

CONSTITUTION

WHEREAS by Chapter 74 of the Statutes of Canada, 24-25 George V, 1934, The Bishop of the Arctic and his successors in office were incorporated for the purposes of the management and control of the property, affairs and interests of the Anglican church in the matters relating to and affecting the said Church in the Diocese of The Arctic by reason, amongst other things, that no Synod or Assembly, Convocation or other body comprising representatives of the clergy and laity had at that time been convened or organised;

AND WHEREAS Assemblies of the clergy and laity in the said Diocese of The Arctic have been convened and it is now desirable that a Synod of the said Diocese of The Arctic be organised;

AND WHEREAS by Section 5 of the said Statute the Corporation may exercise all its powers by and through an Executive Committee or such boards or committees as the Bishop from time to time appoints;

NOW THEREFORE representatives of the clergy and laity of the Diocese of The Arctic duly appointed and elected in the manner prescribed by Section V Subsection 1 on the Constitution of the Ecclesiastical Province of Rupert's Land assembled at Frobisher Bay on the 10th day of April, 1972, hereby adopted the following to be the Constitution of the Synod of the Anglican Diocese of the Arctic.

1. The Synod of the Anglican Diocese of The Arctic shall consist of the Bishop of the Diocese who shall be President of the Synod, the Bishops Coadjutor, Suffragan and Assistant Bishop, if any, the clergy of the Diocese licensed by the Bishop (including chaplains appointed by the Bishop to institutions outside the geographical

boundary of the Diocese and who are paid a stipend by the Diocese in respect of such appointment) and not under ecclesiastical censure; the Lay Members hereinafter provided for, such persons, if any, as hold any of the appointments of the Executive Secretary, the Treasurer, the Registrar, the Chancellor, two members of the Diocesan Board of Anglican Church Women elected or appointed by its Executive, each Catechist and each Lay Reader holding a current licence and having charge of a parish.

Members of Synod may be male or female and all members are entitled to take part in debates and to vote. If a vote by orders is requested, then those in Holy Orders shall vote in the Clerical Order (Bishops, Priests, and Deacons) and the remaining members in the Order of Laity.

2.
 - a) The word “Communicant” wherever it occurs in the Constitution, Canons or Regulations of the Synod, shall be taken to mean one who had communicated in a congregation of the Anglican Church not less than three times within the last twelve months provided he or she has had the opportunity to do so. The declaration of the person affected as to whether he or she has, or has not had opportunity shall be taken as conclusive answer upon this point.
 - b) The word “Parish” wherever it occurs in the Constitution, Canons or Resolutions of the Synod shall include one or more congregations as it or they may be designated by the Executive Committee from time to time.
 - c) The word “Cleric” or “clergy” wherever either term occurs in the Constitution, Canons or Resolutions of the Synod shall include Bishops, Priests and Deacons.

3. Every Parish recognised by the Bishop, duly organised with Church wardens and Vestries (and Wardens and Councils, if any) and in good standing in the Diocese shall be entitled to send to Synod one Lay Member from each designated congregation in the Parish.

- a) Every Lay Member shall be a Communicant not in Holy Orders, of the full age of sixteen years, who is a parishioner able to vote in a parish meeting under Canon XI and who has been duly elected a Lay Member for the Parish.
- b) No Lay Member may represent more than one Parish. One or more substitutes shall be elected by each Parish who shall succeed as Lay Member in order of standing of election in the case of death, removal or other inability to act of the Lay Member.
- c) The Bishop may appoint for each Synod session not more than three other persons being communicants and of the full age of eighteen (18) years to be Lay Members of Synod. In addition, the Bishop may, on the nomination of each of the Regional Deans of the Diocese, and after consultation by the said Deans with the Clergy holding the Bishop's license in the Deanery, appoint one lay delegate from each of the deaneries to be a youth delegate to Synod. Youth delegates shall, in all cases, be of the full age of sixteen (16) and shall not have reached their twenty-sixth (26) birthdays on the date of commencement of Synod, and such youth delegates shall in all other respects meet the qualifications of lay delegates of Synod with the exception of necessarily being eligible to vote in a Parish meeting pursuant to Canon XIII as those qualifications are set out in Section 3a of the Constitution. For greater certainty, youth delegates may participate as full members of Synod.

- d) Every elected Lay Member to whom it shall fall to attend the Synod shall receive from the chairman of the Parish meeting or Cleric in charge of the Parish a Certificate of election in the following form:

DIOCESE OF THE ARCTIC

PARISH OF

I hereby certify that at the meetings of the Parishioners of this Parish held on days of A.D. 19 , , being a Communicant not in Holy Orders of the full age of eighteen years and a Parishioner able to vote was duly elected Lay Member (or a substitute Member, the Lay Member being unable to act) to the Synod for the current year.

(Signed) Cleric in Charge or Chairman.

- e) In the event that the Parish is without a Cleric at the time of the meeting of the Synod, a copy certified by two Churchwardens, a Churchwarden and a Vestry member or two Vestry members, of the minutes of the election shall be deemed sufficient to secure the seat and the persons certifying to the minutes may sign the above certificate.
- f) The certificate of election shall be presented to the Credentials Committee by each Member on arrival at the Synod session for the purpose of identification.
4. Prior to the opening of the Synod one Cleric and one Lay Member shall be appointed a Credentials Committee by the Bishop whose duty it shall be to:

- a) determine the Parishes entitled to representation by reason of being in good standing and otherwise not in default in payment of assessments or filing of returns; and
- b) examine the certificates of election of the Lay Members of eligible Parishes;
- c) permit registrations of all duly qualified representatives from eligible Parishes and make their report to Synod.

5. Immediately after the report of the Credentials Committee has been submitted and dealt with, the Synod shall proceed to elect a Secretary whose duties shall be to keep the minutes of Synod and prepare the same for publication and such other functions as may be required.

6. A regular session of the Synod shall be held triennially at a time or times appointed by the Bishop after consultation with the Executive Committee. The Bishop shall likewise appoint the place of meeting.

A special session may be called by the Bishop, or in the absence of the Bishop, by the next highest dignitary in the Diocese, at such time and place as the Bishop or the said next highest dignitary, after consultation with the Executive Committee shall appoint, subject to the provisions of subparagraph 13(b).

In all Synod setting the English and Eskimo languages will be recognised and all reports and proceedings shall be made available in both languages where possible. Should other languages used within the Diocese be expressed in Synod then such languages shall be recognised subject to availability of interpreters.

7. A quorum for Synod shall consist of at least one-fourth of the clergy of the Diocese, and one-fourth of the Lay Members of the Diocese registered under the provisions of Clause 4 hereof.

8. No resolution of the Synod shall be passed without the concurrence of the Bishop and a majority of the clergy and lay Members present and a quorum of the Synod present; the votes of the clergy and laity to be taken collectively unless a vote by orders is demanded by any three members of the Synod before the question is put from the Chair, when a majority of the clerical order and the order of laity voting separately will be necessary to affirm the resolution.

9. An Executive Committee shall be constituted at each regular meeting of the Synod, which Committee shall consist of the following members who shall remain in office until their successors are elected or appointed, namely, the Bishop, as Chairman, the Bishops Coadjutor, Suffragan and Assistant Bishop, if any, or the Bishop's Commissary, if any; those persons holding any of the following offices or appointments in the Diocese, the Dean, Archdeacon, Chancellor, Executive Secretary, Secretary of Synod, Treasurer, a diocesan representative on the Executive of General Synod of the Anglican Church of Canada or equivalent governing body as designated by the Bishop, if not already a member of the Executive Committee and two Clerics and three Lay Members to be elected by Synod. The Bishop may appoint up to four additional members of Synod, either clerical or lay from any part of the Diocese. Alternates for the elected members of the Executive Committee shall be those persons next in order in the number of votes received at the most recent Synod and they shall act at meetings of the Executive Committee in the absence or inability of the elected members to attend such meetings. When any vacancy occurs among the elected members of the Executive Committee between regular meetings of the Synod the alternate next in order in number of votes received at the most recent Synod shall fill the vacancy and become a member and if there be no alternate available such vacancy shall be filled by the Executive Committee. In each case clerical and lay members' places shall be filled respectively from among the Clerical and Lay Members of the Synod.

The Executive Committee, when constituted, shall be appointed by the Bishop as the Executive Committee within the meaning of Section 5 of the Act to incorporate the Bishop of The Arctic.

- a) The Executive Committee shall carry out decisions of the Synod; shall prepare business for the Synod; report its proceedings thereto and in the interval between meetings of Synod shall exercise the executive powers of the same and carry out such tasks as may be given to it by the Synod or various committees of the Synod.
- b) The Executive Committee shall meet at least once a year, its first meeting to be immediately after its appointment at Synod and at which it shall itself appoint a Secretary, a Treasurer and an Auditor. Two-fifths of the members but in any event not less than three shall constitute a quorum for the transaction of business at any meeting and provided that of such quorum, one member shall be the Bishop or in the absence of the Bishop, the next highest dignitary of the Diocese, a member of the Executive Committee. Where less than one-half of the members (alternates present due to absence of members being considered members for this purpose) of the Executive Committee shall attend a meeting, no act of that meeting shall be valid unless and until the business transacted at the meeting has been minuted including the theme of discussion on each matter and such minutes have been circulated to all members of the Executive Committee not present and not less than one-half of those members not present have signified in writing their approval of the business transacted. In the event any business or act of such a meeting is not so approved, then it shall stand over to the next meeting of the Executive Committee for consideration and if approved with a quorum present, even though less than one-half of the members of the Executive Committee are present, it shall constituted

approval of the Executive Committee. Provided that where due to the emergency nature of the business to be transacted as to which the Bishop or the Bishop's commissary or next highest dignitary as the case may be shall certify, the act shall be valid and binding immediately upon approval or authorisation at the first meeting of the Executive Committee if a quorum is present.

- c) Notice of each Executive Committee meeting shall be given in writing (or such other means of communication as the Executive Committee shall approve from time to time) at least two weeks prior to the date thereof, including, if possible, an agenda of matters to be dealt with. Meetings may be held at any time without notice if all members are present at the meeting or those absent are replaced by alternates or those absent not replaced by alternates have waived notice of the meeting. Members unable to attend may submit written views on all or any matters to be dealt with and such views shall be placed before the meeting.
- d) Notwithstanding anything in this Section 9 to the contrary, any resolution or act consented to at any time by the signatures of all the members of the Executive Committee is as valid and effective as if passed at a meeting of the Executive Committee duly called, constituted and held for that purpose.

10. The various Committees of the Synod shall be constituted and their business conducted as their representative Canons shall direct, or where no specific Canon applies, as Synod shall determine, or when constituted between Synod meetings, as the Executive Committee shall determine.

11.01 The Bishop may appoint other Diocesan Officials in addition to those mentioned in the Constitution and Canons, to assist in the operation of the

Diocese with the concurrence of the Executive Committee. They shall hold office during the pleasure of the Bishop.

11.02 Where a member of the Executive Committee is unable to attend meetings of the Executive and that inability would result in a Deanery being unrepresented at Executive Committee meetings, the Regional Dean may designate a member of Synod of the same Order, resident in that Deanery, to attend Executive Committee meetings in the absence of the said member. Such member of Synod may be designated *pro tempore* to the Executive Committee as a non-voting member.

12. In the absence of the Bishop of the Diocese, the Bishops Coadjutor, Suffragan or Assistant Bishop, or of any Commissary the Bishop may appoint, the chair at any meeting of the Synod shall be taken by the highest dignitary of the Diocese who may be present.

13. a) In the event of the total incapacity of the Diocesan, for a continuous period of more than two months, or the See becoming vacant through the death of the Diocesan at a time when there is no Bishop Coadjutor, the Bishop Suffragan, or if there be no Suffragan, the Assistant Bishop, or if there be no Assistant Bishop the Dean, or if there be no Dean, the next highest dignitary in the Diocese, shall be the Administrator of the Diocese, who will have the responsibility for matters pertaining to Diocesan Administration until such time as either the Diocesan is able to resume his or her studies or a new Diocesan is consecrated; provided that if there be a Bishop Coadjutor and if the vacancy is not the result of the death of the Diocesan, the Bishop Coadjutor shall be the Administrator of the Diocese.

- b) In the event of a vacancy occurring in the episcopate of the Diocese of The Arctic then the next highest dignitary in the Diocese able to act and having complied with the applicable provisions of the Constitution of the Province of Rupert's Land, shall summon a meeting of Synod to fill the vacancy; such meeting to be called by letter or telephone or by transmission by FAX and to be held on a day to be fixed by the Executive Committee of the Synod not earlier than that period of time which is necessary to give at least two weeks' notice of such meeting to each member of Synod, time to be reckoned from the date of the mailing or of the transmission by FAX of the notice and to be held on a day fixed by the Executive Committee of the Synod not earlier than that period of time which is necessary to give at least two weeks' notice of such meeting to each member of Synod, time to be reckoned from the date of the mailing or of the transmission by FAX of the notice if notice is given by mail or by FAX, but otherwise upon the earliest day that is practical for the holding of such meeting having regard to the season of the year, availability of transportation and a convenient location; provided that in the event of a vacancy of a Bishop Coadjutor or Bishop Suffragan or Assistant Bishop, the Executive Committee shall first determine whether such vacancy is to be filled.
- c) A Bishop desiring to resign shall send his or her resignation to the metropolitan naming the day on and from which such resignation shall have effect and subject to the same proviso and conditions set forth in subparagraph b) unless a Bishop Coadjutor be then in office or notice of an election for a Bishop Coadjutor has been given by the Bishop.
- d) The bishop shall be elected at the meeting of Synod called as above set forth provided there shall be a quorum present and such election shall be by ballot voting by orders in the following manner:

- (i) a majority of the total votes in each order shall determine the choice, provided at least one-half of the clergy and at least one-half of the Lay Members of Synod entitled to vote are present and vote;
 - (ii) in a quorum be present but less than one-half of the clergy or less than one-half of the Lay members of the Synod entitled to vote are present and vote, a nominee must secure two-thirds of the votes of that order less than half of which is present in order to be elected;
 - (iii) if, after twelve successive ballots have been had at any one election, and no Cleric has been elected as provided in subsections (I) and (ii) hereof, a further ballot shall be taken and the percentage of the clergy voting thereafter for each Cleric shall be added to the percentage of the Lay Members voting thereat for the same Cleric, and the Cleric who obtains the highest total of percentages shall be declared elected.
- e) In the event that in the normal course of a session of Synod is scheduled to be held within one year of the occurrence of a vacancy in the See the selection shall take place at such scheduled session of Synod.

14.01 No alterations in the Constitution or Canons shall be made or be effective unless the proposed alterations have been tabled at the Session of Synod next following the date of their proposal, such tabling to be preceded by the giving of sixty (60) days notice in writing of the text of the proposed alterations by mail or fax to the Bishop(s) of the Diocese and delegates to that Synod in both English and Inuktitut. Notice shall be sent in all cases by the Executive Officer of the Diocese or his designate.

Where such notice has been given and the proposed alterations have been properly tabled and where no objection is raised to the alterations as proposed, such alterations shall come into effect immediately upon the conclusion of the Session of Synod at which they are tabled. Provided however that:

- (a) any proposed alterations in the Constitution or Canons shall become immediately operative if they have been considered and approved unanimously by a quorum of the Executive and are afterwards not objected to by the delegates to the Synod next following;
- (b) any three accredited delegates to the Synod referred to in (a) whether members of laity or clergy or any combination thereof or a Bishop of the Diocese may by motion raise an objection to the alterations to the Constitution or Canons in which case that objection shall be considered by Synod and the alteration shall only remain operative if it is confirmed by a two-thirds (2/3) majority vote of the Clerical Order and a two-thirds (2/3) majority of the Order of Laity present, voting separately, and
- (c) where an objection has been considered by the Synod as aforesaid and the alterations fail to obtain majority approval by the majority referred to in (b), it shall be considered defeated and the Constitution or Canons shall continue as they were prior to making and approval of the alteration by the Executive.

14.02 Where an alteration to the Constitution or Canons has been considered and defeated by the Synod, that particular alteration shall not afterwards be considered and approved by the Executive but may be introduced in sixty (60) days written notice first being given by mail or fax by the Executive Officer or his designate to the Bishop(s) and to delegates to any subsequent Synod as provided in s.14.01 and where so introduced shall be considered and may be approved in the manner and by the majority of delegates to Synod as set out and provided for in s. 14.01 (b) of this Constitution.