissary" means any Clergy Member or Bishop Member appointed by the Moderator to carry out some or all of the duties and functions of the Moderator during any absence of the Moderator.

“Members” has the meaning as set out in Article 5.1 of the Constitution.

- **“the Moderator Member”** is the Group A Member
- **“a Bishop Member”** is a Group B Member
- **“a Clergy Member”** is a Group C Member
- **“a Parish Member”** is a Group D Member
- **“an Appointed Member”** is a Group E Member

“Mission Parish” is a parish that is not able to support at least one (1) full time Clergy Member and meet all financial obligations.

“Moderator” means the diocesan bishop of ANiC elected according to these Canons.

“Parish” is a congregation of Anglican Christians which has been certified by the Moderator in accordance with the policy and definition of a parish as approved by the ANiC Council [and is a parish member].

“Presbyter” The terms “Presbyter” and “Priest” are synonymous herein.

“Province” means the Anglican Church in North America.

“Registrar” means the person appointed in accordance with Article 3.1 (h) and any policies adopted from time to time by the ANiC Council, who is responsible for the official registration and records of all ANiC Members.

“Suffragan” means a bishop elected by the Synod to assist the Moderator but having no right of succession.

“Synods” means general meetings of Members of ANiC from time to time called and held.

“The Faith” is the faith once for all delivered to the saints of the One, Holy, Catholic, and Apostolic church, as set forth in the Articles and Constitution.

Unless expressly excluded, all references to masculine gender are deemed to include feminine gender

ARTICLE 2 *OF PROVINCIAL MEMBERSHIP*

ANiC is a founding member of the Province and is under the primatial oversight of the Presiding Bishop of the Province. In addition, ANiC remains under the temporary and emergency pastoral provision for oversight from the Primate of the Province of the Southern Cone.

ARTICLE 3 GOVERNANCE OF ANiC

Article 3.1 Concerning Governance

a) Members of ANiC and Synods

- i. The Members of ANiC are as defined in the Articles and Constitution. The Members, by resolutions duly passed at Synods, shall have authority pursuant to the Act to elect directors to sit on the ANiC Council, to approve, adopt, amend or ratify the Articles, Constitution, Canons and important policies of ANiC, to elect Bishops and the Moderator, and to exercise all other powers and authority as set out in the Act, the Articles, the Constitution and the Canons.
- ii. The chief work of the Synod shall be strengthening the mission of ANiC as defined in Article I of the Articles and Constitution. The role of the Synod is to deliberate on any matter concerning the Faith and mission of ANiC and to make recommendations or give direction to the ANiC Council concerning such matters.
- iii. The Synod shall receive reports from the ANiC Council and make recommendations to strengthen the mission of ANiC.
- iv. The Registrar shall maintain and update a register of Members.

b) ANiC Council

- i. Subject to the Act, the Articles and Constitution, and these Canons, the ANiC Council shall deliberate upon and manage all matters and affairs affecting the interests of ANiC, including but not limited to, approving, adopting, and reviewing all policies of ANiC, subject to approval, confirmation or ratification by resolutions of the Synod (if required under the Articles and Constitution and Canons), and appointing a National Director of ANiC to whom all staff shall report.
- ii. The ANiC Council shall be the Diocesan Standing Committee for purpose of Title I Canon 5 section 3 of the Canons of the Province (or any equivalent, replacement or successor provision).
- iii. Unless otherwise determined by resolution of Members the ANiC Council shall consist of eleven (11) directors, namely;
 - a. one director shall be the Moderator elected by the Moderator Member
 - b. five (5) directors shall be Clergy Members and,
 - c. five (5) directors who are not ordained persons, but who are registered members on the register of a Parish Member as defined in the Articles and Constitution or who are registered members of a recognized church plant.

The term of the directors shall be two (2) years. Except for the director elected by the Group A Member (the Moderator), the maximum continuous term of a person being a

director shall be six (6) years. Thereafter, that person shall retire for at least one (1) year following the six (6) year term before being eligible to be re-elected or reappointed to the ANiC Council. In the notice of the annual Synod, the ANiC Council shall nominate such number of persons as there are vacancies to be elected and Members may also exercise their right under the Act to nominate persons to stand for election as directors . Each director shall be elected at the annual Synod by resolutions passed by the Members as specified in Section I Article 3.2 (n) . The Chair of the ANiC Council shall be the Moderator.

c) Qualifications of Directors

The following persons are disqualified from being a director of ANiC:

- i. anyone who is less than eighteen years of age;
- ii. anyone who is of unsound mind and has been so found by a court in Canada or elsewhere;
- iii. a person who is not an individual;
- iv. a person who has the status of bankrupt; or
- v. a person who is not a resident Canadian. "Resident Canadian" means an individual who is
 - a) a Canadian citizen ordinarily resident in Canada;
 - b) a permanent resident within the meaning of subsection 2(1) of the Immigration and Refugee Protection Act and ordinarily resident in Canada.

d) Resignation, Vacancies and Removal of Directors

Subject to the relevant provisions of applicable legislation:

- i. Directors cease to hold office at the end of their term, when they die or resign, or if they are removed or become disqualified.
- ii. Members have a right to remove a Director from office before the end of his or her term through an ordinary resolution voted on at a special meeting called for that purpose. If any class of Members has an exclusive right to elect directors, that director can be removed only by a resolution of that class.
- iii. The Members at the special meeting can elect a replacement for the director they have removed.
- iv. A quorum of directors can fill a vacancy on the ANiC Council. If there is no quorum, or the Members fail to elect the minimum number of directors, the directors must call a special meeting of Members to elect additional directors.
- v. If all of the directors have resigned or been removed, a person who manages or supervises the management of ANiC is deemed to be a director, unless that person is an officer under the direction and control of another person, a professional providing professional services, or a trustee in bankruptcy.

- vi. A director who resigns or is in danger of being removed is permitted to submit a written statement giving reasons for his or her resignation or for opposing his or her removal, and to have notice of this statement circulated to the Members.

e) ANiC Council Committees

The ANiC Council may delegate any portion of its power to any person or group of persons or committee of the ANiC Council (with or without remuneration) subject to the Act, the Articles and Constitution, and the Canons. ANiC shall have the following committees:

- a. The Executive Committee;
- b. The Audit Committee; and
- c. The Nominating Committee;

Except as otherwise approved by the ANiC Council, each of the committees shall be chaired by a member of the ANiC Council and may consist of persons with the relevant experience, gifts and talents, provided that the Executive Committee and the Audit Committee shall be comprised solely of members of the ANiC Council. The ANiC Council shall appoint the Chair of each committee and confirm or ratify the appointment of other members of the committees based on a report from the Chair of each committee. The ANiC Council shall establish the terms of reference or mandate for each of the committees when formed and may specify the terms of appointment of members of the committees at its sole discretion. The Chair of each committee shall prepare an annual report for the ANiC Council outlining the work of the committee for the previous calendar year and shall provide updates to the ANiC Council from time to time as requested by the ANiC Council.

f) The Moderator

- i. The Moderator is the chief pastor and Diocesan Bishop of ANiC and shall be the Chair and presiding officer of the ANiC Council, the Synod and ANiC in general, as well as the House of Bishops. The Moderator shall be elected by the Members pursuant to a resolution passed in accordance with Article 3.2(q).
- ii. The Moderator shall with the assistance of the ANiC Council develop an Annual Plan that sets out the strategic vision of ANiC with a concrete action plan which shall be presented to the Synod for reception each year.
- iii. The Moderator shall order the life of the Bishops as a group. The Moderator and Bishops shall develop such rules and procedures in keeping with the Holy Scriptures, the Creeds, and all Godly patterns of life, as they deem appropriate for their life and work as a group.
- iv. The person whose term of office as the Moderator has terminated (for whatever reason) shall cease to be a Moderator Member and shall be deemed to have tendered a termination or resignation as a Moderator Member to the ANiC Council without further action on his part.

- v. The Moderator shall cease to hold office upon attaining seventy (70) years of age unless extended by the ANiC Council, provided that the total extension shall not exceed two (2) years.
- vi. In the event that the current Moderator cannot continue in the office of Moderator due to sickness, death, resignation or other reasons the Bishop Coadjutor, if any, shall succeed to the office of Moderator. If there is no Coadjutor, the Episcopal Commissary shall act as the Interim Moderator until the next Moderator is elected pursuant to these Canons.
- vii. The ANiC Council shall call and convene a special Synod for election of the Moderator within twelve (12) months of a vacancy in that position and the process as set out in this Article subparagraphs (x)-(xiv) below shall be followed.
- viii. The Interim Moderator may not be nominated for election to the office of the Moderator at such Synod. Should the Episcopal Commissary accept a nomination for the office of Moderator, the Episcopal Commissary shall resign from the position of Episcopal Commissary and the ANiC Council shall appoint an alternate Interim Moderator. The Interim Moderator, upon his appointment, shall automatically be accepted as a Moderator Member and shall be deemed to have tendered a resignation as a Moderator Member to the ANiC Council without further action on his part upon the election of the new Moderator.
- ix. For the purpose of determining when the Moderator is not able to continue his office due to sickness, the ANiC Council shall either obtain a certificate of incapacity from the Moderator himself or the ANiC Council with all Bishop Members, may after reasonable investigation, conclude by resolution passed by a two thirds (2/3) majority at a meeting of the Bishop Members and the ANiC Council voting together, and with the consent of the Archbishop of the Province, that the Moderator is unable to perform his duties for a period of at least twelve (12) months.
- x. The Nominating Committee of the ANiC Council shall recommend at least two (2) nominees for election as the Moderator by the Members at a special Synod called for that purpose within twelve (12) months of the cessation of the Moderator's term. Advance notice of such election shall be provided to the Members (in addition to the normal notice of Synod) at least four (4) months before the special Synod at which such election will occur and the advance notice shall specify the date of the special Synod.
- xi. A group of Members holding at least ten (10) votes that may be cast at the special Synod at which the election of the Moderator is to take place, provided there are five (5) votes from each of the following groups:
 - a. Bishop Members and Clergy Members together; and
 - b. Parish Members and Appointed Members together;

may send a nomination for the office of Moderator to the Nominating Committee at least two (2) months before the date fixed for the special Synod. Each nominee for the office of the Moderator shall be a Bishop with whom ANiC is in communion or an Anglican presbyter

who has been ordained for at least ten (10) years and fulfills the requirements set out in Section 1 Article 9 of these Canons.

- xii. The notice for the special Synod at which the election of the Moderator will take place shall set out the full list of nominees for the office of the Moderator (whether nominated by the Nomination Committee or by Members) who are determined to be eligible by the Nominating Committee, and shall include a biography and statement of vision from each nominee.
- xiii. The ANiC Council shall send to each Member, notice of the special Synod at least three (3) months prior to the special Synod at which the election will take place. The notice shall set out the date and time of the special Synod, and shall include regulations necessary for the election of the Moderator.
- xiv. The elected person shall not succeed to the office of Moderator until the necessary consent have been received from the College of Bishops of the Province and if necessary, being consecrated to episcopal orders and the mandate for succession has been received from the Archbishop of the Province.
- xv. Upon his appointment, consecration and succession, the Moderator shall automatically be accepted as the Group A (Bishop Moderator) Member and he shall be deemed to have terminated or tendered his resignation as a Clergy Member or Bishop Member (if applicable) without further action on his part.

g) Coadjutor and Suffragan Bishops

- i. If the ANiC Council and the Moderator determine that a Coadjutor Bishop or Suffragan Bishop should be elected, the Nominating Committee of the ANiC Council shall recommend at least two (2) nominees for election to such office by the Members at a special Synod called for that purpose. Advance notice of such election shall be provided to the Members at least four (4) months before the special Synod at which such election will occur and such advance notice shall specify the date of the special Synod.
- ii. A group of Members holding at least ten (10) votes that may be cast at the special Synod at which the election of the Suffragan or Coadjutor Bishop is to take place, provided there are five (5) votes from each of the following groups:
 - a. Bishop and Clergy Members together; and
 - b. Parish Members and Appointed Members together;

may send a nomination for the office of Coadjutor or Suffragan Bishop to the Nominating Committee at least two (2) months before the date fixed for the special Synod. Each of the nominees for the office of Coadjutor or Suffragan Bishop shall be a Bishop or presbyter who has been ordained for at least ten (10) years and fulfills the requirements set out in Section 1 Article 9 of these Canons.

- iii. The notice for the special Synod at which the election of the Coadjutor or Suffragan Bishop will take place shall set out the full list of nominees for the office of the Bishop (whether nominated by the Nomination Committee or by Members) determined to be eligible by the Nomination Committee, and shall include a biography and statement of vision from each nominee.
- iv. The ANiC Council shall send to each Member, notice of the special Synod at least one (1) month prior to the special Synod where the election will take place. The notice shall set out the date and time of the special Synod and shall include regulations necessary for the election of the Bishop.
- v. The elected person shall not succeed to the office of Bishop until the necessary consent have been received from the College of Bishops of the Province, the elected person has been consecrated to episcopal orders where necessary, and the mandate for succession has been received from the Archbishop of the Province.
- vi. Upon his appointment, consecration and succession, the bishop shall automatically be accepted as a Bishop Member, and shall be deemed to have terminated or tendered a resignation as a Clergy Member (if applicable) without further action on his part.
- vii. Upon receipt of written notice to the ANiC Council of the retirement or cessation of a Bishop of ANiC (for whatever reason), such Bishop will cease to be a Bishop Member of ANiC without further action on his part.

h) Officers of ANiC

- i. The Moderator shall appoint the following officers of ANiC if he deems appropriate, who shall serve at the pleasure of the Moderator:
 - a. a Chancellor, who shall have been duly called to the bar in his or her province or territory of residence within Canada for at least ten (10) years; and
 - b. a Registrar, who shall be a person with relevant experience in the opinion of the Moderator to attend to registration matters of ANiC; and
 - c. an Episcopal Commissary.
- ii. The ANiC Council will appoint a secretary and treasurer of ANiC and any such other officers as it deems necessary and shall report such appointments to the Members immediately following such appointment(s).

Article 3.2 Procedures Concerning the Synod

- a) The Moderator shall call annual Synods in compliance with the Act. The ANiC Council and/or the Moderator may also call additional special Synods from time to time as it determines appropriate. Synods shall be held at such time and place as the ANiC Council may by resolution determine.

- b) All proceedings in relation to the convening of Synods shall be in compliance with the Act.
- c) The ANiC Council shall provide Members with at least twenty-one (21) days notice for any Synod. Such notice may be provided by regular mail or facsimile or other form of electronic transmission to the last address provided by the Member to ANiC. The Notice of any Synod shall be given and signed by the Moderator and/or the Secretary of the ANiC Council , depending upon who called the meeting. Notice of a meeting of the Synod shall state the time and place of the meeting and such other information as the Moderator and the ANiC Council may direct and shall comply with the requirements under the Act.
- d) The ANiC Council may allow participation and voting at a Synod by telephone or similar communications equipment allowing all persons participating in the meeting to hear each other at the same time. Participation by such means shall constitute presence in person at the meeting. Synod Members, directors or committee members may also participate in a meeting by other electronic means that permit each director to communicate adequately with each other, provided that:
 - 1. each director agrees to using such means and the mechanics and any security issues related to using such means and passes a resolution to that end;
 - 2. this bylaw's requirements for quorum and recording votes are met;
 - 3. each director has equal access to the specific means of communication to be used;
 - 4. each director has consented in advance to meeting by electronic means using the specific means of communication proposed for the meeting.
- e) Any action required or permitted to be taken by the members, the Board of Directors or any committee thereof may be taken without a meeting if all members, directors or the committee members consent in writing to the adoption of a resolution authorizing the action. The resolution and the written consents thereto shall be filed with the minutes of the proceedings of the members, Board or committee.
- f) Members shall have the right to submit proposals to be included in the notice of Synods in accordance with and subject to the provisions of the Act.
- g) Members holding the requisite percentage of votes that may be cast at a Synod shall have the rights provided under the Act to require that a Synod be called. Members exercising such rights shall comply with the relevant provisions of the Act in full.
- h) No business shall be transacted at a meeting of the Synod unless a quorum of the Synod is present when the meeting is called to order and proceeds to business. Any quorum shall include participation via telephonic, electronic or other communication means, provided such participation is in accordance with any rules and procedures provided with the notice for the Synod. If a quorum is established with 20% or more members who have joined the meeting by electronic or other communication means and a power failure or electronic malfunction occurs the meeting shall be adjourned until the electronic connection is re-established.

- i) In a Synod where an election of a Moderator is to take place , a quorum shall be comprised of:
 - i. fifty percent (50%) of the Moderator and Bishop Members together;
 - ii. fifty percent (50%) of the Clergy Members, Parish Members and Appointed Members holding fifty percent (50%) of the aggregate votes entitled to be cast in aggregate by all Clergy Members, Parish Members and appointed Members.
- j) For a non-electoral Synod, a quorum shall be comprised of:
 - i. one third (1/3) of the Moderator and Bishop Members together;
 - ii. on third (1/3) of the Clergy Members, Parish Members and Appointed Members holding one third (1/3) of the aggregate votes entitled to be cast in aggregate by all Clergy Members, Parish Members and Appointed Members.
- k) If a quorum is not present at the time appointed for the opening of a meeting of the Synod, any lesser number of Members may adjourn the meeting to a fixed time and place but may not transact any other business.
- l) Any number of Members of the Synod may transact business at a meeting of the Synod at any time after the meeting has been called to order with a quorum present. No business transacted at such Synod shall be invalidated because a quorum was no longer present, as a result of some Members temporarily or permanently leaving the Synod, at the time such business was conducted.
- m) The ANiC Council shall recommend for adoption by the Synod, such Rules of Order as it shall deem necessary for the effective management of the Synod meeting. Rules of Order shall be adopted by the Synod at the commencement of the meeting.
- n) Subject to the provisions of the Act, the Articles and Constitution, the Rules of Order adopted by the Synod, and Article 3.2 (n) to (t) below, no act or resolution of the Synod is valid unless passed by:
 - i. The Moderator Member, if there is a Moderator Member; and
 - ii. at least a simple majority of the votes in aggregate cast by the Bishop Members, Clergy Members, Appointed Members and Parish Members together.
- o) Resolutions that are required by the Act to be passed by way of Special Resolutions shall be deemed to have passed only if passed by:
 - i. The Moderator Member, if there is a Moderator Member; and
 - ii. at least two thirds (2/3) of the votes in aggregate cast by the Bishop Members, Clergy Members, Appointed Members and Parish Members together.
- p) In addition to any requirements of the Act and the Articles and Constitution, the following resolutions shall only be passed by the Moderator Member, if there is a Moderator Member; and

at least a simple majority of the votes cast by (A) the Bishop Members as a class; (B) the Clergy Members as a class; and (C) the Appointed Members and Parish Members as a class.

- i. Any resolution for which the Bishop, Clergy Members, Appointed Members and Parish Members holding ten (10) votes may request to be voted on “by House”.
 - ii. Resolutions in relation to the election of Bishops;
 - iii. Any other resolution specified by the Moderator or the ANiC Council to be voted on “by House”.
- q) In addition to any requirements of the Act and the Articles and Constitution, the following resolutions shall only be passed by the Moderator Member, if there is a Moderator Member; and at least two thirds (2/3) of the votes cast by (A) the Bishop Members as a class; (B) the Clergy Members as a class; (C) the Appointed Members and Parish Members as a class:
- i. Resolution in relation to the adoption or amendments to these Canons;
 - ii. Resolution in relation to the adoption or amendments of the Articles and Constitution;
 - iii. Resolution confirming removal of any Member; and
 - iv. Any other resolution specified by the Moderator or the ANiC Council to be voted on “by House” by way of special resolutions.
- r) Notwithstanding any other provision in these Canons, the resolution to elect the Moderator must be passed by at least a two thirds (2/3) majority of the votes cast at a special Synod called for that purpose by each of (A) the Bishop Members and Clergy Members as a class; (B) the Appointed Members and Parish Members as a class.
- s) Notwithstanding any other provision in these Canons, any resolution in relation to the review or discipline of Bishops, including the Moderator, shall only be passed by at least two thirds (2/3) of the votes cast by each of the following classes:
- i. the Bishop and Moderator Members as a class;
 - ii. the Clergy Members as a class;
 - iii. the Appointed Members and Parish Members as a class.
- t) Notwithstanding any other provision in these Canons the Moderator or a two thirds (2/3) ()majority of the Synod, based upon the number of aggregate votes cast at the Synod, may determine that a resolution constitutes an amendment to Article 1.1 of the Constitution of ANiC and therefore requires the resolution to be passed unanimously by all Members at the Synod.

- u) All resolutions passed by the Synod shall be consistent with and not in contravention of or contrary to the Constitution and Canons of the Province.
- v) The Moderator shall preside at all meetings of the Synod unless otherwise provided for by these Canons or the Rules of Order adopted by the Synod. If the Moderator is not present at a meeting of the Synod, the Bishops, by order of date of admission to ANiC, or the archdeacon, senior by date of appointment as an archdeacon, in that order, shall preside; or if all these are absent, any director, failing which, the Members of the Synod present may elect a chair.
- w) The Moderator may temporarily vacate the Chair during any session of the Synod and designate any Member in his discretion to occupy the Chair during his temporary absence.
- x) The Moderator with the concurrence of the ANiC Council shall appoint (A) one Clergy Member and (B) one representative of a Parish Member or an Appointed Member to act as the joint secretaries for that Synod.
- y) The Secretaries of the Synod shall:
 - i. Issue all notices required by the Constitution and the Canons;
 - ii. keep and record minutes of the regular meetings of the Synod;
 - iii. assist in preserving all records, papers and documents relating to the Synod;
 - iv. certify all public acts of the Synod;
 - v. affix the seal of the Synod to any document when required to do so by any competent authority, and attest to the same; and
 - vi. deliver into the hands of a successor, all property, books, records, documents, papers and electronic files relating to the Synod that may be in his or her possession or control.
- z) A member of the Synod can move a motion to request a review of any policy of ANiC provided another Member of the Synod seconds the motion. Such motion, if carried by a simple majority, will require the ANiC Council to review such policy and report back to the Synod.

Article 3.3 Procedures Concerning the ANiC Council

- a) The ANiC Council shall meet at least four (4) times in a calendar year.
- b) The ANiC Council may meet at any time and any place as the Chair of the ANiC Council may specify. The directors will be allowed to participate in ANiC Council meetings by personal attendance, telephonic, electronic or other communication means that permits all participants to communicate adequately with each other during the meeting, including but not limited to email communication and exchanges during a specified time period.

- c) The Chair or Secretary of the ANiC Council shall provide at least seven (7) days advance notice of any meeting of directors other than meetings which require personal attendance, and at least fourteen (14) days notice for meetings requiring personal attendance, to all the directors at their last known address or facsimile number or email address. Any inadvertent omission in providing such notice shall not invalidate the meeting. The directors may waive the required notice for any such meeting.
- d) The quorum for a meeting of the ANiC Council shall be a majority of the directors in office at the time.
- e) Unless otherwise provided for in these Canons, all decisions of the ANiC Council shall be made by simple majority of votes cast.

ARTICLE 4 PARISH MEMBER OR CONGREGATIONS

Article 4.1 Admission into ANiC

The Moderator together with the ANiC Council shall approve policies for admission of parish corporations into ANiC as Parish Members, and the ANiC Council may delegate the power to formulate such admission policies. Notwithstanding any policy for admission, no parish corporation shall be admitted into ANiC unless they subscribe to and covenant to uphold the Constitution and Articles and the Canons and comply with the policies of ANiC. All parishes or corporations wishing to become a Parish Member shall follow the procedure for application as may from time to time be specified by the ANiC Council and admission of Parish Members shall be approved by the Moderator. The policies for admission of parish corporations into ANiC shall be consistent with the relevant provisions of the Canons of the Province and related policies.

Article 4.2 Organization

- a) Every Parish Member shall be established as a corporation or society in accordance with the laws of Canada or the province or territory where the Parish Member is situated. Each Parish Member shall be responsible for its own finances.
- b) There shall be a governing body of each Parish Member, commonly known as the board of directors, parish council, executive council or board of trustees, and such board or council should be elected by the members of the parish according to applicable law, as well as the articles and bylaws of the Parish Corporation or society.
- c) Every rector or presbyter in charge of a Parish Member shall be a member of the parish corporation or society and the presiding officer of the governing body of that Parish Member. Each parish must have at least one rector's warden (appointed by the rector) and one people's warden to be elected by the members of the parish.
- d) All property, real and personal, owned by a Parish Member is and shall be solely and exclusively owned by the Parish Member and shall not be subject to any trust in favour of ANiC or other claim of ownership arising out of the canon law of ANiC, unless expressly agreed to in writing between the Parish Member and ANiC.

- e) On or before March 1 of each year the governing body of each Parish Member shall prepare and forward to the National Director of ANiC, a report in a form specified from time to time by the ANiC Council, reflecting the status and growth of the Parish Member in terms of ASA, tithes and offerings, baptisms, confirmations and receptions, marriages, burials, and other important categories of information concerning the preceding calendar year, including new initiatives for mission and ministry.
- f) Membership in each Parish Member shall require, among other things as may be specified in the applicable governing documents or policies of such Parish Member, that a person, profess that Jesus Christ is Lord and confirm that they have been baptized with water in the Name of the Father, and of the Son, and of the Holy Spirit.
- g) The ANiC Council may from time to time approve such policies as it deems appropriate to provide for cooperation between ANiC and Parish Members that are not yet or have ceased to be financially self-sufficient, which policies shall be ratified by Synod before implementation. For the purpose of determining financial self-sufficiency the ANiC Council will take into consideration the offerings of the Parish Members, the ongoing cost of its ministries and the cost of supporting a full-time presbyter.

ARTICLE 5 *CONCERNING CHURCH PLANTING*

The Moderator together with the ANiC Council shall approve policies for Church Planting and may establish a committee to formulate policies and guidelines for matters relating to Church Planting and to supervise and coordinate all Church Planting activities of ANiC.

ARTICLE 6 *OF FINANCES*

*Article 6.1 **Concerning the Tithe***

The biblical tithe of 10% is the minimum standard of giving to support the mission of ANiC. Faithful stewardship and generous giving, but not legalism, should be taught and encouraged at every level of ANiC.

*Article 6.2 **Concerning Finance and Budget***

The Moderator and the Executive Committee of the ANiC Council, with the assistance of the Audit Committee, shall develop the annual budget for ANiC based on commitments from the Parish Members and other resources. The program and budget shall be presented at the Synod for adoption.

Article 6.3 Concerning Financial Responsibility and Accountability

Financial responsibility and accountability are the obligations of ANiC at every level. The ANiC Council shall approve guidelines for record keeping, insurance, investments and bonding of financial officers for Parish Members.

ARTICLE 7 OF THE LAITY

Article 7.1 Concerning Ministry

The people of God are the chief agents of the mission of ANiC to extend the Kingdom of God by so presenting Jesus Christ in the power of the Holy Spirit that people everywhere will come to put their trust in God, know Him as Saviour, and serve Him as Lord in the fellowship of ANiC and the entire Church of God. The effective ministry of ANiC is the responsibility of the laity no less than it is the responsibility of bishops and other Clergy Members. It is the goal for every lay member of ANiC to become an effective minister of the gospel of Jesus Christ, one who is spiritually qualified, gifted, called, and mature in the Faith.

Article 7.2 Concerning Duties of the Laity

It shall be the duty of every lay member of ANiC:

- a) To worship God, the Father, and the Son and the Holy Spirit, every Lord's Day in a church unless reasonably prevented;
- b) To engage regularly in the reading and study of Holy Scripture and the Doctrine of ANiC and the Province as found in Article 1.1 of the Constitution of ANiC ;
- c) To observe their baptismal vows, to lead an upright and sober life, and not give scandal to the church;
- d) To present those they have led to the Lord for baptism and confirmation, and to present their children for baptism and encourage them to make an affirmation of their faith through adult confirmation;
- e) To provide care for the poor and those in need.
- f) To give regular financial support to ANiC and their parish, with the biblical tithe in mind as the minimum standard of giving;
- g) To practice forgiveness daily according to our Lord's teaching;
- h) To receive worthily the Sacrament of Holy Communion as often as is practicable;
- i) To observe the feasts and fasts of the church set forth in the Anglican formularies;
- j) To continue study of the Faith so as to remain an effective minister for the Lord Jesus Christ;

- k) To devote themselves to the ministry of Christ among those who do not know Him, utilizing the gifts that the Holy Spirit gives them, for the effective extension of Christ's Kingdom.

ARTICLE 8 OF HOLY ORDERS IN ANiC

Article 8.1 Holy Orders

- a) ANiC holds and teaches that from the earliest times there have been these orders in Christ's Church: bishops, presbyters, and deacons; and no one shall be taken to be a lawful bishop, presbyter, or deacon in ANiC, nor shall they execute any of the said offices, except after being called, tried, examined, and admitted to the office according to the Ordinal or any form of alternative service approved by the Synod, or unless they have had prior episcopal consecration or ordination in a Church whose orders are recognized and accepted by ANiC.
- b) No person who has been admitted to the order of bishop, presbyter, or deacon can ever be divested of the character of his order. A minister may either by legal process voluntarily relinquish the exercise of his orders and use himself as a layman, or may by legal and canonical process be deprived of the exercise of his orders or deposed therefrom.
- c) While any presbyter or deacon holds an ANiC licence, he continues to owe canonical obedience in all things lawful and honest to the Moderator of ANiC.

Article 8.2 Concerning Norms for Ordination Generally

Except as hereinafter provided, the norms for ordination shall be determined by the Moderator.

Article 8.3 Of The Ordination Of Presbyters And Deacons

- a) No person shall be ordained presbyter unless they have attained twenty-four (24) years of age,
- b) No person shall be ordained both deacon and presbyter upon one and the same day.
- c) Unless the Moderator has sufficient reason to reduce the requirement, a deacon shall not be ordained to the presbyterate for at least one year, so that the deacon's behaviour in the office of deacon can be tested before admission to the order of presbyter.

Article 8.4 Of the Qualities of Those Who are to Be Ordained Deacons or Presbyters

- a) Concerning General Requirements

The Moderator or his designate shall not accept any person into Holy Orders unless he knows either by himself, or by sufficient testimony, that this person is baptized and confirmed, sufficiently instructed in Holy Scripture and the doctrine, discipline and worship of ANiC, empowered by the Holy Spirit, and a wholesome example and pattern to the entire flock of Christ.

b) Concerning Requirements for the office of Deacon According to Holy Scripture

In accordance with Holy Scripture, a Deacon must be worthy of respect, sincere, not a drunkard, not pursuing any form of dishonest gain, and one who holds the Scriptural truths of the faith with a clear conscience. They must first be tested, and then if there is nothing against them, let them serve as Deacons (1 Timothy 3:8-13).

c) Concerning Requirements for the office of Presbyter According to Holy Scripture

In addition to the qualifications above, and in accordance with Holy Scripture, a Presbyter must be above reproach, not self-pleasing but self-controlled, upright, holy, disciplined, temperate, hospitable, not given to drunkenness, not violent but gentle, not quarrelsome, not a lover of money, not a recent convert, one who loves what is good and one who has a good reputation with outsiders. A Presbyter must be able to preach and teach, holding firmly to the Gospel and Holy Scripture as it has been taught, in order to encourage others by sound doctrine and to refute those who oppose it (1 Timothy 3:1-7; 5:17; Titus 1:6-9).

d) Concerning Requirements for Married Candidates With and Without Children

In the case of persons who are or have been married, and whether or not they have children, every Bishop shall take care that such persons manage their own families well, for as Holy Scripture attests, "If anyone does not know how to manage his own family, how can he take care of God's church?" (1 Timothy 3:4-5, 12; Titus 1:6).

Article 8.5 Concerning Upholding the Sanctity of Marriage Especially for Those to Be Ordained

- a) Marriage as a lifelong covenant between a man and a woman, whereby the two become one flesh, is an ordinance of Creation, affirmed as such by our Lord. It is also commended by Saint Paul as a sign of the mystical union between Christ and his Church (Matthew 19:3-9; Ephesians 5:22-32). As wholesome examples and patterns to the entire flock of Christ, all married persons to be admitted to Holy Orders shall remain married to their spouse for life, and in accordance with the vows they exchanged in Holy Matrimony. Subject to Article 8.5 (b) of these Canons, no person shall be admitted into Holy Orders who has divorced and remarried, or whose spouse has been previously married and divorced.
- b) The Archbishop of the Province, on an application made to him by the Moderator or a bishop sponsoring a person who by reason of Article 8.5(a) of these Canons could not otherwise be admitted into Holy Orders may, upon a showing of good cause and particularly in light of the exceptions in Matthew 19 and 1 Corinthians 7, remove the impediment imposed by that section to the admission of the person into Holy Orders. Pastoral exceptions may be made in accordance with the directions given from time to time by the Archbishop acting in consultation with the College of Bishops of the Province.

Article 8.6 Concerning Theological Training Requirements

No person shall be admitted to Holy Orders as Presbyter who has not been thoroughly trained in the Doctrine and Discipline of Holy Scripture as articulated in the Creeds, the Book of Common Prayer

(1662), the Ordinal and the Thirty-nine Articles of Religion, and the Worship or liturgy as approved by ANiC, (hereinafter referred to as “the Doctrine, Discipline and Worship of ANiC”).

Article 8.7 Of Deacons and Their Ordination

No person shall be ordained a Deacon in ANiC until that person has passed an examination conducted by those appointed by the Moderator for this purpose, in which they shall have demonstrated sufficient knowledge of the Doctrine, Discipline and Worship of ANiC, and any other topics the Moderator shall deem necessary for the office and ministry of Deacons.

Article 8.8 Of the Diaconate

The Moderator may ordain a person to the transitional or vocational Diaconate in accordance with the policies and procedures approved by the ANiC Council, provided such person meets the qualifications set out in Article 8.7.

Article 8.9 Of Presbyters and Their Ordination

a) Concerning Ordination Following Period of Diaconate

No person shall be ordained a Presbyter in ANiC until that person shall have been ordained a Deacon.

b) Concerning Prerequisites for Ordination

No person shall be ordained a Presbyter in ANiC until that person has passed an examination conducted by those appointed by the Moderator for this purpose, in which they shall have demonstrated sufficient knowledge of the Doctrine, Discipline and Worship of ANiC in at least the following subjects:

- i. Holy Scripture - The Bible, its contents and historical background, and interpretive methods;
- ii. Church History;
- iii. Anglican Church History;
- iv. Doctrine – The Church’s teaching set forth in the Creeds, the Book of Common Prayer (1662), the Ordinal, the Thirty-Nine Articles, the catechism and all authorized liturgies.
- v. Liturgics – The contents and use of the Book of Common Prayer (1662), and knowledge of the proper use of church music;
- vi. Moral Theology and Ethics;
- vii. Ascetical Theology – with an emphasis on the prayer life and spirituality of the minister, including the use of the Daily Office;

- viii. *Practical Theology* - The office and work of a Presbyter; the conduct of public worship; principles of sermon composition and delivery; principles and methods of Christian education in the parish; Constitution and Canons of ANiC and the Province; and the use of the voice in reading and speaking;
- ix. *The Missionary Work of the Church* – How the Gospel has been passed from one language, tribe and nation to another; basic principles of cross-cultural communication; mission strategies; and personal relational evangelism and apologetics;
- x. *Pastoral Care*;

and in any other subjects that the Moderator deems necessary for the office of Presbyter.

Article 8.10 Of Ministers Ordained In Churches Not In Communion With This Church

- a) Concerning Application for Holy Orders in ANiC

When Ministers ordained in a church that is neither ordered in the Historic Succession nor in communion with this Church, desire to be a Deacon or Presbyter in ANiC, they shall apply to the Moderator for ordination to the diaconate and presbyterate.

- b) Concerning Pre-Ordination Requirements

If such ministers provide evidence satisfactory to the Moderator for eligibility for ordination pursuant to Articles 8.4, they shall be examined on the points of Doctrine, Discipline, Polity and Worship in which the church from which they have come differs from ANiC, and on any other subject which the Moderator deems necessary and appropriate.

- c) Concerning Ministers Ordained in Churches in the Historic Succession but not in Communion with ANiC

Where a Minister is ordained by a bishop of the Historic Succession whose authority to convey such orders is not recognized by ANiC or is derived from a church not in communion with ANiC, and such Minister desires to be received as a Clergy Member, the person shall comply with this Article. On being satisfied of the person's theological qualifications and successful completion of the examination specified herein and soundness in the faith, the Moderator may, after consultation with the ANiC Council:

- i. Receive the person into ANiC in the Orders to which they are already ordained by the Bishop of the Historic Succession, provided that person has first taken the Oath of Canonical Obedience stipulated in Article 8.16 and made the Declaration of Assent as prescribed by Article 8.15; or
- ii. Ordain the person as a Deacon, conditionally or unconditionally, and may, but no sooner than four (4) months thereafter,

- iii. Ordain the person a Presbyter conditionally (if previously ordained a Presbyter), provided that person has also been previously baptized and confirmed in ANiC. .

Any such reception shall also comply with the Canons of the Province.

- d) Concerning Receiving a Bishop from another Church not in Communion with ANiC

A bishop from another church not in Communion with ANiC shall not be received as a Bishop of ANiC until after consultation with the ANiC Council and the College of Bishops, and any such reception shall comply with the Canons of ANiC and the Province.

Article 8.11 Authority to Serve as a Clergy Member

- a) There are three ways in which the Moderator may confer the authority to minister in ANiC:
 - i. inducting a Rector to a parish in ANiC;
 - ii. granting a licence to minister in a specific ministry; or
 - iii. granting general permission to officiate.
- b) The Moderator shall not issue any form of authority to minister under paragraph a) of this Article unless that minister has first taken the Oath of Canonical Obedience stipulated in Article 8.16 and made the Declaration of Assent stipulated in Article 8.15
- c) A duly ordained presbyter or deacon may officiate in any place only after he has received permission to do so from the Moderator. Save that:

The minister in charge of any church or congregation may allow an Anglican Cleric who is a member of or in communion with ANiC, provided they are satisfied either by actual personal knowledge or by good and sufficient evidence that the Cleric is of good life and standing and otherwise qualified, including doctrinally and theologically, to officiate within the minister's church or chapel for a period of not more than seven days within a period of three months, without reference to the Moderator. A Cleric so allowed to officiate shall be required to sign the services register when he or she officiates.

Article 8.12 Institution and Induction as a Rector

- a) No Clergy Member shall be instituted to or given permission to officiate in any parish or congregation unless they have been ordained presbyter by episcopal ordination in accordance with the provisions of these Canons.
- b) The Moderator shall not admit or institute to a parish or congregation any presbyter who has been ordained by any other bishop, until the presbyter shows the Moderator his or her Letters of Orders or other sufficient evidence that he or she has been ordained. If the Moderator requires it, the Cleric shall provide evidence of his or her good character, behaviour and sufficient education, including proof that the Cleric has satisfied all the requirements for ordination set out in these Canons.

- c) The following are the grounds upon which the Moderator may refuse to admit, induct or institute any presbyter to a parish or congregation:
 - i. If less than three years have elapsed since the candidate was ordained deacon;
 - ii. If the Moderator, upon reasonable grounds, finds the candidate unfit for the discharge of the duties of a parish or congregation;
 - iii. If the candidate is unwilling to subscribe to the Doctrine, Discipline and Worship of ANiC, or there is other evidence that the candidate has expounded or adheres to doctrine contrary to that set out in Article 1.1 of the Constitution of ANiC; or
 - iv. If there is evidence of financial mismanagement, grave misconduct or neglect of duty in an ecclesiastical office, or having by his conduct caused grave scandal concerning his moral character.

Article 8.13 Licensing a Clergy Member in a Specific Ministry

- a) The Moderator may grant a licence to any Clergy Member to serve within ANiC.
- b) A licence may be for a specific or unlimited term, or for a specific or general purpose, mission or ministry.
- c) The Moderator shall not grant a licence to any minister who has come from another ecclesiastical jurisdiction, until the presbyter shows him his or her Letters of Orders or other sufficient evidence that he or she has been ordained. If the Moderator requires it, the presbyter shall provide evidence of his good character, behaviour and sufficient education, including proof that the Cleric has satisfied all the requirements for ordination set out in these Canons.

Article 8.14 Of General Permissions To Officiate

- a) The Moderator may grant to any minister Permission to Officiate within ANiC in accordance with Article 8.11.
- b) Permission to Officiate may be for a specific or unlimited term, with or without conditions.
- c) The Moderator shall not grant Permission to officiate to any minister who has come from another ecclesiastical jurisdiction, until the presbyter shows him his Letters of Orders or other sufficient evidence that he has been ordained. If the Moderator requires it, shall provide evidence of his good character, behaviour and sufficient education, including proof that the Cleric has satisfied all the requirements for ordination set out in these Canons.

Article 8.15 Of the Declaration of Assent

- a) The Declaration of Assent to be made under this Canon shall be in the form set out below:

PREFACE

The Anglican Network in Canada is part of the One, Holy, Catholic and Apostolic Church, worshipping the one true God; the Father, the Son and the Holy Spirit. The Anglican Network in Canada professes the faith uniquely revealed in the Holy Scriptures and set forth in the catholic creeds, which faith the Church is called upon to proclaim afresh in each generation. Led by the Holy Spirit, The Anglican Network in Canada bears witness to the Christian truth given to us in the historic formularies of the Church of England, the Thirty-nine Articles of Religion, The Book of Common Prayer (1662) and the Ordering of Bishops, Priests and Deacons. In the declaration you are about to make will you affirm your loyalty to this inheritance of faith as your inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making him known to those in your care?

Declaration of Assent

I, A B, do so affirm, and accordingly declare my belief in the faith which is revealed in the Holy Scriptures and set forth in the catholic creeds and to which the historic formularies given to us by the Church of England bear witness; and in public prayer and administration of the sacraments, I will use only the forms of service which are authorized or allowed by Canon.

- b) The preface which precedes the Declaration of Assent in the form set out above shall be spoken by the Moderator, bishop, Episcopal Commissary, Chancellor or Registrar in whose presence the Declaration is to be made in accordance with the following provisions of this paragraph and shall be spoken before the making of the Declaration of Assent.
- c) Every person who is to be consecrated bishop or suffragan bishop shall on the occasion of his consecration publicly and openly make the Declaration of Assent in the presence of the Archbishop by whom he is to be consecrated and of the congregation there assembled.
- d) Every person who is to be ordained presbyter or deacon shall before ordination make the Declaration of Assent in the presence of the Moderator or bishop by whom he is to be ordained.
- e) Every deacon, priest or bishop who is to be instituted, installed, admitted or licensed to any office in ANiC or otherwise licensed to serve in any place, shall first make the Declaration of Assent in the presence of the Moderator, Episcopal Commissary, or bishop by whom he is to be instituted, installed, admitted or licensed unless he has been ordained the same day and has made the Declaration already.
- f) When any bishop, presbyter or deacon ceases to hold office in ANiC or otherwise ceases to serve in any place, the Declaration of Assent made under this Canon shall continue to have effect in so far as he continues to minister in the Church.

- g) Every bishop shall, on the occasion of his installation, before he is installed, publicly and openly make the Declaration of Assent in the presence of the congregation there assembled.
- h) Before the bishop makes the Declaration of Assent, the preface which precedes the Declaration in the form set out in paragraph 8.15 (a) of this Canon shall be spoken by the Chancellor, the Registrar or the senior Archdeacon of ANiC or other officer of the Synod designated by the Moderator.
- i) A suffragan bishop who is to be invested by the Moderator of ANiC shall on the occasion of his investiture publicly and openly make the Declaration of Assent in the presence of the congregation there assembled.
- j) Where any minister has been instituted, installed, licensed or admitted to office in some place other than the place where he is to serve, he shall on the first Lord's Day on which he officiates in the church, or in one of the churches in which he is to serve, publicly and openly make the Declaration of Assent at the time of divine service in the presence of the congregation there assembled.
- k) Before the minister makes the Declaration of Assent the preface which precedes the Declaration in the form set out in paragraph 8.15 (a) of this Canon shall be spoken by the incumbent or another presbyter having a cure of souls or other officer of the Synod designated by the Moderator.

Article 8.16 Of the Oaths of Obedience

In addition to any oaths required by the Province every person who is to be ordained presbyter shall first take the Oath of Canonical Obedience as stipulated in this article.

- a) **Every** person whose election to any bishopric is to be confirmed, or who is to be consecrated bishop, or who is to be licensed as an assistant bishop, shall first take the oath of due obedience to the Moderator of ANiC and the Archbishop of ACNA in the following form and manner:

In the Name of God, Amen. I, N, chosen Bishop of the Church of God, the Anglican Network in Canada and the Anglican Church in North America, do profess and promise all due reverence and obedience in all things lawful and honest, to the Moderator of the Anglican Network in Canada and the Archbishop of the Anglican Church in North America, and to their Successors: So help me God, through Jesus Christ.

- b) Every person who is to be ordained presbyter or deacon shall first take the Oath of Canonical Obedience to the Moderator or bishop by whom he is to be ordained in the presence of the Moderator, Episcopal Commissary or bishop, and in the form following:

I, A B, do swear by Almighty God that I will pay true and canonical obedience to the Moderator of the Anglican Network in Canada and his successors in all things lawful and honest: So help me God.

- c) With the permission of the Moderator, if the presbyter or deacon objects to swearing the Oath of Canonical Obedience, the presbyter or deacon may make a solemn affirmation in the following form instead:

I, A B, do solemnly, sincerely and truly declare and affirm that I will pay true and canonical obedience to the Moderator of the Anglican Network in Canada and his successors in all things lawful and honest.

Article 8.17 Of the Acceptance and Dismissal of Clergy Members in ANiC

- a) Concerning the Transfer of Clerics from churches in Communion with this Province.

The Moderator may accept by Letter of Transfer a Deacon or Presbyter in good standing from any church in communion with the Province. The Moderator shall inquire of the transferring bishop concerning any past or existing disciplinary matter or other impediment affecting the ministry of the transferring Cleric.

- b) Concerning Transfers from a Diocese of the Province to ANiC

Any Deacon or Presbyter of a Diocese of the Province transferring into ANiC shall, in order to become a member of ANiC, present to the Moderator a testimonial from the bishop or other Ecclesiastical Authority of the Diocese in which he last had membership, setting forth the Deacon or Presbyter's true standing and character. The Testimonial, known as Letter of Transfer, which must be presented within six months from the date of issue, may be in the following words:

"We hereby certify that the Reverend A. B., who has signified desire to be transferred to the Ecclesiastical Authority of ANiC is a Presbyter (or Deacon) of (name of Diocese) in good standing." (Signed)

The Moderator shall ask the transferring bishop to disclose to any past or existing disciplinary matter or other impediment affecting the ministry of the transferring Cleric.

- c) Concerning Transfer to Another Christian Denomination

Any Deacon or Presbyter of ANiC in good standing may, at their own request, be released from the obligations of the ministry of ANiC to unite with any other Christian Denomination by a commendatory letter, signed by the Moderator, and attested by a presbyter from within ANiC.

- d) Concerning Voluntary Renunciation of the Ordained Ministry

- i. Any Deacon or Presbyter in good standing may resign from the Ordained Ministry of ANiC by sending a Declaration of Renunciation and Resignation in writing to the Moderator. The Moderator shall record the declaration so made, and shall determine whether the Deacon or Presbyter is under discipline as defined in these Canons, and whether the renunciation is occasioned by misconduct or irregularity, or whether the renunciation is voluntary and for causes which do not affect the moral character of the Deacon or Presbyter

- ii. Upon determination, the Moderator may defer formal action upon the declaration for up to two months, and meanwhile shall lay the matter before the ANiC Council for advice and consent. With the ANiC Council's advice and consent, the Moderator may pronounce that such renunciation is accepted, that the Deacon or Presbyter is released from the obligations of the Ministerial office, and that the Deacon or Presbyter relinquishes the right to exercise his gifts and spiritual authority as a Minister of God's Word and Sacraments conferred in ordination.

The Moderator's declaration shall state that the renunciation was for causes which do not affect the Deacon or Presbyter's moral character if applicable, and shall, if requested, give a certificate to this effect.

Article 8.18 Of The Appointment Of Rectors

- a) Appointments of Rectors shall proceed in a prayerful manner, recognizing the mutual interests of the parish and ANiC. The Moderator may refuse to license in accordance with 8.12.
- b) When the Moderator has given notice that the position of Rector is vacant or is about to become vacant, the governing body of that parish shall create a search committee. This committee shall be composed of:
 - i. The Rector's Warden and People's Warden;
 - ii. Two other lay persons chosen by the governing body of the parish; and
 - iii. One representative nominated by the bishop responsible for that parish or the regional archdeacon from outside of the parish.
- c) The search committee of the parish shall be responsible for the recruitment process, in accordance with regulations made under this canon.
- d) Upon completion of the search process the churchwardens shall present to the Moderator the person for institution to the parish.
- e) The Moderator shall give a minimum of three weeks notice to the parish or congregation of his intention to admit or institute any presbyter to that parish or congregation.
- f) If the church wardens do not present a person for induction to the parish within twelve (12) months of the position of Rector becoming vacant, or such other time period as may be agreed with the Moderator, the Moderator may appoint a person of his choice. However, if the parish does present a person for the position of Rector, but the Moderator refuses to appoint such person, the parish may continue to search for another twelve (12) month period.
- g) If the Moderator and the selection committee cannot agree upon a rector for the parish, the Moderator shall not appoint or institute a rector to a parish without the consent of a majority of the parish council or governing body, whichever has the largest number of members. If after twenty four (24) months, the parish and Moderator are unable to agree upon a rector, the Moderator may appoint a rector to the parish with the consent of a majority in the House of Bishops.

Article 8.19 Of Appointments Of Assistant And Associate Clergy Members In Parishes

- a) Appointments of assistant and associate Clergy Members shall proceed in a prayerful manner, recognizing the mutual interests of the parish and ANiC. The incumbent shall be in regular consultation with the Moderator or his representative throughout the search process.
- b) When the governing body of the parish has determined that an assistant or associate Clergy Member should be appointed, the governing body of the parish shall create a search committee. This committee will be composed of at least:
 - i. The incumbent;
 - ii. The Rector's and People's churchwardens; and
 - iii. Two other lay persons chosen by the church council.
- c) The search committee shall be responsible for the recruitment process, in accordance with regulations made under this canon.
- d) Upon completion of the search process, the churchwardens shall present to the Moderator the person chosen for licensing to the parish. The Moderator may choose not to license such person pursuant to Article 8.12.

Article 8.20 Of Appointment Of Presbyters In Charge Of Mission Parishes

- a) Appointments to the office of presbyter in charge of a mission parish shall proceed in a prayerful manner recognizing the mutual interests of the mission parish and ANiC.
- b) When the Moderator has given notice that the office of presbyter in charge of a mission parish is vacant or is about to become vacant, the Moderator shall create a search committee. This committee shall be composed of:
 - i. The churchwardens;
 - ii. Three representatives nominated by the Moderator from outside the parish
- c) The search committee shall be responsible for the recruitment process, in accordance with regulations made under this canon.
- d) Upon completion of the search process the churchwardens shall present to the Moderator the person chosen for licensing to the parish.

ARTICLE 9 OF BISHOPS

Article 9.1 Concerning Requirements for Bishop According to Holy Scripture

A Bishop is called by God and ANiC to be a shepherd who feeds the flock entrusted to his care. A Bishop is an overseer of the flock and as such, is called to propagate, to teach, and to uphold and defend the faith as set out in Article 1.1 of the Constitution of ANiC, willingly and as God wants him to; not greedy

for money, but eager to serve; not lording it over those entrusted to his care, but being a wholesome example to the entire flock of Christ (1 Peter 5:2-3). These requirements are in addition to the requirements set forth in these Canons for Deacon (1 Timothy 3:8-13) and for Presbyter (1 Timothy 3:1-7; 5:17; Titus 1:6-9).

Article 9.2 Concerning the Ministry of Bishops

By the tradition of Christ's One, Holy, Catholic, and Apostolic Church, Bishops are consecrated for the whole Church and are successors to the Apostles through the grace of the Holy Spirit given to them. They are chief missionaries and chief pastors, guardians and teachers of doctrine, and administrators of godly discipline and governance.

Article 9.3 Concerning Criteria for the Episcopate

To be a suitable candidate for the episcopate, a person must comply with the applicable canons of the Province and must:

- a) Be a person of strong faith and prayer;
- b) Be pious, have good morals and exhibit Godly character;
- c) Have a zeal for evangelism;
- d) Have demonstrated evidence of the fruit of the Holy Spirit;
- e) Possess the knowledge and gifts which equip him to fulfill the office;
- f) Be held in good esteem by the faithful;
- g) Be a Presbyter at least thirty-five (35) years old;
- h) Not be divorced and remarried, and whose spouse has not been previously married and divorced, unless the Archbishop consents to waive this condition.
- i) Have demonstrated the ability to lead and grow ANiC.

Article 9.4 Concerning Consecration of a Bishop

No person shall be consecrated to the office of Bishop by fewer than three bishops of the Province, present together and joining in the act of consecration, of whom one shall be the Archbishop of the Province or a bishop of the Province appointed to act on his behalf. In addition, the consecration of a Bishop shall be in compliance with the Canons and all relevant policies and rules of the Province in relation to consecration of bishops.

ARTICLE 10 OF ARCHDEACONS

- a) The Moderator has the power to appoint such number of archdeacons on such terms and with such power as he deems appropriate.
- b) No person shall be appointed an archdeacon until he has completed six years in holy orders and is in presbyter's orders at the time of the appointment.
- c) Jurisdiction is exercised by the archdeacon himself, or with the Moderator's or bishop's permission, by a commissary to which the archdeacon has formally granted such authority.
- d) Every archdeacon within his archdeaconry shall carry out his duties under the Moderator and shall assist the Moderator in his pastoral care and office. In particular, the archdeacon shall see that all persons holding any ecclesiastical office within the archdeaconry perform their duties with diligence, and shall bring to the bishop's attention what calls for correction or merits praise.

SECTION II Worship and the Administration of Sacraments

ARTICLE 1 DIVINE SERVICE AND THE ADMINISTRATION OF THE SACRAMENTS

Article 1.1 Of Forms of Service

The 1662 Book of Common Prayer (BCP), with the Ordinal and the 39 Articles, is the doctrinal standard for ANiC. The 'forms of service' allowed by this Canon means the individual services found in the following service books. The 'forms of service' are allowed for use in ANiC without thereby implying any additions or amendments to this church's standards of doctrine as specified in Constitution Article 1.1 (a – d). 'Forms of service' shall be construed as including the individual services as well as:

- a) The Prayers known as the Collects;
- b) The lessons designated in any Table of Lessons;
- c) Any other biblically faithful material to be used as part of a service;
- d) Any Table of rules for regulating a service;
- e) Any Table of Holy Days which expression includes 'A Table of all the Feasts' in The Book of Common Prayer and such other Days as shall be included in any Table approved by the Synod; and including
- f) The services found in:
 - i. The Book of Common Prayer (1662) and The Book of Common Prayer authorized by the Anglican Church of Canada in 1962;
 - ii. The Book of Alternative Services (1985) of the Anglican Church of Canada;
 - iii. "Common Worship" as used in the Church of England;
 - iv. "Our Modern Services (2002)" authorized by The Anglican Church of Kenya; and
 - v. Any form of service authorized by the House of Bishops under Section II, Article 3, to the extent permitted by such authorization.

Authorization to use the above Forms of Service does not thereby imply any additions or amendments to the standard of doctrine as specified in the Constitution of ANiC, Article 1.1 (a – d).

Article 1.2 Forms of Service

The customary use and Forms of Service in use by every minister of ANiC at the time of coming into force of this Canon shall be authorized for continued use until this Canon is amended by due process, or

unless the Moderator finds such service to expound or promote doctrine that is contrary to the doctrine of ANiC as specified in Article 1.1 (a-d) of the Constitution of ANiC.

Article 1.3 Forms of Service Exceptions

Every minister shall use only the Forms of Service authorized by this Canon, except so far as he may exercise the discretion permitted in Section II Article 2.1 of this Canon. It is the minister's responsibility to have a good understanding of the Forms of Service used and he shall endeavour to ensure that the worship offered glorifies God and edifies the people.

ARTICLE 2 OF THE DISCRETION OF MINISTERS IN CONDUCT OF PUBLIC PRAYER

Article 2.1 Variations in Forms of Service

Subject to Article 2.3 below, a minister who is to conduct a service may in his discretion make and use biblically faithful variations in any Forms of Service according to particular circumstances.

Article 2.2 Forms of Service for Cure of Souls

Subject to Article 2.3 below, a Clergy Member having a cure of souls may, on occasions for which no provision is made in The Book of Common Prayer or by the Synod or the House of Bishops, use biblically faithful Forms of Service considered suitable by him for those occasions and may permit another minister to use the said forms of service.

Article 2.3 Reverent Forms of Service

All variations in Forms of Service and all Forms of Service used under this Canon shall be reverent and seemly and shall not expound or promote any doctrine which indicates a departure from, or is contrary to, the doctrine of ANiC as specified in Article 1.1 (a – d) of the Constitution of ANiC.

Article 2.4 Questions Regarding Forms of Service

If any question is raised concerning the observance of the provisions of this Canon it may be referred to the bishop responsible for that parish in order that he may give such pastoral guidance, advice or directions as he may think fit, as long as such advice, guidance or directions are consistent with the doctrine of ANiC as specified in Article 1.1 (a – d) of the Constitution of ANiC.

ARTICLE 3 OF APPROVAL OF FORMS OF SERVICE FOR TRIAL PERIODS

Where a Form of Service has been prepared with a view to its submission to the Synod for approval by the Synod, the House of Bishops may, prior to that submission, authorize such Form of Service for trial use for a period specified by them not to exceed two (2) years on such terms and in such places or parishes as they may designate.

ARTICLE 4 *OF THE DUE CELEBRATION OF THE LORD'S DAY*

All members of ANiC are called to celebrate and keep the Lord's Day by regular participation in the public worship of the Church, by hearing the Word of God read and taught, by partaking of the Sacrament of Holy Communion and by other acts of devotion and deeds of charity, according to God's holy will and pleasure.

ARTICLE 5 *OF THE ADMINISTRATION OF THE SACRAMENTS INSTITUTED BY CHRIST*

Article 5.1 General

- a) The Sacraments of Baptism and the Lord's Supper (or Holy Communion) shall be administered by duly ordained Presbyters or Bishops of ANiC. Deacons with the permission of the Rector of the Parish may administer baptism. This provision shall not preclude the administration of emergency baptism by any baptized person.
- b) It is normative that baptized adolescents and adults be presented to the Bishop for Confirmation.

Article 5.2 Concerning Christian Formation

All Clergy Members shall take care that all within their Parish are instructed in the doctrine, sacraments, and discipline of Christ, as the Lord has commanded and as they are set forth in the Holy Scriptures, the Book of Common Prayer, and the Church Catechism.

Article 5.3 Concerning the Lord's Supper

- a) Presiding at the Celebration of the Holy Communion is reserved for Bishops and Presbyters;
- b) No one shall receive the Lord's Supper unless he has been baptized, with water, in the Name of the Father, and of the Son, and of the Holy Spirit;
- c) It is the duty of all who have been confirmed to receive the Lord's Supper regularly, and especially at the festivals of Christmas, Easter and Pentecost (Whitsunday).
- d) The admission of baptized young children to Holy Communion is permitted in ANiC;
- e) Members in good standing of other branches of Christ's Church, who have been baptized with water in the Name of the Father, and of the Son and of the Holy Spirit, and who accept Jesus as their saviour, are welcome to receive the Sacrament of Holy Communion. Those who rightly and worthily receive the Supper of the Lord with faith are partaking in the Body and Blood of Christ in accordance with Article XXVIII of the Thirty-Nine Articles of Religion.

ARTICLE 6 OF CONFIRMATION

Article 6.1 Rite of Confirmation

The Moderator shall minister, or delegate to another bishop to minister in his stead, the rite of confirmation as often and in as many places as shall be convenient, laying his hands upon adolescents and other persons who have been baptized and instructed in the Christian faith.

Article 6.2 Desire for all members to be Confirmed

All rectors shall encourage every person within their parish to be confirmed and shall use their best efforts to instruct every person in the Christian faith and life as set forth in the Holy Scriptures, the Book of Common Prayer, and the Church Catechism.

Article 6.3 Understanding of Confirmation

A rector shall present to the bishop only people who are mature enough to understand the commitment required in confirmation and who desire to be disciples of Jesus Christ.

Article 6.4 Qualifications for Confirmation

The rector shall be satisfied that those whom he or she presents for confirmation have been validly baptized, and shall ascertain the date and place of such baptism. Before or at the time assigned for the confirmation, the rector shall provide the bishop with the name, age and date of the candidate's baptism.

Article 6.5 Baptism Requirement of Confirmation

If the rector is doubtful about the baptism of a candidate for confirmation the rector shall conditionally baptize the candidate in accordance with the form of service authorized by Section II Article 1.1 of this Canon before presenting the candidate to the bishop for confirmation.

ARTICLE 7 OF RECEPTION INTO ANGLICANISM

Article 7.1 Persons Received as Anglican

Any adult who desires to become an Anglican but has not been baptized, or the validity of whose baptism is questionable, shall be instructed in the faith and baptized or conditionally baptized. Upon such baptism or conditional baptism, and upon subscribing to Our Faith set out in Article 1.1 of the Constitution, the person shall be received as an Anglican.

Article 7.2 Admission into the Anglican Faith for those baptised but not Anglican

If any person has been baptized, but not in an Anglican church, and desires to be formally admitted as an Anglican, such person shall, after appropriate instruction in the faith and upon completion of the rite of confirmation or reception, and subscribing to Our Faith set out in Article 1.1 of the Constitution, be received as an Anglican.

Article 7.3 **Form of Rite of Confirmation**

The form of admission to ANiC by the rite of confirmation or reception may be administered by the Bishop or Moderator.

ARTICLE 8 OF THE MUSIC OF THE CHURCH

It shall be the duty of every Clergy Member in charge of a congregation to appoint for use psalms, hymns and spiritual songs which are appropriate for worship. The Clergy Member in charge of a parish is the final authority in the administration of matters pertaining to music in the congregation.

ARTICLE 9 OF CHRISTIAN MARRIAGE

Article 9.1 **ANiC Teaching on Marriage**

ANiC affirms, according to our Lord's teaching, that marriage, by its nature, is a permanent and lifelong union, for better or for worse, till death do they part, of one man with one woman, to the exclusion of all others on either side, for the procreation and nurture of children, for the hallowing and right direction of the natural instincts and affections, and for the mutual society, help and comfort which one ought to have of the other, both in prosperity and adversity.

Article 9.2 **Form of Solemnization of Matrimony as Contained in the BCP (1662)**

ANiC affirms that the teaching of our Lord is expressed and maintained in the Form of Solemnization of Matrimony contained in The Book of Common Prayer (1662).

Article 9.3 **Clergy Member Responsibility as it relates to Solemnization of Matrimony**

It shall be the duty of the Clergy Member, when application is made for solemnization of matrimony in the church of where the Clergy Member ministers, to explain to the two persons who desire to be married, the Church's doctrine of marriage, and the need for God's grace in order that they may be blessed and strengthened and grow in love and fidelity as they faithfully live out their marriage vows and promises, upheld in God's grace as married persons.

Article 9.4 **Baptism requirement for Solemnization of Marriage**

Both parties desiring solemnization of their marriage in an ANiC parish shall be baptized. Any exception to this requires the permission of the Bishop;

Article 9.5 **Clergy Counsel prior to Service of Holy Matrimony**

The Clergy Member shall provide or arrange for counsel to both parties on Holy Matrimony with respect to theological and social implications and their mutual and individual responsibilities;

Article 9.6 Valid Marriage License Prior to Solemnization of Marriage (Where Required)

The Clergy Member shall ascertain that the man and woman, parties to the marriage, have a valid marriage license prior to the solemnization of the marriage.

Article 9.7 Due Diligence Prior to Solemnization of Marriage

No Clergy Member knowingly, after due inquiry, shall solemnize any marriage if they have unresolved concerns regarding the following impediments:

- a) Relationship by blood as set out in the *Table of Kindred and Affinity* in The Book of Common Prayer (1662);
- b) Mistaken identity;
- c) Absence of the capacity for free and intelligent choice;
- d) Bigamy, evidence of sexual perversion or conviction of a sexually related crime;
- e) Fraud, coercion, abuse or duress.

Article 9.8 Declaration Required

Clergy Members shall require the parties to sign the following declaration:

"We, A. B. and C. D., desiring to receive the blessing of Holy Matrimony in the Church, do solemnly declare that we hold marriage to be a lifelong union of husband and wife as it is set forth in Holy Scripture and the Book of Common Prayer (1662). We believe it is for the purpose of the procreation (if it may be) of children, and their spiritual and physical nurture, for fidelity in mutual love, respect, fellowship, encouragement, and understanding, and for the safeguarding and benefit of society and we do engage ourselves, so far as in us lies, to make our utmost effort to establish this relationship and to seek God's help thereto.

Article 9.9 Required Records

The Clergy Member shall record in the Parish register the name, age, and residence of each party. Such record shall be signed by the Clergy Member, the married parties, and at least two witnesses.

Article 9.10 Of The Remarriage Of Divorced Persons

- a) As marriage is a lifelong covenant between a man and a woman in which the two become one flesh, it is both an ordinance of Creation, affirmed as such by our Lord, and commended by Saint Paul as a sign of the mystical union between Christ and His Church (Matthew 19:3-9; Ephesians 5:22-32). Therefore, the failure of a marriage is always a tragedy. Scripture acknowledges our fallen nature and does provide guidance to know when a marriage may be dissolved and allows the possibility of a subsequent marriage in certain circumstances (Matthew 19 and 1 Corinthians 7).
 - i. If one or both parties of a couple requesting solemnization of marriage by a Clergy Member have been divorced, the Clergy Member must obtain approval from the Bishop to marry the couple. The bishop's approval must be granted in accordance

with the approved policies and procedures of ANiC in relation to the solemnization of marriage;

- ii. When a divorced person seeks permission to remarry, the Clergy Member must ascertain the pertinent facts concerning the termination of a previous marriage; and forward such information to the Bishop in writing for his godly advice and consent;
- b) The ANiC Council shall create and adopt policies and procedures by which the consent of the Bishop may be obtained with reasonable promptness.

Article 9.11 **Of Standards of Sexual Morality and Ethics**

- a) Clergy Members and lay leaders of ANiC are called to be exemplary in all spheres of morality and ethics as a condition of being appointed or remaining in office.
- b) In view of the teaching of Holy Scripture, the Lambeth Conference (1998) and the Jerusalem Declaration (2008), ANiC upholds faithfulness in marriage between a man and a woman, and cannot legitimize or bless same sex unions. ANiC will not ordain persons who engage in sexual intercourse or other acts of sexual intimacy outside of Holy Matrimony. Sexual intercourse and all acts of sexual intimacy should take place only between a man and a woman who are married to each other.
- c) God is the sole creator of human life. The taking of innocent life is sinful. Therefore, all lay members and Clergy Members are called to promote and respect the sanctity of every human life from conception to natural death.
- d) ANiC is called upon to show Christ-like compassion to those who have fallen into sin, encouraging them to repent and receive forgiveness, and offering the ministry of healing to all who suffer physically or emotionally as a result of such sin.

SECTION III – CHURCH DISCIPLINE

ARTICLE 1 OF THE NATURE OF DISCIPLINE IN THE CHURCH

Article 1.1 General

The ANiC Council and the Province have an inherent right and responsibility to identify and discipline members of ANiC who commit offenses under the Canons and Constitution, or policies and procedures of ANiC and the Province. Penalties are established only insofar as they are essential for inducing repentance, reformation and correction, and maintaining godly ecclesiastical discipline and order.

Article 1.2 Of Charges against Bishops, Presbyters, or Deacons

The following are the charges or accusations regarding which the Moderator, a Bishop, a Presbyter, or a Deacon in ANiC may be presented:

- a) Apostasy from the Christian Faith;
- b) Heresy, false doctrine, or schism;
- c) Violation of ordination vows;
- d) Conduct giving just cause for scandal or offense, including an abuse of ecclesiastical power;
- e) A conviction by a court of competent jurisdiction for an indictable offense or other serious offenses;
- f) Wilful wrongdoing or violation of the sexual teaching and disciplines of ANiC, as described in Section II Article 9.11 of these canons;
- g) Acceptance of membership in a religious or other organization with purposes contrary to those of ANiC ;
- h) Violation of any provision of the Articles and Constitution of ANiC or the Province;
- i) Disobedience, or wilful contravention of the Canons of ANiC or of the constitution or canons of the Province;
- j) Habitual neglect of the duties of the Office of Bishop, Presbyter or Deacon, as applicable; or
- k) Habitual neglect of public worship, and the Holy Communion, according to the order and use of ANiC;

ARTICLE 2 OF PRESENTMENTS OF PRESBYTERS AND DEACONS

Article 2.1 Concerning Accusations

An accusation of conduct described in Section III Article 1.2 may be brought against a Presbyter or Deacon. The accusation(s) shall be in written form, setting out the facts supporting the allegations of wrongdoing, signed and sworn by the accuser(s), and delivered to the Bishop. If the Bishop deems the accusation(s) not to be frivolous, he shall deliver a copy of such accusation to the accused and cause an investigation to be made by a canonical investigator appointed by the Moderator after consultation with the ANiC Council. During the investigation, the details of the accusation(s) and the investigation shall be kept in appropriate confidence.

Article 2.2 Concerning Voluntary Submission to Discipline

At any time after the receipt of an accusation(s), the accused may confess to the truth of the allegation(s) and submit to the discipline of ANiC or the Province as appropriate.

Article 2.3 Concerning Canonical Investigation

- a) Upon receipt of an accusation pursuant to this Section Article 2.1, the ANiC Council shall within 45 days, appoint a canonical investigator to ascertain the merit of the accusations and to make a recommendation to the ANiC Council as soon as practicable regarding whether further juridical process should be pursued.
- b) If an accusation under Article 2.1 involves any offense under Section III Article 1.2 that was committed more than five (5) years prior to receipt of the accusation, no presentment shall proceed without the consent of the ANiC Council.
- c) The accused shall be entitled to notice of an ongoing investigation, to have the aid of counsel or an agent if desired, and to submit a defence in writing. The accuser(s) may also be aided by counsel, or be represented by an agent of their choice.
- d) If the ANiC Council determines that there are sufficient grounds to proceed with ecclesiastical charges pursuant to conduct set out in Article 1.2 above, then the Moderator shall pursue a presentment in accordance with the Canons, policies and procedures of ANiC, and the norms of ecclesiastical law.
- e) The Moderator shall appoint a person (lay or ordained) who shall be responsible for the drafting of presentments and the presentation of the same before the ANiC ecclesiastical courts.
- f) The ANiC Council shall appoint an advisor to assist the Presbyter or Deacon who is the subject of an accusation and his or her counsel or agent. The advisor shall be knowledgeable in canon law and shall be available to advise the Presbyter or Deacon and his counsel or agent on issues relating thereto. All such advice given shall be confidential to the accused and his counsel or agent.

Article 2.4 Concerning Requirements for Presentment

- a) When, after investigation of an accusation, the ANiC Council has determined that the matter should proceed, Articles of Presentment shall be prepared and personally served upon the Presbyter or Deacon against whom the accusation has been made.
- b) The Articles of Presentment shall be in writing, signed by the Moderator or the Episcopal Commissary, and shall specify all particulars of time, place, and circumstances alleged.

ARTICLE 3 OF PRESENTMENTS OF BISHOPS

Article 3.1 Concerning Requirements for Presentment

- a) An ANiC Bishop may be charged under Title IV Canon 2 of the Canons of the Province by three Bishops of the Province with jurisdiction, or by not fewer than ten (10) Presbyters, Deacons, or adult baptized members of the Province in good standing, of whom at least two (2) shall be Presbyters. One Presbyter and not fewer than six (6) lay persons shall belong either to ANiC or the Diocese in which the alleged offense was committed. Such charges shall be in writing, signed and sworn to by all the accusers and shall be presented to the Archbishop, the Archbishop's delegate, or the College of Bishops of the Province. The grounds of accusation must be set forth with reasonable certainty of time, place and circumstance. The charges shall be referred to the Board of Inquiry of the Province.
- b) The ANiC Council shall deliver to the House of Bishops of the Province a request that they investigate, and if deemed appropriate consider laying charges under Title IV Canon 2 of the Canons of the Province, if and when the Synod passed a resolution in accordance with these Canons in relation to a review of a bishop, or if the ANiC Council has reasonable grounds to believe an offense under Title IV of the Canons of the Province has been committed.

Article 3.2 Concerning Response to Rumours

Whenever a Bishop shall have reason to believe that there are in circulation rumours, reports, or allegations affecting his personal or official character, he may, with the consent of two (2) other members of the College of Bishops, demand in writing of the Archbishop, the Archbishop's delegate, or the College of Bishops, that investigation of such rumours, reports and allegations be made.

Article 3.3 Concerning the Board of Inquiry

The Archbishop of the Province upon receipt of a presentment under Article 3.1 or of a demand under Article 3.2 of this section shall select a Board of Inquiry of five (5) Presbyters and five adult baptized members in good standing, none of whom shall belong to ANiC, of whom eight shall form a quorum, and refer the matter to it.

Article 3.4 Concerning the Process of Inquiry

The Board of Inquiry of the Province shall investigate such rumours, reports, or charges, as the case may be. In conducting the investigation, the Board of Inquiry of the Province shall hear the accusations and

such proof as the accusers may produce, and shall determine whether, upon matters of law and fact, as presented to them, there is ground to put the accused to trial.

Article 3.5 Concerning Testimony and Confidentiality

The testimony to the Board of Inquiry shall be recorded and transcribed and shall be preserved in the archives of the College of Bishops of the Province. The proceedings of the Board of Inquiry as to the investigation of rumour shall be private; provided however that if the Board of Inquiry determines that the rumour is unfounded it shall issue to the requesting Bishop a written statement to that effect.

Article 3.6 Concerning the Findings of the Board of Inquiry

- a) If in the judgment of two-thirds of the Board of Inquiry there is probable cause to present the accused Bishop for trial for violation of Title IV Canon 2 of the Canons of the Province, it shall make a public declaration to that effect.
- b) If the ANiC Council has delivered a request to the College of Bishops of the Province regarding a presentment under Title IV Canon 2 of the Canons of the Province, but at the end of the review by the College of Bishops, Members holding at least thirty (30) votes eligible to be cast at the next Synod meeting are dissatisfied with the results, they may express in writing their dissatisfaction to the secretary of ANiC. As a result of such written expression of dissatisfaction, the ANiC Council shall bring a motion to the next Synod requesting the Province to release the said Bishop from his oversight responsibilities within ANiC.

ARTICLE 4 OF COURTS, MEMBERSHIP AND PROCEDURES

Article 4.1 Concerning Courts for the Trial of a Presbyter or Deacon

- a) In ANiC there shall be an ecclesiastical Trial Court for the trial of any Presbyter or Deacon subject to the jurisdiction of ANiC
 - i. The mode of conducting trials shall be established by policy of the ANiC Council or its committee.
 - ii. In case of conviction by the Trial Court, the Moderator shall not proceed to sentence the accused before the expiration of thirty days after he shall have been served with notice of the decision of the court, nor in case an appeal is taken shall sentence be pronounced pending the hearing and determination of such appeal.

Article 4.2 Concerning Courts for the Trial of a Bishop

- a) There shall be a Court of the Province for the Trial of a Bishop, whose jurisdiction shall be limited to proceedings against a Bishop of the Province (including an ANiC bishop) arising under these Canons or the Canons of the Province.
- b) The members of such Court shall be three Bishops who are members of the College of Bishops of the Province, two Presbyters, and two adult confirmed members in good standing. The

members of this Court shall be elected by the Provincial Council of the Province, each Order electing its representatives by majority vote of that Order. An equal number of alternate members of this Court shall be elected in the same manner, and such alternate(s) shall serve in the event of a vacancy on the Court or the recusal of a member of the Court. The term of each member of the Court shall be three years or until a successor is elected and qualified.

- c) The senior Bishop by date of consecration shall be the President of the Court. The Archbishop shall also appoint a legal advisor to the Court who shall be trained in canon law, and a prosecutor, also trained in canon law, to bring and prosecute presentments when necessary.

Article 4.3 Concerning the Court of Extraordinary Jurisdiction

Such Court shall be established pursuant to the Canons of the Province in force from time to time.

Article 4.4 Appeal

The decision of the ecclesiastical trial court of ANiC or that of the Court for trial of bishops may be appealed by following procedures set out in the Canons of the Province.

Article 4.5 Of Clergy Members Charged with an Offense in Another Diocese within the Province

The Canons and rules of the Province in respect of this matter shall apply to ANiC.

Article 4.6 Of Renunciation of Ministry

If a Clergy Member making a declaration of renunciation of the ministry under these Canons, be under accusation or presentment for any canonical offense, or if they have been placed on trial for the same, ANiC shall not consider or act upon such declaration until after the accusation or presentment shall have been dismissed, or the trial shall have been concluded and sentence, if any, pronounced. If ANiC has grounds to believe that the Clergy Member making the declaration of renunciation is liable to presentment for any canonical offense, such Clergy Member may, in the discretion of the Moderator and the ANiC Council be placed on trial for such offense, notwithstanding such declaration of renunciation of the ministry.

Article 4.7 Of Sentences

- a) Concerning the Role of the Bishop in Sentencing

The Moderator alone has the authority to pronounce sentence on a Presbyter or Deacon convicted as indicated in these canons. If there is no Moderator, the Archbishop of the Province or another Bishop designated by the Archbishop shall pronounce sentence.

- b) Concerning Pronouncement of Sentence

The College of Bishops, speaking through the Archbishop or his designate, has the sole responsibility and authority to pronounce sentence on a Bishop.

c) Concerning Range of Sentencing

Sentences shall include:

- i. Censure and/or admonishment;
- ii. Suspension, for a definite period, not to exceed five years;
- iii. Suspension for life; or
- iv. Deposition from the sacred ministry.
- v. In addition, other measures for restoration of the accused as may be required.

d) Concerning Length of Sentences

Upon a showing of good cause:

- i. A sentence of suspension of a Presbyter or Deacon may be terminated or shortened by the Moderator with the advice and consent of the ANiC Council;
- ii. A sentence of suspension of a Bishop may be terminated or shortened by the College of Bishops with the consent of the Archbishop of the Province.

Article 4.8 Of Inhibitions

a) Concerning Inhibition of a Presbyter or Deacon

The Moderator with the consent of the ANiC Council may temporarily (no longer than thirty (30) days) inhibit a Presbyter or Deacon from the exercise of ministry if the Moderator believes, upon reasonable grounds, that the Presbyter or Deacon has engaged in conduct upon which a Presbyter or Deacon in ANiC may be presented. With the advice and consent of the ANiC Council, such inhibition may be extended until such charge is dropped or action taken by an ecclesiastical Trial Court. Upon application by a Presbyter or a Deacon who has been temporarily inhibited under this Canon and upon a showing of good cause, the Archbishop or his designate may modify or revoke the temporary inhibition. Such decision shall be rendered within thirty (30) days.

b) Concerning Inhibition of a Bishop

In the case of the presentment of a bishop of the Province (including the Archbishop), three (3) of the five (5) senior members of the College of Bishops by date of consecration (exclusive of any bishop involved in the presentment or trial) may, by their affirmative vote, temporarily inhibit a Bishop from the exercise of ministry. Such inhibition shall be in writing, signed by those consenting to it.

Article 4.9 Of Notification of Disciplinary Action Taken

The Bishop or Archbishop pronouncing sentence shall within thirty (30) days of the sentence notify the Provincial Secretary who shall notify all Bishops with jurisdiction and shall maintain a permanent record of the action. Should a sentence be amended or terminated, notification of that action shall also be reported to the Provincial Secretary who shall promptly give notice of and record the amendment or termination in the permanent record.

ARTICLE 5 CONCERNING PROCEDURES

During all procedures pursuant to Articles 3 and 4 of this section, the accused shall be presumed innocent and shall have the right to representation by counsel. All procedures shall be consistent with the principles of fairness, due process and natural justice and shall require expeditious handling consistent with those principles. No new rule of procedure shall be made while a matter is pending that would be affected by that rule. In all courts of original jurisdiction, the standard of proof shall be by clear and convincing evidence. Unless a higher standard is required by diocesan or Provincial Canons.