

Constitution and Canons

CANON 15 VESTRY MEETINGS, CHURCHWARDENS AND CORPORATIONS

ANNUAL MEETING

1. The date of the Annual Vestry Meeting shall be determined by the Corporation of each Church or Congregation, and according to Canon 17, after notice given thereof during Divine Service on the previous Sunday for the purpose of:-
 - A. appointing/electing Churchwardens for the ensuing year.
 - B. receiving the audited financial statement from the Corporation, approving a budget and transacting other business connected with the temporalities of the Church, and other matters relating to the life of the church.
 - C. electing Lay Delegates and their alternates to Synod, and
 - D. appointing two or more auditors
 - E. confirm the value of all insured property.

EXTRAORDINARY OR SPECIAL VESTRY MEETINGS

2.
 - A. The Incumbent or the Churchwardens may call a Special Vestry meeting whenever they consider it necessary. Notice, including the purpose of the meeting, must be given at least eight days prior to the meeting including during Divine Service on the previous Sunday. Notice of the meeting must also be affixed to the outer doors of the church.
 - B. An application may be made to the Incumbent or Churchwardens to hold a Special Vestry meeting. This application, signed by at least 6 members of the Vestry, must include the purpose of the meeting. If this application is accepted, notice is given as in A) above. If the Incumbent or Churchwardens refuse to call a meeting then one week after the application, six of the members who signed the application may proceed to call a Special Vestry meeting. A signed notice of this meeting shall be affixed to the outer doors of the church at least one week prior to the meeting.
 - C. The Incumbent will chair the meeting and if absent the Chairperson will be the person named by the majority of vestry present.
 - D. The Vestry Secretary will record the meeting and if absent the Chairperson will appoint a Secretary. A record of the meeting will be kept in the Vestry Minute Book.

Diocese of Quebec

Constitution: Approved 1st reading Synod 1997, Adopted Synod 1999
Canons: Amended by Synod 2009

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ELECTION/APPOINTMENT OF CHURCHWARDENS

3. At the Annual Vestry Meeting
 - A. one Churchwarden shall be elected by the majority of those present and entitled to vote at such vestry meeting;
 - B. the other Churchwarden shall be appointed by the Incumbent of the said Church or congregation;
 - C. prior to the election or appointment of churchwardens, the chairperson of the Vestry Meeting shall read aloud sections 7 through 13 of this Canon, which provision may not be waived.

4. In the case of the members of the Vestry declining or neglecting to elect a churchwarden, both churchwardens for the current year shall be appointed by the Incumbent.

5. In the case of the Incumbent, if present, declining or neglecting to appoint a churchwarden, or, being absent, neglecting to appoint in writing a churchwarden, both churchwardens for the current year shall be elected by the members of the Vestry present.

6. In the case of Congregations which exist during a period of the year only
 - A. a meeting shall be called after notice being given during Divine Service on one Sunday during that period.
 - B. All who attend such meeting and declare themselves in writing to be regular attendants at the Services of the Church in the congregation amongst whom they claim the right to vote shall have the right to elect two members to discharge the duties of Churchwardens.

7. In the case
 - A. of the death or removal from the community of a churchwarden, or
 - B. the resignation of a churchwarden tendered in writing to the Corporation, provision for his or her replacement shall be made within one month. To replace the elected churchwarden, a Special Vestry Meeting shall be held to elect a replacement. To replace the appointed churchwarden, the Incumbent shall appoint another and inform the congregation at Divine Service immediately following the date of the appointment.

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8. Churchwardens must be 21 years of age, members of the congregation, and members of the Anglican Church of Canada.
9. Churchwardens shall hold office for one year or until their successors are either elected or appointed. Their terms of office may be renewed.
10. Churchwardens must be parishioners and vestry members of the congregation for which they are elected or appointed and except in those cases of congregations that exist during a period of the year only, and which have been recognized by the Lord Bishop as such, cannot serve as a churchwardens for more than one congregation concurrently.

CHURCHWARDENS' DUTIES

11. In addition to their duties as members of the Corporation, and those duties required by law under the Church Temporalities Act, Churchwardens shall:
 - A. inspect all property belonging to its Congregation, and note any repairs required
 - B. see to the collection of all dues pledged
 - C. see that a book is kept in the vestry where, immediately after Divine Service, the amount of the offertory collection and any other pertinent information regarding services held are recorded.
 - D. aid the Incumbent in informing the Congregation of the various contributions which they are called upon to make for Church purposes
 - E. see that the church property is insured at the expense of the Congregation in accordance with the wishes of the Vestry meeting and Diocesan Synod requirements
 - F. see that a book of records is kept showing abstracts of all titles and deeds under which land in the parish is held
 - G. see that all things necessary for the Offices of the Church are supplied
 - H. see that the church is warm, clean and well ventilated prior to and during Divine Service
 - I. maintain good order in and about the church during Divine Service
 - J. preserve, safeguard and hand over to their successors in office all material in their possession related to the office
 - K. present a report to the Annual Vestry Meeting.

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12. DEPUTY CHURCH WARDENS

If a Vestry so decides it may at their annual meeting elect one or more Deputy Church Wardens. The vestry motion to approve the election of Deputy Church Wardens must include the mandate of the position. Such Deputy Church Wardens must be 16 years of age, members of the congregation in which they are to serve and members of the Anglican Church of Canada. Deputy Church Wardens are not members of the Church Corporation, do not automatically have the right of succession on the death or resignation of one of the elected Church Wardens nor do they have any of the responsibilities or duties of the duly elected Church Wardens as listed in article 11 of this canon.

CHURCH CORPORATIONS

13. Except for those congregations otherwise provided for by letters patent issued prior to 6th October 1843, the Incumbent and Churchwardens of every Church or congregation in this Diocese shall constitute a Corporation.
14. Each Corporation so constituted shall use the name and style of "Incumbent and Churchwardens of said Church or Congregation (designating the Church) at
15. Each Corporation shall:
 - A. meet its fair share contribution to Synod funds;
 - B. represent the interests of its Congregation;
 - C. manage all property and money belonging to its Congregation;
 - D. exercise all powers and duties vested in it by law or these Canons;
 - E. submit to the Annual Vestry Meeting an audited financial statement for the year ended the previous 31st December and a draft budget for the current year;
 - F. submit a copy of the approved financial statement to the Diocesan Office;
 - G. complete the federal charitable return and the Synod Annual Return and file by the deadlines as set out in Canon 23.
16. The books of accounts of the Corporation shall be the property of Vestry. The Corporation shall carefully preserve such books and shall permit any member of the Vestry to inspect them at any reasonable time.

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CONGREGATIONAL AND PARISH COUNCILS

17. In every congregation within the Diocese, there may be a Congregational Council consisting of the Incumbent, Clergy licensed to the Parish, Churchwardens, Lay members of Synod, and not fewer than four members of the Vestry of the congregation with the number to be determined by the Vestry. No person shall be eligible for membership in the Congregational Council except a member of such Vestry who has attained the age of 16 years. Members of the Congregational Council shall be elected by the members of the Annual Vestry from amongst their number. In the event that the members of the Vestry at the annual meeting are unwilling or unable to complete such election, or in the case of a vacancy in the Congregational Council, any vacancy shall be filled by appointment by the Corporation. The members of the Congregational Council shall hold office until the next annual meeting of the Vestry or until their successors have been elected or appointed.
18. The Congregational Council shall serve an advisory role to the Corporation of the Incumbent and Churchwardens with regard to the temporalities of the Church.
19. In the event that there are two or more congregations forming one Parish, there may be a separate Congregational Council for each congregation. The Parish Council of all congregations in the Parish shall consist of the Congregational Council members of each congregation if a Congregational Council exists in the congregation structure and if not the wardens of the congregations without a Congregational Council. The Parish Council shall meet together at the call of the Incumbent to discuss their shared financial responsibility within the Parish and to discuss their common purposes, goals and opportunities.
20. Congregational and Parish Councils have no legal standing and cannot pass motions binding on either the Vestry or the Corporation.