

CANON C1

VESTRIES AND CHURCHWARDENS

Part I: The Vestry

1. For every congregation or parish there shall be a Vestry, the members of which shall be adherents of the Anglican Church of Canada age sixteen years or older who have habitually attended public worship in the congregation or parish for which the Vestry is constituted. At any meeting of the Vestry, all persons present shall sign a declaration of qualification before voting on any question. Adherence in the Anglican Church of Canada is acknowledged by a signature on the declaration of qualification at the beginning of any Vestry meeting.
2. Where there is more than one congregation in a parish, if the Vestry of each congregation agrees, one Vestry shall be established for the entire parish and the vestries of the various congregations shall be dissolved. The new Vestry shall determine the number of churchwardens to be chosen, either two for the entire parish or two for each of the various congregations.

Vestry Meetings

3. At all Vestry meetings the Incumbent or Priest-in-Charge shall preside. In his or her absence the Curate, or Deacon-in-Charge or Pastoral Assistant-in-Charge shall preside. In the absence of all of the above, those present and qualified to vote may choose one of their number to act as the chair.
4. The Vestry Clerk shall act as the secretary. If there is no Vestry Clerk, the Chair shall name a Secretary for the meeting.
5. Minutes of all Vestry meetings shall be recorded and preserved in the custody of the churchwardens.
6. An Annual Vestry Meeting shall be held by every congregation or parish before the end of February after notice is given during the Divine Service on the two Sundays preceding the meeting date. The purpose of the meeting shall be to
 - (a) receive the audited accounts of the congregation or parish,
 - (b) elect and appoint the churchwardens,
 - (c) appoint the auditors,
 - (d) elect lay representatives and substitutes, and

- (e) transact any other business directed by the Canons, including
 - (i) fees for certificates from the parish register,
 - (ii) charges payable for burial lots and breaking the ground in cemeteries and churchyards for the burial of the dead, and
 - (iii) management of the temporalities of the congregation or parish.
- 7. No person shall vote at a Vestry meeting in more than one congregation or parish of the diocese in any one calendar year.

Special Vestry Meetings

- 8. Special Vestry Meetings may be called by the incumbent at any time provided notice has been given and the purpose of the meeting has been stated at the Divine Service on the two Sundays prior to the date of the meeting. At any Special Vestry Meeting, only matters set out in the notice of the meeting shall be discussed.
- 9. A Special Vestry Meeting must be called by the incumbent when matters to be discussed are subject to the provisions of Canon C6 regarding real property.
- 10. A Special Vestry Meeting shall be called by the incumbent when he or she is requested in writing to do so by at least six members of the Vestry. After one week, if the incumbent has failed to call such a meeting, those requesting the Special Vestry Meeting or any six members shall refer the matter to the Bishop and the Diocesan Executive Officer.

Part II: Churchwardens

Terms of Appointment and Election

- 1. (a) At the Annual Vestry Meeting of any congregation or parish, after the audited accounts of the past year have been reported, one churchwarden shall be appointed by the incumbent and one other churchwarden shall be elected by those present and eligible to vote.
- (b) If the incumbent fails to appoint a churchwarden or, in the case of his or her absence fails to notify the Vestry in writing of the appointment, then both churchwardens shall be elected by the members of the Vestry who are present and eligible to vote.

- (c) If the members of the Vestry neglect to elect a churchwarden, then the incumbent shall appoint both churchwardens for the current year.
 - (d) In addition to the election or appointment of churchwardens, a deputy churchwarden may also be designated by members of Vestry pursuant to Canon C3, s.6. A deputy churchwarden shall not have the authority or responsibility of a churchwarden.
2. To be eligible to serve as churchwarden, a person must be a member of the congregation or parish for which the Vestry is formed and must be at least eighteen years of age.
 3. Churchwardens shall hold office for one year from the time of their appointment or election, or until their successors are appointed or elected.
 4. (a) If the office of the churchwarden appointed by the incumbent becomes vacant for any reason, notice shall be given on two consecutive Sundays before the appointment of a successor is announced.

(b) If the office of the churchwarden elected by the Vestry becomes vacant for any reason, a Special Vestry Meeting shall be called within one month for the election of a successor.
 5. If in any congregation or parish no two persons will accept the office of churchwarden, the Bishop shall appoint a person or persons to administer the affairs of the congregation or parish.

Responsibilities and Duties

6. The churchwardens constitute a corporation with perpetual succession (see the Church Temporalities Act, Section 6). Their legal designation is “The Churchwardens of the Congregation or Parish of” The two churchwardens, being a corporation, cannot exercise their corporate powers unless they both consent to do so. The corporate name shall be used in all business agreements and other transactions, and such agreements or transactions must bear the signatures of both churchwardens as otherwise they may be held liable personally.
7. The incumbent and churchwardens are deemed to be trustees within the meaning of the statutes, Respecting the Property of Religious Institutions; The Anglican Church of Canada Act, 1979; Statutes of Ontario 1979, Chapter 46; and The Religious Organizations Land Act, Revised Statutes of Ontario, Chapter 448.
8. No churchwarden shall permit a church building of any congregation or parish to be used for Divine Service or any other public purpose, or the churchyard or burial

ground to be used for an interment without the consent of the incumbent or the Territorial Archdeacon.

9. The churchwardens shall make the following appointments as required in consultation and with the concurrence of the incumbent: treasurer, musical directors, sexton, vestry clerk, envelope secretary, and other personnel. The churchwardens shall also determine the salaries, wages, or honoraria of these appointees as appropriate.

Finances

10. The churchwardens shall, with the assistance of the treasurer, establish and maintain a method of recording all income and financial transactions of the congregation or parish. These records shall be safeguarded adequately against loss. Such a system shall provide for appropriate internal control procedures, including two signatures on all cheques issued, at least one to be that of a churchwarden.
12. The churchwardens shall present to the Annual Vestry Meeting financial statements of all accounts and transactions for the preceding year, audited and signed by the auditors.
13. The churchwardens' records shall be open to inspection and may be inspected by any member of the Vestry at all reasonable times and under such conditions as are laid down by the Vestry.
14. Retiring churchwardens shall deliver to their successors all moneys, goods, chattels, and other things that are the property of the congregation or parish. Should the retiring churchwardens default in yielding these possessions of the congregation or parish, their successors shall take appropriate measures to secure them.

CANON C2

LAY REPRESENTATIVES TO SYNOD

1. Each single-point parish shall be entitled to elect up to three lay representatives to Synod and, if the number of families in the parish exceeds one hundred, shall be entitled to elect one additional representative for every fifty families in excess of one hundred.
2. In a multi-point parish, each congregation shall be entitled to elect one representative. Any congregation with more than fifty families may elect one additional representative.
3. No parish shall be entitled to more than six lay representatives in all.
4. The lay representatives shall be the members of the Vestry who receive the highest number of votes at the meeting held for their election.
5. Lay representatives shall serve for four years or until their successors are elected. Any lay representative may be re-elected; however, it is desirable for this ministry to be shared by as many in the parish as possible.
6. The incumbent shall, within one week after each election, send a certificate to the Diocesan Executive Officer in the form set out in the regulations pursuant to this Canon.
7. Every congregation shall elect a number of substitutes not exceeding the number of lay representatives to which it is entitled. When a lay representative cannot be present at a meeting of the Synod, the representative's place may be taken by a substitute. The substitute, upon registration, shall present a certificate in the form set out in the regulations pursuant to this Canon. The substitute shall take the lay representative's place for the entire meeting of that Synod.
8. If for any reason none of the substitutes elected by the Vestry are available, then a substitute may be appointed by the Parish Council and, in default of such appointment, a substitute may be appointed by the incumbent in consultation with the churchwardens.
9. In the event of a vacancy occurring in the lay representation of a parish for any reason, the incumbent, or if the incumbency is vacant, the churchwardens shall arrange for the election of a person to serve for the unexpired term of the representative.

**REGULATIONS PURSUANT TO CANON C2
LAY REPRESENTATIVES TO SYNOD**

1. The certificates required by Canon C2 shall be in the following forms:

CERTIFICATE OF ELECTION

PARISH OF _____

I CERTIFY THAT

1. The following persons previously elected continue as Lay Representatives of this parish in the Synod of the Diocese of Ontario.

Name _____ Address (including Postal Code) _____

2. At the meeting(s) for the election of Lay Representatives for this parish held on the day(s) of _____, the following persons were elected as Lay Representatives to Synod from this parish:

Name _____ Address (including Postal Code) _____

3. The following persons were elected at the said meeting(s) to be substitutes for this parish:

Name _____ Address (including Postal Code) _____

4. There are _____ families in this parish.

Date _____ Signature _____

CERTIFICATE FOR SUBSTITUTE

The Incumbent or Priest in Charge shall furnish a substitute representative attending a meeting of the Synod with this certificate.

PARISH OF _____

I certify that _____ (name) is a duly elected substitute replacing _____ (name) as a lay representative for this parish at the meeting of the Synod beginning on _____ (date).

Date _____ Signature _____

CANON C3

PARISH AND CONGREGATIONAL COUNCILS

1. At the Annual Vestry Meeting of each congregation or parish, a committee shall be elected or appointed to be known as the Congregational or Parish Council.
2. When there is more than one congregation in a parish and the vestries of each congregation have agreed to establish one Vestry for the entire parish, one Parish Council shall also be elected or appointed for the entire parish.
3. (a) The Parish or Congregational Council shall be composed of the following ex-officio members: the incumbent, assistant clergy (if any), the churchwardens, lay representatives to Synod, and the treasurer.

(b) The Council shall also include a number of members of the Vestry who shall be elected at the Annual Vestry Meeting. These members may be elected for terms of one, two, or three years so that each year only one-third shall retire. The number of elected members shall not be more than double the number of ex-officio members.
4. The Council shall hold at least six regular meetings during the year. A quorum exists when at least one churchwarden and at least one-third of the members are present.
5. Subject to the duties, rights and responsibilities contained in other Canons, the following are the duties, rights and responsibilities of the Council:
 - (a) respond to all matters referred to it by the Vestry;
 - (b) assist the incumbent and churchwardens in the organization of the congregation or parish in all activities and generally to consider measures and take such steps as may be desirable to strengthen its position and better enable it to engage in its mission and ministry;
 - (c) consult with, advise, and assist the churchwardens in the discharge of their duties;
 - (d) assist the churchwardens as required in the collection of offerings and in the management of the financial affairs of the congregation or parish;
 - (e) assist in the development of a budget for presentation at the Annual Vestry Meeting;
 - (f) act for the Vestry between meetings in giving approval to all extra-budgetary expenditures; and

- (g) receive regular reports from the incumbent and churchwardens on the condition of all buildings and respond so that necessary repairs are made to ensure that all property is protected against deterioration. Should such response require additional funds, refer to Canon C6.
6. Congregations or parishes may wish to designate a member of the Council as a deputy churchwarden to allow this person to prepare for election or appointment to the position of churchwarden in the future. The person so designated shall be an elected member of the Council and does not have any of the authority or responsibilities of churchwardens.

CANON C4 APPOINTMENTS TO PARISHES

1. The right of appointment of incumbents to parishes resides with the Bishop in accordance with regulations established from time to time by the Synod Council of the Diocese of Ontario.
2. The appointment of assistant curates, associate and honorary priests or lay pastoral assistants shall be made by the Bishop in consultation with the incumbent and churchwardens.

REGULATIONS PURSUANT TO CANON C4 APPOINTMENTS TO PARISHES

1. When a vacancy occurs in the incumbency of a parish, the Bishop, in consultation with the Bishop's Advisory Committee, may appoint an Interim Priest-in-Charge for a period of time and on conditions determined by the Bishop.
2. The Interim Priest-in-Charge of a parish will generally not be eligible for permanent appointment to that parish, although there may be special circumstances under which the Bishop, in consultation with the Bishop's Advisory Committee, considers it appropriate.
3. The Bishop shall ask the parish to form a Parish Advisory Committee, comprised of the churchwardens and lay representatives to the Synod. The churchwardens in consultation shall appoint one of their number as chair of the Parish Advisory Committee who will be responsible for calling meetings and who will be the contact person throughout the parish advisory process.
4. Deliberations of the Parish Advisory Committee, with respect to the recruitment of the candidate, shall be held 'in camera' and are not to be discussed outside of the committee at any time either before or after the appointment is made.
5. The Bishop shall ask the Territorial Archdeacon or some other representative to meet with the Parish Advisory Committee to:
 - (a) explain the process by which the appointment is made,
 - (b) provide guidelines for the development of a Parish Profile,
 - (c) assist in the development of the Parish Profile,

- (d) arrange for an inspection of a rectory, if provided, and
 - (e) deliver the completed Parish Profile, along with the report of the rectory inspection, to the Bishop.
6. The Bishop shall inform the clergy of the diocese of the vacancy and invite those who may be interested in the position to contact him or her.
 7. The Bishop or an appointee shall meet with the Parish Advisory Committee to discuss the position. The Parish Advisory Committee may propose names for the Bishop's consideration. It may also elect to forgo the remaining process and request the Bishop to proceed directly to an appointment.
 8. The Bishop's Advisory Committee may request a meeting with any candidate.
 9. The Bishop's Advisory Committee shall review the names of those who have expressed an interest in the position including those proposed by the Parish Advisory Committee. Others may be approached both within and outside the Diocese. The Bishop will identify those candidates to be brought forth for the consideration. The Bishop will send those candidates a copy of the parish profile and invite them to respond with their vision for ministry in the parish. The Bishop will select a short list of candidates from their vision statements.
 10. The Bishop and/or the Archdeacons shall forward the CV's and vision statements of those on the short list to the Parish Advisory Committee and will meet with the Parish Advisory Committee to choose a candidate to interview.
 11. The Bishop or an appointee will advise the Parish Advisory Committee of the willingness of the candidate to attend an interview. The Parish Advisory Committee shall then arrange to interview the candidate as soon as possible.
 12. When the Parish Advisory Committee and the candidate are in agreement, the Diocesan Executive Officer shall negotiate stipend, allowances, and other arrangements of the appointment with the candidate and the churchwardens. When a satisfactory agreement is reached, the Bishop shall proceed with the appointment.
 13. If agreement cannot be reached, another candidate, as directed by the Parish Advisory Committee in discussion with the Bishop and/or the Archdeacon will be interviewed. Should there be no other candidates the matter shall be referred back to the Bishop.
 14. Subject to the discretion of the Bishop, once a candidate is refused, that person will no longer be considered.

15. The Bishop shall provide a letter of appointment to the successful candidate, who shall give written acceptance of the appointment.
16. The Bishop shall inform the churchwardens of the appointment, in writing, and confirm the date on which the appointment is to be announced to the parish.
17. The date for the parish Celebration of New Ministry shall be set by the Bishop in consultation with the new incumbent, the churchwardens, and the Territorial Archdeacon.
18. The parish shall be responsible for moving expenses of the new incumbent. Application for a diocesan grant to assist with moving expenses may be made to the Diocesan Executive Officer.

CANON C5

CLERGY HOUSING AND RECTORIES

1. It shall be the responsibility of every parish to provide accommodation or a housing allowance to the incumbent.

REGULATIONS PURSUANT TO CANON C5

CLERGY HOUSING AND RECTORIES

1. The final decision about housing arrangements shall be made following the appointment of a new incumbent.
2. A parish, if it owns a rectory, may offer it to the incumbent for accommodation.
3. Following discussion with the churchwardens, the new incumbent shall have the option either to occupy the rectory or to request a housing allowance.
4. When a housing allowance is agreed upon,
 - (a) the incumbent may rent or purchase a residence of his or her choice;
 - (b) the location of the residence shall be convenient for ministry in the parish and be acceptable to the incumbent and the churchwardens; and
 - (c) the housing allowance shall be based on the average rental cost in the parish of a three- or four-bedroom detached house with a garage plus average utility costs.
5. When there is a rectory in the parish,
 - (a) if the incumbent does not wish to occupy it, the parish may rent or sell it in accordance with the procedure outlined in Canon C6.
 - (b) if the incumbent is occupying it, he or she may request the churchwardens to permit a move from the rectory and make provision for a housing allowance in accordance with the regulations set out above.
6. The Bishop or the Diocesan Executive Officer shall assist when requested by either the churchwardens or the incumbent.
7. The incumbent and churchwardens shall submit annually to the Diocesan Executive Officer a report of any major renovations and maintenance work done on the rectory as well as any work planned for the following year.
8. The family of an incumbent may occupy the rectory for up to three months from the date of his or her death.

CANON C6

LAND AND BUILDINGS

1. In this Canon,
 - (a) *building* means a building as distinct from the land on which it stands;
 - (b) *church building* means a building used for worship, a church school, a church hall or a rectory; and
 - (c) *land* means land including buildings or land excluding buildings, as the context requires.
2. The Synod Council may appoint from time to time a committee or committees to perform such of the functions of the Council under this Canon as it considers advisable. A majority of members of a committee shall be members of the Council.
3. No land shall be purchased or taken under lease and no building shall be erected or structurally altered by or on behalf of the Synod without the approval of the Bishop and the Synod Council.
4.
 - (a) No land shall be purchased or taken under lease by or on behalf of a parish or congregation without the approval of the Diocesan Executive Officer and the Synod Council.
 - (b) No building shall be erected or structurally altered by or on behalf of a parish or congregation unless the plans have first been approved by the Diocesan Executive Officer and the Synod Council.
 - (c) No permanent memorial or ornament shall be erected or moved in a church without approval of the Diocesan Executive Officer.
 - (d) Every proposal for anything to be done under any of the preceding three subsections shall be submitted by the churchwardens of the parish or congregation to the Diocesan Executive Officer for approval before it is acted upon. In each such case the Diocesan Executive Officer shall consult with the incumbent and Parish or Congregational Council and with the Bishop before giving approval.
5. No purchase or lease or construction or alteration that involves incurring a debt to be discharged in future years shall be undertaken without approval of the Diocesan Executive Officer and the Parish or Congregational Council. Approval of the Parish or Congregational Council shall be given at an annual or special Vestry meeting, notice of which shall be given as provided in Section 8(d) below. Unless the

indebtedness incurred is for a loan from the Diocesan Capital Loan Fund, the Diocesan Executive Officer may refer the undertaking to the Synod Council for advice.

6. No place of worship shall be mortgaged after consecration.
7. No land or building held by, or in trust for, the Synod shall be leased, mortgaged, or sold, nor an easement over or through such lands be granted, without the consent of the Bishop and the Synod Council.
8. Parochial or congregational land or buildings shall not be mortgaged, sold, or leased for a term of years without the approval of the Vestry of the parish or congregation interested and the Bishop and the Synod Council as follows:
 - (a) When sale or lease of the land or building is contemplated, an appraisal or appraisals of the sale or rental value of the land or building by a competent person or persons shall first be obtained.
 - (b) When a mortgage is contemplated, the opinion or opinions of a competent person or persons on the suitability of the mortgage terms shall first be obtained.
 - (c) When a grant of easement is contemplated, the effect of the easement on the use and enjoyment of the land shall be studied by the churchwardens and Parish or Congregational Council, who may in their discretion approve the grant, subject to Section 8(o) of this Canon.
 - (d) Approval of a sale, lease, or mortgage may be given at an annual or special Vestry meeting of the parish or congregation concerned. Notice of the meeting and of the application for approval, specifying the land or building and the nature of the transaction, the availability of the appraisal(s) and opinion(s), and the amount of the mortgage, if any, shall be given during Divine Service in each church of the parish or congregation on the two Sundays preceding the meeting.
 - (e) If an offer to purchase or take a lease of the land or building that it is proposed to accept, or an offer to make a loan that it is proposed to carry out, has been received before the Vestry meeting, the offer or commitment shall be submitted unaccepted to the Vestry for approval. If approved by the Vestry, the offer or commitment shall be submitted unaccepted to the Synod Council for approval, as set out below.
 - (f) If no offer or commitment has been received before the Vestry meeting, the Vestry may approve in principle the proposed sale, lease, or mortgage subject to such terms and conditions with respect to price and other matters as may be agreed to by the Vestry, and on such approval and approval in principle by the Synod Council, as mentioned below, negotiations for the sale, lease, or mortgage may be undertaken.

- (g) Upon approval by the Vestry, a copy certified by the Vestry Clerk of the entries in the minutes of the meeting relating to the proposed transaction shall be forwarded to the Diocesan Executive Officer, together with the appraisal(s) or opinion(s), and the offer to purchase or take a lease or loan commitment, if any, with verification by the incumbent that the notices required by this section were given and that the meeting was held.
- (h) The Diocesan Executive Officer shall refer the application and the materials to the Synod Council.
- (i) If an offer or commitment has been received and approved by the Vestry, the Synod Council shall as soon as possible consult the diocesan solicitors and, on receiving their advice, consider the offer or commitment and
 - (i) ask for further information, or
 - (ii) if deemed advisable, refer the offer or commitment back to the parish or congregation for alterations of the terms or conditions related to planning, approval, survey, or other matters applicable, and
 - (iii) when all necessary information has been obtained and any necessary alterations in terms have been made, consider and, if deemed advisable, recommend to the Bishop that the transaction be approved.
- (j) If no such offer or commitment has been received and the Vestry has given approval in principle to the sale, lease, or mortgage, after all necessary information has been obtained the Synod Council shall consider and, if deemed advisable, recommend to the Bishop that approval be given for negotiating a sale, lease, or mortgage subject to directions respecting price, rental, amount and terms of loan, manner of negotiation, and conditions to be imposed in any sale or lease or mortgage including provision for planning approval, survey, and other matters.
- (k) After obtaining such approval for negotiation, the churchwardens of the parish or congregation may negotiate a sale, lease, or mortgage in accordance with the manner and subject to the terms and conditions prescribed by the Synod Council.
- (l) Any offer or commitment obtained through such negotiations shall be submitted unaccepted to the Parish or Congregational Council for approval. If so approved, the offer or commitment shall be forwarded unaccepted to the Diocesan Executive Officer, together with a report by the incumbent verifying the giving of approval.

- (m) The Diocesan Executive Officer shall refer the matter to the Synod Council, which shall as soon as possible deal with the matter in the manner provided by subsection (i) above.
 - (n) On approval by the Bishop, an offer to purchase or lease, or a commitment for loan may be executed on behalf of the parish or congregation and, if necessary, on behalf of the Synod, and the sale, lease, or mortgage may be carried out.
 - (o) On approval of a grant of easement by the churchwardens and Parish or Congregational Council, full details shall be submitted to the Diocesan Executive Officer, who shall forward all materials to the solicitors. After such investigations as may be required, the solicitors shall return the materials with their recommendation. The Diocesan Executive Officer shall present the materials to the Synod Council for decision. The Council may recommend to the Bishop that the grant be approved, with or without changes or conditions, or may refuse approval.
9. The Bishop shall decide when a church building has become disused on considering representations by the incumbent and other representatives of the parish or congregation concerned, if any.
10. When a church building is declared disused
- (a) the title to the property shall be investigated by the Diocesan Executive Officer, on the advice of the diocesan solicitors, and the Diocesan Executive Officer shall make necessary adjustments in insurance coverage;
 - (b) the Territorial Archdeacon and the incumbent of the parish shall be responsible for the immediate listing and care of memorials, furniture, and other contents, to be disposed of by the Synod Council. This list and all registers and other records shall be deposited with the Diocesan Executive Officer within one month after declaration of “disused” status;
 - (c) if the building has been consecrated, a service of de-consecration arranged by the Archdeacon and Regional Dean shall be conducted before it is disposed of. A record of de-consecration shall be sent by them to the Registrar;
 - (d) the Synod Council shall cause inquiries to be made with respect to the disposition of the land or of the building and, on receipt of necessary information and advice, shall give directions for the sale, removal, demolition, or other disposition of the building or land or both.
11. Upon the sale of a disused building and retention of the land, it shall be required that
- (a) the building be dismantled by the purchaser, or

- (b) the building be removed from the site and have alterations made in its appearance to eliminate its ecclesiastical character as determined by the Synod Council, and
 - (c) the site of the removal be cleared up and levelled by the purchaser of the building.
12. (a) If a disused place of worship is sold to be used for a secular purpose, the purchaser shall be required to remove from the building all elements of exclusively religious character as determined by the Synod Council.
- (b) When a disused place of worship is located in a burial ground where there is no active Cemetery Board or Committee, the building shall be removed and the burial ground placed in the hands of the local municipality. The capital funds for perpetual care shall be deposited with the Public Trustee.
13. (a) Subject to the payment of all outstanding financial obligations due by the parish or mission in accordance with the Canons, the net proceeds from the sale of any parochial land or building or disused land or building shall be deposited for investment with the Synod.
- (b) On the sale of a rectory or other parochial or congregational lands, the net income from the proceeds of sale shall be paid to the parish or the congregation concerned for general purposes of the parish provided that, in the event the parish or mission is disestablished, such net sale proceeds shall be applied by the Synod Council to other ministry in the Diocese in such manner as it determines in its absolute discretion.
 - (c) If there is no congregation concerned, and a disused church property has been sold, the income and capital derived from the net sale proceeds shall be available for the work of the Church as directed by the Synod Council.
 - (d) On application by parochial authorities, the Synod Council may in its discretion authorize application of all or part of the net proceeds of the sale of a parochial or congregational property for (i) payment of all outstanding financial obligations of the parish or mission and (ii) capital expenditures on behalf of the parish or congregation, provided that the net proceeds of the sale of a rectory shall be used only for the purchase, lease or construction of another church facility.

CANON C7

ANNUAL STATISTICAL AND OTHER REPORTS

1. It shall be the responsibility of the incumbent or the person in charge of a congregation or congregations of a parish to report annually to the diocese on forms provided by the Diocesan Executive Officer. When feasible, the forms and reports shall be filed electronically.

REGULATIONS PURSUANT TO CANON C7

ANNUAL STATISTICAL AND OTHER REPORTS

1. The Diocesan Executive Officer shall send forms to each incumbent or person in charge of a congregation or the congregations of a parish, on which to report as required in Canon C7.
2. Required information shall include, at minimum, a report of
 - congregational statistics,
 - lay representatives and alternates to the Synod,
 - parish officers, including at least assistant clergy, churchwardens, and the treasurer, and
 - the condition of the rectory, if any, noting maintenance and renovations undertaken in the previous year (see Canon C5 – Clergy Housing and Rectories).
3. The incumbent or person in charge of the congregation or congregations of a parish shall return these reports to the Diocesan Executive Officer by March 15 of each year.
4. Non-compliance with these regulations shall be dealt under Canon D1.

CANON C8

GIFTS AND BEQUESTS TO PARISHES

1. The churchwardens have the authority to consider the appropriateness of any gift offered to the parish or congregation and may, in their discretion, accept or decline it.
2. All gifts or bequests to any parish or congregation shall, unless otherwise directed by the terms of the gift, be held in trust by the churchwardens for the benefit of the parish or congregation.
3. Use of any gift received shall be determined by the direction of the donor. If no direction is given, the churchwardens shall determine the use of the gift following consultation with the Parish or Congregational Council and, if deemed advisable, the Vestry.
4. Financial gifts may, but need not, be invested.

CANON C9

COLLECTION OF EXTRA DIOCESAN AND/OR PAROCHIAL FUNDS

1. Persons who, in their own parish, wish to collect funds for other than parish projects, programs, or agencies shall first obtain the consent of the incumbent and churchwardens.
2. Persons who wish to collect funds in the Diocese of Ontario for projects, programs, or agencies shall first obtain the consent of the Synod Council.
3. Persons of this diocese who wish to collect funds in another diocese shall first obtain the consent of the Bishop of the Diocese of Ontario.
4. No person from any other diocese shall make collections within the Diocese of Ontario without first obtaining the consent of the Synod Council.

CANON C10

PARISH RECORDS AND THEIR CUSTODY

1. The following registers, books, and records shall be kept in each parish and its congregations:
 - (a) a current copy of the Diocesan Canons and related material;
 - (b) books containing minutes of all Vestry meetings including all reports presented;
 - (c) books containing minutes of all parish and congregational meetings;
 - (d) all books of accounts and reports on the financial affairs of the parish and its congregations. If records are kept by computer, an adequate back-up shall be maintained;
 - (e) a Vestry Book in which are recorded appropriate details of all services;
 - (f) a register of baptisms, confirmations, marriages, funerals, burials, and memorial services;
 - (g) a register of all members of the parish and its congregations; and
 - (h) a register of memorial gifts and dedications.
2. All incumbents and churchwardens shall, within two years, transfer to the Diocesan Executive Officer for retention in the Archives all completed registers, books, and records noted in Section 1 (subsections b through h).
3. All incumbents, churchwardens, trustees, or other persons having legal custody of documents detailing grants, conveyances, judgments, or probates or certified copies of wills or parts thereof in any way relating to land or property granted, conveyed, or devised for the benefit or use of the Anglican Church of Canada in the Diocese of Ontario shall transfer the original documents to the Diocesan Executive Officer for retention in the Archives. Copies of these documents shall be kept in the parish or congregation.
4. On the relinquishment of an incumbency, all registers shall remain in the parish in the custody of the churchwardens until the appointment of an interim priest-in-charge or the next incumbent.
5. On consultation with the Archivist and following the guidelines set out in the regulations, the incumbent and churchwardens of each parish and congregation shall transfer to the Archives all other suitable material and, where feasible, such material shall be in electronic format.

REGULATIONS PURSUANT TO CANON C10 PARISH RECORDS AND THEIR CUSTODY

Required Transfers

1. The following materials may be retained in the parish or congregation for up to two years and then shall be transferred to the Diocesan Executive Officer for retention in the Archives.
 - all completed registers
 - all completed Vestry books
 - minutes of all annual and special Vestry meetings, including reports
 - minutes of all Parish or Congregational Council meetings, including reports

2. Original documents of the following shall be transferred on completion to the Diocesan Executive Officer for retention in the Archives. Copies may be retained in the parish or congregation.
 - original documents of land transactions and surveys
 - original architectural plans
 - original building and/or repair plans
 - cemetery plans
 - sentences of consecration
 - notices of bequests with details
 - parish histories (two copies) at time of publication
 - orders of service for special occasions
 - clergy and other correspondence of a diocesan nature

Financial Records

3. The following shall be retained in the parish or congregation for the length of time indicated and then destroyed.
 - all envelopes in which offerings are received – two years
 - cheque stubs and receipts – six years
 - bank books – six years
 - income tax records – six years
 - GST and PST rebate claims – six years
 - charity information returns – six years

Optional Transfers

4. The following are examples of documents and other records that are of interest to a variety of researchers. They may be sent to the Diocesan Centre for retention in the Archives. Questions should be addressed to the Archives department.
 - photos, slides, moving images, sound recordings
 - minutes and reports of parish or congregational organizations such as Anglican Church Women, Guilds, and Sunday Schools
 - parish or congregational newsletters
 - newspaper clippings
 - guest books
 - scrapbooks
 - correspondence of a parish or congregational nature

CANON C11

PARISH OR CONGREGATIONAL ALIGNMENT AND/OR DISESTABLISHMENT

1. The Bishop may, at any time, realign or disestablish a congregation by declaration in writing to the Synod Council, in accordance with the procedures set out in the regulations pursuant to this Canon.
2. When a parish or congregation is disestablished, all registers, books, and records shall be transferred to the Diocesan Executive Officer for retention in the Archives as required in Canon C10.

REGULATIONS PURSUANT TO CANON C11

PARISH OR CONGREGATIONAL ALIGNMENT AND/OR DISESTABLISHMENT

1. A congregation may request realignment or disestablishment by adopting a resolution to that effect at either an Annual Vestry Meeting or a Special Vestry Meeting held for that specific purpose. If the Bishop concurs with that request, the Bishop shall then advise the Synod Council in writing of his or her decision.
2.
 - (a) When an incumbent and churchwardens or the Bishop develop concerns about the viability and sustainability of a congregation, they, or any of them, shall bring the matter to the attention of the Bishop's Advisory Committee as continuing ministry in the area is a diocesan concern.
 - (b) The Bishop, with the advice of the Bishop's Advisory Committee, shall appoint a task force of at least five (5) members, including one member of Synod Council.
 - (c) The task force shall investigate and report on the viability and sustainability of the congregation and on the advisability of realignment or disestablishment.
 - (d) The task force shall take the following considerations into account in carrying out its investigation and making its report:
 - (i) the average attendance at regular services over the past twelve months,
 - (ii) the numbers of the congregation,

- (iii) the level of commitment and participation of the members in the life of the congregation,
 - (iv) any demographic factors that may affect the increase or decrease in the congregation membership over time,
 - (v) the alternatives available for continuing ministry, including pastoral care and regular services of worship, to those who will be affected,
 - (vi) the condition of all buildings,
 - (vii) difficulty in meeting financial obligations as they fall due, such as stipends and salaries, apportionment and other operating expenses,
 - (viii) major capital needs,
 - (ix) responsibility for any employees who may be affected,
 - (x) any other factors relevant to the continuing viability and sustainability of the congregation.
- (e) The task force shall make its report to the Bishop's Advisory Committee within four months of its formation. Where circumstances warrant, the task force may request an extension of time from the Bishop's Advisory Committee.
 - (f) When a task force, in the course of an investigation, considers realignment or disestablishment to be a serious possibility, it shall investigate the alternatives for ministry to those who will be affected by consulting with incumbents and members in neighbouring congregations as well as the congregation most directly affected.
 - (g) When the review is complete, the report and recommendation of the task force shall be presented to the Bishop's Advisory Committee.
 - (h) The Bishop shall consider the report and recommendation and consult with those affected.
 - (i) Following the consultation with the affected congregation, the Bishop shall present his or her decision, in writing, to the congregation and to the Synod Council which shall receive it.

CANON C12

SETTLEMENT OF A DIFFERENCE BETWEEN AN INCUMBENT AND A PARISH

1. When a difference has developed in a parish that may detrimentally affect the ministry of the parish, the incumbent and churchwardens shall seek a resolution.
2. If a resolution satisfactory to all parties cannot be found, the incumbent and churchwardens shall proceed according to the regulations attached to this Canon.

REGULATIONS PURSUANT TO CANON C12

SETTLEMENT OF A DIFFERENCE BETWEEN AN INCUMBENT AND A PARISH

1. The incumbent and churchwardens shall seek a resolution of the difference with the assistance of the Territorial Archdeacon and, failing a resolution satisfactory to all parties, then with the Bishop's Advisory Committee.
2. The Bishop's Advisory Committee has the responsibility to recommend to the Bishop a course of action to resolve the difference, and may seek the assistance of others as deemed appropriate.
3. The Diocesan Executive Officer shall inform all parties concerned that the matter is before the Bishop's Advisory Committee.
4. All parties to the difference shall have an opportunity to make representations to the Bishop's Advisory Committee. After receiving such representations, if any, the Bishop's Advisory Committee shall recommend a course of action to the Bishop.
5. The Bishop's decision on any action to be taken shall be final. This decision shall be communicated in writing to all parties concerned.
6. If the implementation of the Bishop's decision requires the removal of the incumbent from the parish, then procedures outlined in Canon D2 shall be used.