

CANON FOUR

DIOCESAN GOVERNANCE

The Diocesan Bishop

- 1(1) The Bishop of the Diocese shall be elected or appointed as provided in Canon Three.
- 1(2) The Bishop of the Diocese has the powers, jurisdiction and authority that are inherent in the office of a bishop of the Church or that are conferred by the Act, the Constitution or by any Canon of the Synod, the Provincial Synod or the General Synod.
- 1(3) The Bishop is the Chair of the Synod, the Diocesan Council and the Cathedral Chapter and, when present, may preside at a meeting of any Diocesan committee or other body.
- 1(4) When the office of Bishop is vacant or during the incapacity of the Bishop, the powers of the Bishop in respect of the temporal affairs of the Diocese or of any parish or of any church in the Diocese shall be exercised by the Coadjutor Bishop, the Suffragan Bishop, or the Bishop's Commissary, in that order .
- 1(5) The Diocesan Council may declare by resolution the incapacity of the Bishop, and where so declared the Bishop may resume the duties and functions of the office when
 - (a) the Bishop has given to the Bishop's Commissary written notice of intention to do so, and
 - (b) the Diocesan Council has rescinded its resolution declaring the incapacity.
- 1(6) The Bishop may publish guidelines and directives relating to matters that are within the exclusive jurisdiction of the Bishop.

The Coadjutor Bishop

- 2 The Synod, as provided in Canon Three, may elect a Coadjutor Bishop to assist the Bishop.

The Suffragan Bishop

- 3 The Synod, as provided in Canon Three, may elect a Suffragan Bishop to assist the Bishop.

The Bishop's Commissary

- 4(1) The Bishop may appoint a priest of not less than ten years' standing to be the Bishop's Commissary.
- 4(2) When the office of Bishop is vacant or during the incapacity of the Bishop, if no Coadjutor Bishop or Suffragan Bishop has been elected or appointed and no Bishop's Commissary has been appointed, the Dean shall be the Bishop's Commissary, or, if there is no Dean, the Diocesan Council may appoint a priest of not less than ten years' standing to be the Bishop's Commissary.
- 4(3) The Bishop's Commissary
- (a) shall assist the Bishop in administering the affairs of the Diocese, as prescribed by regulation and as required by the Bishop,
 - (b) may, when the office of Bishop is vacant or during the absence or incapacity of the Bishop,
 - (i) administer the temporal affairs of the Diocese,
 - (ii) approve the sale or lease of any lands for which the Bishop's approval is required, and
 - (iii) execute on behalf of the Bishop any instrument affecting real property.

The Dean of the Diocese

- 5(1) The Bishop shall appoint the Dean, following consultation with the Cathedral Advisory Committee.
- 5(2) The Dean has precedence after the Bishop and any Coadjutor, Suffragan or Assistant Bishop, shall be assigned a seat assigned in Choir of the Cathedral marking such precedence, and has the right to use the seat at all times.
- 5(3) The Dean has the powers and duties set out in the by-laws of the Cathedral Chapter and, without limiting the generality of the foregoing,
- (a) has jurisdiction and care of souls of the Cathedral congregation,
 - (b) is the chief executive officer of the Cathedral,
 - (c) is an ex officio member of all Diocesan committees and bodies, and
 - (d) subject to the Constitution and to any other provisions of the Canons, when the office of bishop is vacant and during the incapacity of the Bishop, is the Acting Chair of the Synod, the Diocesan Council and the Cathedral Chapter.

The Archdeacons

- 6(1) The Bishop shall appoint Archdeacons to exercise territorial or Diocesan supervisory functions.
- 6(2) The Archdeacons have precedence after the Dean, and shall be installed in seats in the Cathedral to which they have a right whenever present in Choir of the Cathedral.
- 6(3) The Bishop may authorize an Archdeacon to assist in the supervision of an Archdeaconry.
- 6(4) The names and jurisdiction of each Archdeaconry shall be fixed by regulation.
- 6(5) The Diocesan Council may adopt regulations prescribing the duties and supervisory functions of Archdeacons.
- 6(6) The Bishop, with the approval of the Diocesan Council, may create additional Archdeaconries or decrease their number.

The Archdeaconry Greater Chapters

- 7(1) There shall be a Greater Chapter in each Archdeaconry.
- 7(2) The membership of each Archdeaconry Greater Chapter shall be all licensed clergy resident in the Archdeaconry together with the Church Wardens, and the lay members of the Synod and their substitutes, from each parish within the Archdeaconry.
- 7(3) The Diocesan Council may adopt regulations prescribing the objectives and the functions of the Archdeaconry Greater Chapters.

The Regional Deans

- 8(1) The Bishop may define the composition of a Deanery.
- 8(2) The Bishop, on nomination by the licensed clergy within a Deanery, shall appoint a Regional Dean.
- 8(3) The Diocesan Council may adopt regulations prescribing the duties and supervisory functions of Regional Deans.

The Canons

- 9(1) The Bishop may appoint Canons who shall be installed by the Dean in seats in the canon stalls of the Cathedral.
- 9(2) A Canon Residentiary of the Cathedral, who is a Canon employed as a member of the Cathedral staff, shall perform such duties as the Dean assigns.

- 9(3) As members of the Cathedral Advisory Chapter, Canons shall perform such duties as are prescribed in the Cathedral By-laws, and any particular work the Bishop assigns to them.

The Secretary of the Synod

- 10 The Diocesan Council shall appoint the Secretary of the Synod who shall remain in office until replaced.

The Treasurer of the Synod

- 11 The Diocesan Council shall appoint the Treasurer of the Synod who shall remain in office until replaced.

Assistant Secretary and Assistant Treasurer

- 12 The Synod or the Diocesan Council may appoint an Assistant Secretary or an Assistant Treasurer or an Assistant Secretary-Treasurer who shall hold office during the pleasure of the Synod or of the Diocesan Council.

The Chancellor and Vice-Chancellor

- 13(1) The Bishop shall appoint a Chancellor and a Vice-Chancellor, each of whom shall be a communicant member of the Church and either a lawyer of at least ten years' standing, or a judge of a court of record, to hold office at the pleasure of the Bishop.
- 13(2) The Chancellor shall advise and assist the Bishop and the Synod.
- 13(3) The Vice-Chancellor shall assist the Chancellor, and shall act in case of the absence or incapacity of the Chancellor, or when the office of Chancellor is vacant.

The Diocesan Registrar

- 14(1) There shall be a Registrar of the Diocese, who shall be appointed by the Diocesan Council for a renewable term of five years, who shall carry out the functions set out in Canon Five, together with such other functions as may be conferred by the Synod or the Diocesan Council.
- 14(2) The Registrar shall have a seal of office.

The Diocesan Archivist

- 15(1) There shall be an Archivist of the Diocese who shall be appointed by the Diocesan Council for a renewable term of five years, who shall carry out the functions set out in

Canon Five, together with such other functions as may be conferred by the Synod or the Diocesan Council.

- 15(2) Subject to section 14, the Diocesan Archivist shall be the custodian of records of official acts of or affecting the Diocese.
- 15(3) The Diocesan Archivist shall manage all archival records, and arrange and describe them according to commonly accepted archival principles, in accordance with Canon Five.

The Diocesan Council

- 16(1) The Diocesan Council shall
- (a) as provided in the Constitution, manage and administer the temporal affairs of the Diocese subject to the Bishop's approval and any limitations prescribed in the Canons,
 - (b) have special concern for the mission, ministry and program of the Church in the Diocese,
 - (c) support the work of the Church in Canada and the world,
 - (d) advise the Bishop,
 - (e) report its actions to each regular meeting of the Synod, and
 - (f) adopt regulations, directives and guidelines as required by the Constitution or the Canons or as it deems necessary to fulfil its responsibilities.
- 16(2) A majority of the members of the Diocesan Council is a quorum.
- 16(3) The Diocesan Council shall elect one of its lay members to be its Vice-Chair.
- 16(4) The Vice-Chair shall preside in the absence, or at the request, of the Bishop or of the Bishop's Commissary.
- 16(5) The Diocesan Council shall meet at least three times in each year.
- 16(6) The Bishop shall appoint the time and place of all meetings of the Diocesan Council.
- 16(7) The Vice-Chancellor may attend meetings of the Diocesan Council, and, if the Chancellor of the Diocese is absent, has the right to vote.
- 16(8) The Diocesan Council may appoint such committees as it deems necessary and define their responsibilities, including their reporting to the Diocesan Council.

The Executive Committee

- 17(1) The Diocesan Council shall appoint an Executive Committee consisting of the Bishop and not less than twelve members of the Diocesan Council, with equal numbers of clergy and lay members.
- 17(2) The Executive Committee
- (a) shall advise the Bishop and the Diocesan Council, and
 - (b) shall exercise such functions and authority as the Diocesan Council delegates to it, and
 - (c) may, when in its opinion an emergency exists, exercise any authority of the Diocesan Council.
- 17(3) A majority of the members of the Executive Committee is a quorum.
- 17(4) The Executive Committee shall report its actions to each meeting of the Diocesan Council and, through the Diocesan Council, to the Synod.

The Finance Committee

- 18(1) There shall be a Finance Committee of the Diocesan Council that shall carry out the functions set out in Canon Five, together with such other functions as may be conferred upon it by the Diocesan Council or by the Synod.
- 18(2) The Finance Committee shall consist of
- (a) the Bishop,
 - (b) the Coadjutor Bishop,
 - (c) the Suffragan Bishop,
 - (d) the Bishop's Commissary,
 - (e) the Dean,
 - (f) two Archdeacons, as elected from and by the Archdeacons,
 - (g) the Secretary of the Synod who shall be the Secretary of the Committee,
 - (h) the Treasurer of the Synod,
 - (i) the Chancellor, or in his or her absence, the Vice-Chancellor, and

(j) six other members, of whom no fewer than four shall be lay persons, who shall be appointed by the Diocesan Council at its first regular meeting following each regular meeting of the Synod.

- 18(3) The lay members of the Finance Committee shall be persons who are qualified to be elected as members of the Synod.
- 18(4) The appointed members of the Finance Committee shall hold office until their successors are appointed.
- 18(5) A majority of the Finance Committee, including at least three lay members, is a quorum.
- 18(6) The Finance Committee shall elect a Chair and a Vice-Chair from among its members.
- 18(7) The Finance Committee has the duties prescribed in Canon Five.
- 18(8) The acts and proceedings of the Finance Committee may be reviewed at any meeting of the Synod or of the Diocesan Council but neither the Synod nor the Diocesan Council may, as against a third party, invalidate anything done pursuant to a resolution validly passed by the Finance Committee and approved by the Bishop.
- 18(9) The Finance Committee shall report its acts and proceedings at each regular meeting of the Diocesan Council and, if required by the Bishop, the Bishop's Commissary or the Diocesan Council, at any special meeting of the Diocesan Council.
- 18(10) The Finance Committee shall make a general report of its acts and proceedings at each regular meeting of the Synod.

The Constitution and Canons Committee

- 19(1) There shall be a Constitution and Canons Committee of the Diocesan Council that shall carry out the functions set out herein, together with such other functions as may be conferred upon it by the Diocesan Council or by the Synod.
- 19(2) The Diocesan Council shall appoint not fewer than ten persons, including both clergy and laity, to be members of the Constitution and Canons Committee.
- 19(3) Lay members of the Constitution and Canons Committee shall be qualified to be elected as members of the Synod.
- 19(4) The Chancellor is an ex officio member and the Chair of the Constitution and Canons Committee.
- 19(5) The Vice-Chancellor is an ex officio member and Vice-Chair of the Constitution and Canons Committee.
- 19(6) The Constitution and Canons Committee shall

(a) advise the Synod, the Bishop and the Diocesan Council with respect to legal matters related to the Church and the Diocese, and

(b) make recommendations to the Synod and to the Diocesan Council with respect to the adoption of Canons or the amendment of the Act, the Constitution and the Canons.

Limitation on Length of Service

20(1) No person who has been an elected or an appointed member of the Diocesan Council, the Finance Committee, the Constitution and Canons Committee or any other committee appointed by the Diocesan Council for six years immediately preceding the election or appointment of such member is eligible for re-election or re-appointment thereto.

20(2) No person who has been the chair of the Finance Committee or of any other committee, other than the Constitution and Canons Committee, for six years or longer, is eligible for re-election or re-appointment as Chair thereof.

Educational Functions

21(1) The Diocesan Council shall exercise and support the educational functions of the Diocese and, without limiting the generality of this function, shall establish and affirm the relationship between the Diocese and the following educational institutions:

(a) the University of King's College, Halifax, Nova Scotia;¹

(b) Atlantic School of Theology, Halifax, Nova Scotia,

(c) Rothesay Collegiate School, Rothesay, New Brunswick, and

(d) Taylor College, Saint John, New Brunswick.

21(2) Where the Diocese is conferred with the authority to appoint members to the board of governors or other governing body or committee of an educational institution, the Diocesan Council is designated to perform that function.

21(3) With the approval of the Synod, the Diocesan Council may enter into an agreement with an educational institution to provide Christian clergy or lay assistance to the Diocese.

¹ Pursuant to its governing legislation, the University of King's College, Halifax has provided for four persons to be elected to its Board of Governors by the Diocesan Synod of Nova Scotia and Prince Edward Island (or a body designated by that Synod) and by the Diocesan Synod of Fredericton (or a body designated by that Synod). The present ratio is two persons from each of these Dioceses. They are to be elected at annual general meetings of the respective Synods or at meetings of the bodies designated by them. The terms of office of one-half of the members so elected expire each year. A member who ceases to be a member of his/her electing body ceases to be a member of the Board of Governors.