



CREATED & RECREATED IN CHRIST

REGULAR SESSION OF SYNOD
2019

CONVENING CIRCULAR

Constitution and Canons Committee

Section F



Diocese of Toronto
Anglican Church of Canada



CONSTITUTION AND CANONS COMMITTEE'S REPORT TO SYNOD

The Diocesan Council, at its September 26, 2019 meeting, approved the proposed changes *The Constitution and Canons of the Diocese of Toronto* contained in this report and recommends them to Synod for approval.

Background Information

Since the last Regular Session of Synod, Diocesan Council considered one significant matter from the Governance and Decision-Making Working Group and referred it to the Constitution and Canons Committee for review and consideration.

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Section A – Governance Changes

The Governance and Decision-Making Working Group, one of the five Focus Areas under the *Growing in Christ Strategic Plan 2016-2021* of the Incorporated Synod of the Diocese of Toronto, (the “Strategic Plan”), recommended a series of changes to the governance and decision-making structures of the Diocese in June 2019.

The Working Group believes that it is time to develop a governance and decision-making structure for the Diocese which is more nimble and flexible. The accruing benefits are expected to include not only more efficient decision-making and processing, but also better, clearer and more consistent decisions that optimize the allocation of resources (time, treasure and talent), and minimize risk. In developing this structure, the Working Group took heed of the advice that it received to think outside the existing canons to develop a structure that best enables the Diocese to achieve its Mission. The Working Group believes that it has done that but that in so doing, a number of changes will need to be made to the canons. The Working Group felt it was important to socialize the concept and has been consulting with various stakeholders since the summer of 2018. As a result of feedback received, the Working Group has made a few changes to the initial governance structure first proposed in September 2018.

The Working Group recommended that:

- Diocesan Council and the Executive Board be amalgamated into one body that we call **Synod Council**.
- The size of Synod Council be reduced so that there be a **maximum of 25 members**: the Bishop of Toronto, the 4 Suffragan Bishops, one Clerical and one Lay member from each Area, the chairs of 5 committees that we recommend be established (excluding Audit Committee), 2 members at large elected at Synod, and up to 5 members appointed by the Bishop. The Executive Director would serve as an *ex officio* non-voting member.
- Six committees be established: **Audit Committee, Finance Committee, Property Committee, Human Resources Committee, Programs Committee and Risk and Governance Committee**. These committees would be, in most cases, (the Program committee would be representative but would have certain members with expertise who would not necessarily represent an Area or a constituency) be composed of members





with expertise in the area under the Committee’s jurisdiction. The chairs of all committees, except Audit, would be members of Synod Council.

- **Existing committees be amalgamated** so that their work fell under one or more of the proposed new committees.

Suspensions

Canon 2 – The Diocesan Council of the Synod
Suspend Canon 2 until the next Regular Session of Synod.

Canon 3 – Executive Board
Suspend Canon 3 until the next Regular Session of Synod.

Canon 5 – Trusts Committee
Suspend Canon 3 until the next Regular Session of Synod.

Canon 31 – Standing Committees of the Synod
Suspend Canon 31 until the next Regular Session of Synod.

Canon 36 – Audit Committee
Suspend Canon 36 until the next Regular Session of Synod.

Canon 37 – Constitution and Canons Committee
Suspend Canon 37 until the next Regular Session of Synod.

Canon 39 – Investment Committee
Suspend Canon 39 until the next Regular Session of Synod.

Canon 44 – Area Councils

Suspend s.3 “Any member of the Area Council appointed or elected to represent the Area Council on the Diocesan Council must be a member of Synod”

Suspend s.5(g) “appoint or elect one Area Council member who is a member of Synod as a representative of the Area Council to the Diocesan Council”



Amendments

The Constitution

- Replace s.3(4) “Diocesan Council” with “Synod Council”
- Delete s.3(8)(b) “and shall not be eligible for election to any Standing Committee of the Synod.”
- Replace s.9(1) “Diocesan Council of the Synod” with “Synod Council”
- Replace s.9(3) “Diocesan Council” with “Synod Council”
- Replace s.11(1) “Diocesan Council of the Synod” with “Synod Council” and “Diocesan Council” with “Synod Council” in two instances.
- Replace s.11(2) “Diocesan Council of the Synod” with “Synod Council” and “Diocesan Council” with “Synod Council” in two instances.
- Replace s.12(1) “Diocesan Council” with “Synod Council”
- Replace s.12(2) “Diocesan Council” with “Synod Council”
- Replace s.13(1) “Diocesan Council of the Synod” with “Synod Council”
- Insert s.13(3) “unless other arrangements are agreed between the Bishop and Synod Council” at the end
- Replace s.13(4) “Diocesan Council of the Synod” with “Synod Council”
- Replace s.13(5) “Diocesan Council of the Synod through the Executive Board” with “Synod Council”
- Replace s.15(6) “Diocesan Council” with “Synod Council” and “Diocesan Council of the Synod” with “Synod Council”
- Replace s.17(3) “Executive Board” with “Synod Council”
- Replace s.18 “Diocesan Council of the Synod” with “Synod Council”
- Revise s.19 to read “At the first meeting of the Synod Council following a Regular Session of Synod, it shall delegate to the Risk and Governance Committee the responsibility of appointing an Agenda Committee, consisting of the Honorary Secretaries and not less than three other members. All Lay Members must be members of a Vestry as prescribed by Canon 14(4), or a member of a church in full communion with the Anglican Church of Canada, and at least one member must be a Member of a Session of Synod. The Committee shall prepare an agenda for the succeeding Session of Synod and submit the same to the Risk and Governance Committee.”
- Revise s.21(1) to read “At the first meeting of the Synod Council following a Regular Session of Synod, it shall delegate to the Risk and Governance Committee the responsibility of appointing a Nominating Committee consisting of ...”





- Replace s.21(1)(a) “all Standing Committees” with “Committees of Synod Council”
- Replace s.21(1)(b) “Diocesan Council” with “Synod Council”
- Replace s.21(1)(c) “Diocesan Council” with “Synod Council”
- Replace s.21(2) “Diocesan Council” with “Synod Council” in two instances
- Replace s.21(3) “Standing Committee of Synod” with “Committee of Synod
- Replace s.21(3) “Diocesan Council” with “Synod Council”
- Replace s.22(2) “Diocesan Council” with “Synod Council”
- Replace s.22(7)(a) “Diocesan Council” with “Synod Council”
- Replace s.23(2) “Diocesan Council” with “Synod Council”
- Replace s.23(3) “Diocesan Council” with “Synod Council”
- Replace s.24(1) “Diocesan Council” with “Synod Council”
- Replace s.24(2) “Diocesan Council” with “Synod Council”
- Replace s.27(8) “reports of Standing Committees” with “report of Synod Council”
- Replace s.27(11) “Diocesan Council” with “Synod Council”
- Replace s.29 “Diocesan Council” with “Synod Council”
- Revise s.35 to read “The Bishop shall fill all vacancies occurring between November 8, 2019 until the next Regular Session of Synod in the membership of the Synod Council and Committees of Synod Council, in a manner consistent with the Pilot Plan of the Governance and Decision Making Working Group, and shall...”
- Replace s.37(22) “Diocesan Council” with “Synod Council”

Canon 1 – Definitions and Procedure

- Replace s.1(7) “Diocesan Council” with “Synod Council”
- Replace s.1(11) “Diocesan Council” with “Synod Council”
- Replace s.1(21) “Diocesan Council” with “Synod Council”
- Replace s.1(23) “Diocesan Council” with “Synod Council”
- Replace s.2(1) “Diocesan Council” with “Synod Council”
- Replace s.2(2) “Diocesan Council” with “Synod Council”
- Replace s.2(3) “Diocesan Council” with “Synod Council”
- Replace s.2(5)(a) “Diocesan Council” with “Synod Council”
- Replace s.2(6) “Diocesan Council” with “Synod Council”
- Replace s.2(7) “Diocesan Council” with “Synod Council”





- Replace s.2(8)(a) “Diocesan Council” with “Synod Council”
- Replace s.2(9) “Diocesan Council” with “Synod Council”

Canon 4 – Diocesan Allotment

- Replace s.1(4) “Diocesan Council” with “Synod Council” in two instances
- Replace s.1(6) “Diocesan Council” with “Synod Council”
- Replace s.2(2) “Diocesan Council” with “Synod Council”
- Replace s.2(3) “Diocesan Council” with “Synod Council”
- Revise s.2(4) to read “Should a parish be of the opinion that the Assessable Base is inequitable, having regard to its financial condition, it shall have the right of appeal to the Treasurer & Director of Finance. Such appeal shall be in writing and addressed to the Treasurer & Director of Finance setting out the reason and submitting a proposed figure. Appeals are to be made no later than the last day of December. After all appeals have been considered, the Treasurer & Director of Finance shall notify the parish concerned as to the revised Parish Share, if any. Should any parish be dissatisfied with the decision of the Treasurer & Director of Finance, it shall have a further right of appeal to the Synod Council, provided such appeal is in the hands of the Secretary of Synod no later than thirty (30) days after the date of the Treasurer & Director of Finance’s decision.”

Canon 6 – Acquisition, Disposition and/or Alteration of Real Property and Related Rights

- Replace s.2 “Diocesan Council” with “Synod Council”
- Replace s.3 “Diocesan Council” with “Synod Council” in three instances
- Replace s.4 “Diocesan Council” with “Synod Council”
- Replace s.5 “Diocesan Council” with “Synod Council” in the title and two other instances
- Replace s.6 “Diocesan Council” with “Synod Council”
- Replace s.7 “Diocesan Council” with “Synod Council”
- Replace s.9 “Diocesan Council” with “Synod Council”

Canon 6 – Procedure Pursuant to Canon 6

- Replace “Diocesan Council” with “Synod Council” in the title
- Replace s.4 “Diocesan Council” with “Synod Council”





Canon 7 – Settlement of Differences

- Replace s.1 “Diocesan Council” with “Synod Council”
- Replace s.11 “Diocesan Council” with “Synod Council” in the title and one other instance
- Replace s.12 “Diocesan Council” with “Synod Council”

Canon 11 – Clerical Stipends

- Replace s.4 “Diocesan Council” with “Synod Council”
- Replace s.6 “Diocesan Council” with “Synod Council”

Canon 13 – Parishes

- Replace s.1 “Diocesan Council” with “Synod Council”
- Replace s.2(1)(c) “Diocesan Council” with “Synod Council” in two instances
- Replace s.2(1)(c) “Senior Administrative Officer” with “Executive Director”
- Delete s.2(1)(c)(i) “, the Chairperson of the Deanery Council”
- Revise s.2(2) to read “The Bishop shall communicate the recommendation to the Synod Council. If the Synod Council approves the establishment of a new parish the Bishop shall notify in writing the Incumbent or Incumbents and Churchwardens of parishes affected. If no objection to the proposal is raised within one (1) month from the date of such notices, and the Bishop approves of the proposal and is satisfied that the provisions of the Church Temporalities Act (section 17), where the same applies, have been complied with, and that proper and sufficient means have been or will be provided for the maintenance of work in such a parish, the Bishop may proceed to the establishment of the parish.”
- Replace s.2(3) “Diocesan Council” with “Synod Council” in two instances
- Replace s.4(1) “Diocesan Council” with “Synod Council”
- Replace s.4(2) “Diocesan Council” with “Synod Council”
- Replace s.4(4) “Diocesan Council” with “Synod Council”
- Replace s.4(5) “Diocesan Council” with “Synod Council”
- Replace s.4(2)(a) “Diocesan Council” with “Synod Council”
- Replace s.4(2)(b) “Diocesan Council” with “Synod Council”
- Replace s.4(3) “Diocesan Council of the Synod” with “Synod Council”
- Replace s.4(6)(c) “Diocesan Council” with “Synod Council”





- Replace s.4(8) “Diocesan Council” with “Synod Council”
- Replace s.5(1) “the Executive Board” with “staff of the Diocese
- Replace s.5(1) “Diocesan Council” with “Synod Council” in two instances
- Replace s.5(1) “committee” with “staff of the Diocese”
- Replace s.5(2) “Executive Board” with “staff of the Diocese”
- Replace s.5(2) “Diocesan Council” with “Synod Council”
- Replace s.5(3) “Diocesan Council” with “Synod Council” in three instances
- Replace s.5(3) “Executive Board” with “staff of the Diocese”
- Replace s.5(3) “Board” with “staff of the Diocese”
- Replace s.7 “Diocesan Council” with “Synod Council”

Canon 14 – Vestries

- Replace s.14(4) “Diocesan Council” with “Synod Council”
- Replace s.14(5) “Diocesan Council” with “Synod Council”
- Replace s.17(2) “Diocesan Council of the Synod” with “Synod Council”
- Replace s.17(2) “Diocesan Council” with “Synod Council”
- Replace s.18 “Diocesan Council” with “Synod Council”

Canon 15 – Churchwardens

- Replace s.4(1) “Diocesan Council” with “Synod Council”
- Replace s.4(4) “Diocesan Council” with “Synod Council”
- Replace s.4(12) “Diocesan Council” with “Synod Council”
- Replace s.4(16) “Diocesan Council of the Synod” with “Synod Council”
- Replace s.4(16) “Diocesan Council” with “Synod Council”

Canon 19 – Archdeacons

- Replace s.2 “Diocesan Council” with “Synod Council”

Canon 20 – Regional Deans

- Replace s.3 “Diocesan Council” with “Synod Council”





Canon 23 – Special Purpose Trusts

- Replace s.1 “Diocesan Council” with “Synod Council” in three instances
- Replace s.2 “Diocesan Council” with “Synod Council” in three instances

Canon 24 – Diocesan Administration of Parishes

- Replace s.1 “Diocesan Council” with “Synod Council” in three instances
- Replace s.3 “Diocesan Council” with “Synod Council” in three instances
- Delete s.3 “and the Executive Board and” following the words “and to the Bishop”
- Replace s.5 “Diocesan Council” with “Synod Council”
- Replace s.6 “Diocesan Council” with “Synod Council”
- Replace s.8 “Diocesan Council” with “Synod Council”
- Replace s.10 “Diocesan Council” with “Synod Council”
- Replace s.11 “Diocesan Council” with “Synod Council” in the title and one other instance
- Replace s.12 “Diocesan Council” with “Synod Council”
- Replace s.13 “Diocesan Council” with “Synod Council” in two instances
- Replace s.15 “Diocesan Council” with “Synod Council”
- Replace s.16 “Diocesan Council” with “Synod Council” in three instances

Canon 25 – Diocesan Missions

- Replace s.1 “Diocesan Council” with “Synod Council” in two instances
- Replace s.3 “Diocesan Council” with “Synod Council”
- Replace s.4 “Diocesan Council” with “Synod Council”
- Replace s.5 “Diocesan Council” with “Synod Council”
- Replace s.7 “Diocesan Council” with “Synod Council”
- Replace s.9 “Diocesan Council” with “Synod Council”
- Replace s.10 “Diocesan Council” with “Synod Council”
- Replace s.11 “Diocesan Council” with “Synod Council” in the title and two other instances
- Replace s.12 “Diocesan Council” with “Synod Council”
- Replace s.13 “Diocesan Council” with “Synod Council”
- Replace s.14 “Diocesan Council” with “Synod Council”





Canon 28 – Secretary of Synod

- Delete s.3(a) “, its Boards, Committees and Diocesan Council”
- Replace s.3(b) “Diocesan Council” with “Synod Council”
- Replace s.3(d) “Diocesan Council” with “Synod Council”
- Replace s.3(e) “Diocesan Council” with “Synod Council”
- Replace s.3(f) “Diocesan Council” with “Synod Council”
- Replace s.3(g) “Diocesan Council” with “Synod Council”

Canon 29 – Designated Ministries

- Replace s.1 “Diocesan Council” with “Synod Council”
- Replace s.2(a) “Diocesan Council” with “Synod Council”
- Replace s.2(d) “Diocesan Council” with “Synod Council”
- Replace s.4 “Diocesan Council” with “Synod Council”
- Replace s.5 “Diocesan Council” with “Synod Council”
- Replace s.6 “Diocesan Council” with “Synod Council”

Canon 34 – Postulancy Committee

- Replace s.5 “Diocesan Council” with “Synod Council”
- Replace s.6 “Diocesan Council” with “Synod Council”

Canon 41 – Post Retirement Benefits Fund

- Replace s.2 “Diocesan Council” with “Synod Council”
- Replace s.3(2) “Diocesan Council of Synod” with “Synod Council”
- Replace s.3(3) “Diocesan Council of Synod” with “Synod Council”
- Replace s.3(3) “Diocesan Council” with “Synod Council”
- Replace s.3(4) “Diocesan Council of Synod” with “Synod Council”
- Replace s.3(4) “Diocesan Council” with “Synod Council”
- Replace s.3(5) “Diocesan Council of Synod” with “Synod Council”

Canon 42 – Pension Fund

- Replace s.3 “Diocesan Council” with “Synod Council”
- Replace s.4(1) “Diocesan Council” with “Synod Council”
- Replace s.4(7) “Diocesan Council” with “Synod Council”





Replace s.5(8) “Diocesan Council” with “Synod Council”

Canon 43 – Areas and Area Bishops

Replace s.1 “Diocesan Council” with “Synod Council”

Canon 44 – Area Councils

Replace s.1 “Diocesan Council” with “Synod Council”

Replace s.5(a) “Diocesan Council” with “Synod Council”

Replace s.5(b) “Diocesan Council” with “Synod Council”

Replace s.5(c) “Diocesan Council” with “Synod Council”

Insert s.5(e) “and” at the end of the subsection

Replace s.5(f) “Diocesan Council” with “Synod Council”

Replace s.5(f) “; and” with “.”

Canon 47 – Retention of Legal Counsel

Replace s.1 “Diocesan Council” with “Synod Council” in two instances

Replace s.2 “Diocesan Council” with “Synod Council”

Replace s.3 “Diocesan Council” with “Synod Council”

Replace s.4 “Diocesan Council” with “Synod Council”

Canon 49 – The Chancellor

Replace s.3 “Diocesan Council” with “Synod Council”

Section B – Housekeeping Changes

This section deals with a number of straightforward housekeeping changes.

The Constitution

Replace s.3(5) “which ever” with “whichever”

Replace s.16(1) “38(13)” with “37(13)”

Replace s.32(4) “33(2)” with “32(2)”

Replace s.37(8)(b) “38(12)” with “37(12)”





Canon 6 – Procedure Pursuant to Canon 6 as Prescribed by the Diocesan Council

- Replace s.5(1)(e) “Some evidence as to value, preferably by a disinterested party” with
“Three (3) land value opinions prepared by independent qualified real estate professionals”
- Replace s.5(2)(g) “Some evidence as to value, preferably by a disinterested party” with
“Three (3) land value opinions prepared by independent qualified real estate professionals”
- Replace s.5(4)(g) “out lining” with “outlining”
- Delete s.5(4)(h) “Statement that property is not consecrated”

Canon 7 – Settlement of Differences

- Replace s.6 “Responsibilities” with “representations”

Canon 12 – Lay Readers

- Replace s.2(1) “ad” with “and”
- Replace s.3(1) “Licence” with “License”
- Replace s.3(1) “Church wardens” with “Churchwardens”

Canon 13 – Parishes

- Delete s.7 “, 16”
- Replace s.7 “churchwarden’s” with “churchwardens”

Canon 15 – Churchwardens

- Replace s.4(1) “S. 12” with “S. 14”
- Replace s.4(3) “parish” with “Parish”

Canon 34 – Postulancy Committee

- Insert s.2(a) “.” after the word “Composition”
- Insert s.2(b) “.” after the word “Responsibility”

Canon 41 – Post Retirement Benefits Fund

- Replace s.3 “Chief Administrative Officer” with “Executive Director”

Canon 42 – Pension Fund

- Replace s.10 “Cannon” with “Canon”





Canon 48 – Registrar

Replace s.3(c) “laymen” with “laity”

Replace s.4 “Diocesan Council” with “Bishop”

