

**Constitution of the Provincial Synod
of the
Ecclesiastical Province of Ontario**

The Jurisdiction of the Provincial Synod of Ontario

1. The Provincial Synod of Ontario (the "Provincial Synod") shall have authority and jurisdiction in all matters affecting the general interests and well-being of the Church within its jurisdiction in the following matters:
 - a) subject to the provision of any Canon enacted by General Synod, the constitution and organization of the Provincial Synod, including the regulation of the time and place of its meetings, the order and conduct of its proceedings, and the appointment, functions and duties of its officers, commissions and committees for the proper conduct of its affairs;
 - b) with the consent of General Synod, and of any diocese affected, the adjustment of the boundaries of the Ecclesiastical Province of Ontario (the "Province"), and the division and re-arrangement of the Province;
 - c) with the consent of General Synod, and the dioceses affected, the division of the Province into dioceses, the establishment of missionary dioceses within the Province, the division of existing dioceses and the adjustment or re-arrangement of diocesan boundaries;
 - d) the confirmation of the election, consecration and resignation of bishops within the Province;
 - e) the election of a metropolitan bishop and the definition of metropolitan duties, powers and authority;
 - f) the constitution of a Provincial Court of Appeal, with original and appellate jurisdiction, including procedure therein and enforcement of its decrees and judgments;
 - g) provision for the ecclesiastical discipline and trial of bishops in the Province
 - h) the regulation of the ministrations of the clergy and others within the Province, including the oaths and subscriptions of the clergy within the Province;
 - i) the authorization of special forms of prayers, services and ceremonies for use within the Province, for which no provisions have been made under the authority of General Synod or of the House of Bishops of The Anglican Church of Canada;

- j) the relations of the Church to civil authorities and to public education within the Province;
 - k) the administration of any fund or trust established in respect of the Provincial Synod;
 - l) the formation and constitution of provincial branches of organizations and societies established by General Synod for the promotion of the work of the General Synod;
 - m) the consideration, promotion and advancement of any object or matter for the general advantage of the Church in Canada or in the Province, referred to the Provincial Synod by the General Synod.
2. Nothing contained in section one shall limit or affect the powers, jurisdiction and authority inherent in the office of bishop, or exercised collectively by the bishops of the Church sitting as the House of Bishops of the Province or of The Anglican Church of Canada.

The Composition, Organization and Procedure of the Provincial Synod

1. The Provincial Synod shall consist of:
 - a) all of the diocesan, co-adjutor, suffragan or full-time assistant bishops of each diocese of the Province, the Chancellor of the Province, the chancellors of each diocese or, in the absence or inability to attend of any such chancellor, the vice-chancellor, if any, of such diocese, the Executive Officer, the Treasurer and four clerical and four lay delegates from each diocese of the Province, such delegates to be selected by each diocese in accordance with its own rules of procedure.
 - b) In addition, each diocese in the Province, in accordance with its own rules of procedure, shall select one youth delegate to be a member of Provincial Synod, who shall be at least sixteen years of age upon the opening of the next Provincial Synod, and who shall be under the age of twenty-six years upon the termination of the next Provincial Synod.
[Article 1 (b) added by the 2004 Synod]
2. If any delegate from any diocese of the Province should die, resign or transfer from the diocese which selected such delegate or is, for any other reason unable to attend meetings of Provincial Synod, the diocesan synod concerned shall, in accordance with its own rules of procedure, provide a substitute for such delegate, of the same order, which substitute shall continue to act as a member of Provincial Synod and, if elected or appointed thereto, of its committees and commissions until the next meeting of Provincial Synod. Each diocese shall certify its delegates and a committee of Provincial Synod appointed by the Metropolitan shall attest their credentials.
3. The Provincial Synod shall meet every third year at a time and a place to be determined by the Executive Council. Special meetings of the Provincial Synod may be held at the call of the Metropolitan or at the request of the Executive Council. Notice of any meeting of Provincial Synod shall be transmitted to all members thereof at least thirty days prior to the date of such meeting, and shall be accompanied by such information and material as is reasonable concerning the business to be transacted.
4. The Provincial Synod shall be organized into a House of Bishops (consisting of the diocesan, co-adjutor, suffragan and full-time assistant bishops of each diocese) and a House of Delegates (consisting of all other members of Provincial Synod). The houses shall meet in joint session unless either House shall, by a majority vote, otherwise determine.

5. The Metropolitan shall be the President of Provincial Synod and of the House of Bishops, and shall (subject to section six) preside at all meetings of the Provincial Synod.
6. There shall be a Prolocutor who shall be elected by the Provincial Synod from the House of Delegates and who shall be the Vice-President of Provincial Synod. In the absence, or at the request, of the Metropolitan, the Prolocutor shall preside at meetings of Provincial Synod. Should the office of Prolocutor become vacant for any reason between the meetings of Provincial Synod, such office shall be filled from the House of Delegates by the Executive Council until the next meeting of Provincial Synod.
7.
 - a) There shall be a Chancellor of Provincial Synod who shall be a judge of a court of record of the Province of Ontario or a barrister or solicitor of at least ten years' standing at the bar of the Province of Ontario. The Chancellor shall be appointed by the Metropolitan and shall hold office during the pleasure of the Metropolitan.
 - b) The Chancellor shall provide legal advisory services to the Metropolitan and the Executive Council. The Chancellor shall be one of the Assessors of Provincial Synod.
8.
 - a) The Provincial Synod shall elect a Clerical and a Lay Secretary who shall keep regular accounts of all proceedings, attest all acts and proceedings of Provincial Synod, and deliver over all records and documents to their successors. If a vacancy occurs in the office of Clerical Secretary or Lay Secretary between meetings of the Provincial Synod, such vacancy shall be filled by the Metropolitan until the next meeting of the Provincial Synod from among the delegates to the preceding Provincial Synod of the same order as the person formerly holding the vacated office.
 - b) The Provincial Synod shall elect two Assessors, who, together with the Chancellor, shall act as legal advisors to the Chairperson on the Constitution and Rules of Order of Provincial Synod.
 - c) The Metropolitan, with the approval of the Executive Council, shall appoint Executive Officer(s), a Treasurer and such other officers as shall be required, and the Metropolitan, subject to the ratification at the next meeting of the Executive Council, shall fill any vacancy occurring in any such office between the meetings of Provincial Synod.
 - d) The Executive Officer(s), under the direction of the Metropolitan, shall:
 - i) exercise a general oversight of the work of the Provincial Synod, its commissions, committees and Executive Council;

ii) make the necessary arrangements for meetings of the Provincial Synod and the Executive Council;

iii) preserve all journals, files, papers, reports, memorials and other documents of Provincial Synod and hold them in safe custody; keep an authentic record, with the official deeds of the consecration or translation of bishops in the Province; keep a proper book of records and to enter therein all Canons, and changes in Canons, or amendments to the Constitution; and report to Provincial Synod at each session. The Executive Officer shall preserve one copy of the Journal of each Provincial Synod and of the minutes of each Executive Council meeting as adopted by the next Provincial Synod or Executive Council (with amendments if any) signed by the Metropolitan and sealed with the Provincial Synod seal as the official copy of the minutes of that Provincial Synod or Executive Council. It shall be the responsibility of the dioceses in the Province to convey to the Executive Officer after the consecration of a bishop certified copies of the original Certificate of Election and Deed of Consecration together with other materials of historical interest related to the consecration. Until such time as appropriate safekeeping arrangements have been made by Provincial Synod the archives of the Province will be stored in safekeeping with the archives of General Synod;

iv) perform such other duties as are defined by the Constitution, Canons and resolutions of the Provincial Synod or the Executive Council, and shall be assistant to the Metropolitan in the Metropolitan's capacity as President of the Provincial Synod.

e) The Treasurer shall receive and disburse all monies of Provincial Synod, under the authority of Provincial Synod or the Executive Council, and perform such other duties as may be prescribed by Canon or resolution of Provincial Synod. The Treasurer shall present the annual financial statements, reported on by the auditors, to each annual meeting of the Executive Council for its approval and to each meeting of Provincial Synod.

f) The Provincial Synod shall appoint two auditors who shall not be officers or employees of Provincial Synod or the Executive Council, and who shall either be public accountants licensed under the Public Accountancy Act, R. S. O. 1980 Ch. 405 or persons who, by training and experience, are competent for the task. Such auditors shall annually conduct an examination of the financial affairs of Provincial Synod and of the Executive Council and report on the financial statements prepared by the Treasurer.

9. The corporate seal of Provincial Synod shall be kept by the Executive Officer(s) and shall be affixed to all deeds and documents requiring it. All such deeds and documents shall be signed by either of the Metropolitan or the Prolocutor together with the Executive Officer.

10.
 - a) The Constitution of the Provincial Synod may be amended by a two-thirds majority of those present and voting of each House, voting separately, at a session of the Provincial Synod;
 - b) Any Canon of the Provincial Synod may be enacted or amended by a two-thirds majority of those present and voting of the Houses voting together at a session of the Provincial Synod.
 - c) No Canon, or amendment to the Constitution or to any existing Canon, shall be proposed or enacted unless it has been considered and approved by the Executive Council and notice of the same has been transmitted to the members of Provincial Synod at least thirty (30) days before the meeting of Provincial Synod.
11. The proceedings of Provincial Synod shall, where practicable, be governed by the Rules of Motion And Debate of the Rules of Order And Procedure of General Synod.
12. A quorum of Provincial Synod, the Executive Council, and any committee or commission of Provincial Synod shall consist of one-half of the members thereof.
13. The Provincial Executive Council
 - a) The work of the Provincial Synod between sessions shall be carried on by an Executive Council.
 - b) The Executive Council shall consist of:
 - a. The Metropolitan
 - b. The Prolocutor
 - c. The Chancellor
 - d. The Executive Officer(s)
 - e. The Clerical Secretary
 - f. The Lay Secretary
 - g. The Treasurer
 - h. One representative of the Provincial House of Bishops from each diocese, including the Metropolitan, and one lay representative, and one clerical representative from the elected members of Provincial Synod from each diocese. [Amended to the present reading of the text by the 2001 Synod]

- i. One youth delegate, to be chosen by the youth delegates from amongst themselves.
- c) The Executive Committee shall meet annually, and may meet more often at the call of the Metropolitan or, in his absence, by the Prolocutor.
- d) The Metropolitan shall be the Chairperson of the Executive Council and, in the absence, or at the request, of the Metropolitan, the Prolocutor shall preside at meetings of the Executive Council.
- e) If a vacancy occurs in the Executive Council because of the death, retirement or transfer from the diocese of a representative from among the elected members of Provincial Synod, such vacancy may be filled between sessions of the Provincial Synod by a nominee of the diocesan bishop of the diocese concerned from the members of the diocese. All other vacancies in the Executive Council may be filled between sessions of Provincial Synod by a nominee of the Metropolitan.

14. Commissions, Committees, and Task Forces of Provincial Synod

Provincial Synod, or its Executive Council, shall establish such commissions, committees, or task forces as it shall deem necessary for its work. It shall make provision for membership, terms of reference, co-opting of members, expenses and duties of each such commission, committee, or task force. Provincial Synod, or its Executive Council, where such commission, committee, or task force has been established by the Executive Council or Provincial Synod, shall determine when a commission, committee, or task force shall be discharged. [Amended to the present reading of text by the 2001 Synod]

**The Canons
of the
Ontario Provincial Synod**

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Canon I

The Ecclesiastical Province of Ontario and its Dioceses

1. The Ecclesiastical Province of Ontario of the Anglican Church of Canada ("the Province") consists of the following dioceses: Toronto, Huron, Ontario, Niagara, Algoma, Ottawa and Moosonee.
2. The Provincial Synod may subdivide any diocese, or alter or rearrange the boundaries between dioceses with the consent of the diocese or dioceses concerned, after seeing that appropriate financial and other arrangements are made.
3. Each diocese may be divided into archdeaconries, regional deaneries, parishes and such other forms of subdivision, and with the use of such other terms, as each diocese may determine. Parishes may be composed of one or more congregations and each diocese may combine or divide such parishes with, or into, other parishes or may alter the boundaries of such parishes, all subject to prior consultation by such diocese with the parish or parishes affected. A diocese may arrange for types of ministry other than the parish ministry in order to meet the needs of the people in particular localities or circumstances.
4. Each diocese within the Province may, at any time and from time to time, cooperate with other dioceses within the Province, or elsewhere in the Anglican Communion, in undertaking special projects or other matters of common interest to them.

Canon II

The Metropolitan

1. There shall be a Metropolitan who shall be one of the Diocesan Bishops of the Province, shall be the presiding bishop of the Province and, on assuming this office, shall be the senior bishop of the Province, with the title of Archbishop.
2. Only the Diocesan Bishops of the Province shall be eligible for election to the office of Metropolitan. A retiring Metropolitan shall be eligible for re-election.
3. The Metropolitan shall be elected by the members of the Provincial Synod, acting as an Electoral College.
4. The election shall be by secret ballot taken by Orders (bishops and clergy voting together), and the voting shall continue by consecutive ballots until one diocesan bishop obtains a clear majority of the valid votes cast by the members of each Order.
5. The Prolocutor shall preside at the election of the Metropolitan.
6. The See of the bishop so elected shall be the Metropolitan See while such office is held by the bishop so elected.
7. The Metropolitan shall preside at all meetings of the Provincial House of Bishops, the Provincial Synod and the Executive Council of Provincial Synod (but may, from time to time, delegate the latter two functions to the Prolocutor), and shall be a member ex-officio of all commissions and committees of Provincial Synod. The Metropolitan shall also preside at the election of all bishops in the Province except where the diocesan canons make other provisions, and shall speak on behalf of the Anglican Church of Canada in the Province.
8. The Metropolitan, together with the Provincial House of Bishops, shall confirm the election of bishops and arrange for their consecration.
9. It shall be the duty of the Metropolitan to give pastoral care to the bishops of the Province.
10. A Diocesan Synod, with two-thirds of the valid votes cast by the members of each Order, may request the Metropolitan, after consultation with the Provincial House of Bishops, to assume the powers of the bishop of such Diocese on a temporary basis.
11. Subject to the provisions of this paragraph eleven, the Metropolitan shall hold office for a period of six years following election to such office, or until death,

retirement, or resignation prior to the end of such six year period. In the event of such earlier death, retirement, or resignation, the office of Metropolitan shall be filled, *pro tempore*, by the diocesan bishop of the Province senior by election to that office. If such six year period expires between regular sessions of the Provincial Synod, the Metropolitan's term of office may be extended at the request of the Executive Council of Provincial Synod, and with the concurrence of the Metropolitan, to the next regular session of the Provincial Synod. Following the expiration of such six year period, (as extended, if applicable), and at such Synod, an election for Metropolitan shall be held.

12. The Metropolitan may resign at any time by written notice to the diocesan bishop of the Province senior by election to that office, who shall thereupon submit such notice to the members of the Provincial House of Bishops.

13.

a) During a vacancy in the office of Metropolitan or during serious illness or other incapacity of the Metropolitan, the diocesan bishop of the Province senior by election to that office, able and willing to act, shall have the authority to perform all duties of the Metropolitan and shall be styled "Acting Metropolitan".

b) A certificate signed by three other diocesan bishops of dioceses within the Province shall be sufficient evidence of the serious illness or other incapacity of the Metropolitan; and

c) The Metropolitan may resume authority by notifying the Acting Metropolitan and submitting a certificate signed by three other diocesan bishops of diocese within the Province evidencing his or her capacity to resume such authority.

d) Upon retiring from the offices of Metropolitan and Diocesan Bishop, the retired Metropolitan may continue to use the honorific title of 'Archbishop' in retirement [previous provision repealed with this new provision being substituted. 2003 Provincial Synod session]

14.

a) If a vacancy occurs in the office of Metropolitan (other than for serious illness or other incapacity as set out in section 14 of this Canon) less than twelve months before a regular session of Provincial Synod, a meeting of the Electoral College shall be held to elect a Metropolitan, either during or immediately following such regular session ;

b) If a vacancy occurs in the office of Metropolitan (other than for serious illness or other incapacity as set in Section 14 of this Canon) more

than 12 months before a regular session of the Provincial Synod, unless the Executive Council otherwise directs, a meeting of the Electoral College shall be held to elect a Metropolitan at a time and place to be fixed by the diocesan bishop of the Province senior by election to that office, in consultation with the Executive Council.

Canon III

The Election and Resignation of Bishops

1. A bishop shall be elected to such office by the Synod of a Diocese pursuant to the Canons and Constitution of such diocese then in force, and written notification thereof shall be transmitted to the Metropolitan within seven days of such election. On receipt of such confirmation, the Metropolitan shall transmit a notice thereof to all other bishops of the Province and such other bishops shall, within seven days of receipt of such notification, file with the Metropolitan any written objection which any such bishop shall have. If the Metropolitan receives no such objection within such seven day period, the election and confirmation of such bishop shall be deemed to be final. If a written objection to such election is received by the Metropolitan within such seven day period, the Metropolitan shall forthwith call a meeting of the Provincial House of Bishops to consider the objection, and a decision of the House of Bishops with respect to the confirmation or nullification of such election shall be final and binding on all concerned.
2. Objection to the election of a bishop may be taken on any of the following grounds: The person so elected:
 - a) not being thirty years of age or more nor a priest in Holy Orders for at least seven years in the Anglican Communion;
 - b) being deficient in training or learning;
 - c) having used simony, collusion, or improper means of election;
 - d) being guilty of a crime or ecclesiastical offence as set out in Canon XVIII of the General Synod of the Anglican Church of Canada;
 - e) teaching or holding at the time, or within the five previous years, anything contrary to the doctrine and discipline of the Anglican Church of Canada.
3. All bishops in the Province shall hold office until their resignation or until reaching the age of seventy years, whichever first occurs. Any bishop may resign prior to attaining the age of seventy years by written notice to the Metropolitan or, if the office of Metropolitan is then vacant, to the diocesan bishop of the Province senior by election to that office. The Metropolitan, as bishop of a diocese, may resign as such bishop (and, as a result, must resign as Metropolitan) by written notice to the diocesan bishop of the Province senior by election to that office.

4. If the bishop, synod, or executive committee (or similar body) of any diocese in the Province believes that additional episcopal assistance is necessary and desirable in and for the diocese, whether as coadjutor bishop, or suffragan or assistant bishop or bishops, then, in the absence of a procedure set out in the Canons or Constitution of such diocese, a resolution to this effect shall be passed by the diocesan synod, and the diocesan bishop shall set out to the diocesan synod the duties to be assigned to such bishop or bishops. The description of such duties shall be subject to change as need develops or conditions alter, and all changes shall be reported by the diocesan bishop to the diocesan synod. Prior to the election of any such bishop, the diocese shall satisfy the Metropolitan that sufficient financial provision has been, or will be, made with respect to such additional bishop.

5. Where a diocesan bishop determines that additional episcopal assistance in the diocese is necessary but that a formal election of an additional bishop is not, a diocesan bishop may appoint (with the concurrence of the diocesan executive committee or similar body) a retired bishop from the same or another diocese or a presently active bishop from another diocese to be an assistant bishop or an assistant to the diocesan bishop to perform such duties, for such period of time and at such remuneration as may be agreed to. Any fulltime assistant bishop or assistant to the diocesan bishop so appointed may attend Provincial Synod and meetings of the Provincial House of Bishops and shall be entitled to vote thereat.

Canon IV

The Licensing of Clergy

1. No ordained person shall undertake a clerical position in a diocese of the Province without a licence or permit issued by a bishop of such diocese. Such licence or permit may be issued by the bishop of the diocese in accordance with the canons of such diocese.
2. If a member of the clergy desires to leave the active ministry of the Church for a temporary period, such member shall request a leave of absence from the bishop of the diocese for a period not exceeding one year. Such leave of absence may, but need not, be renewable by the bishop for successive periods of one year each.
3. Oaths and subscriptions shall be taken at ordination as deacon and priest and consecration as bishop and on such other occasions as shall be required by the diocese in accordance with the forms in use in the diocese concerned.

Canon V

Discipline and the Court of Appeal

1. Definitions:

In this Canon,

"Canon XVIII" means Canon XVIII of the General Synod of The Anglican Church of Canada;

"Court" means the Court of Appeal for the Ecclesiastical Province of Ontario;

"Member of the clergy" means a priest or deacon licensed in a diocese in the Province;

"Member of the laity" means a communicant lay member of the Church residing in the Province.

2. Constitution of the Court:

- a) There shall be a court called The Court of Appeal for the Ecclesiastical Province of Ontario.
- b) The Court shall be composed of five members.
- c) On the trial of a bishop, or on the review of a decision of the Metropolitan or a diocesan bishop convicting a bishop of an offence or imposing a penalty for an offence, three members shall be bishops holding episcopal office in the church, one shall be a member of the clergy, and one shall be a member of the laity.
- d) On an appeal from the trial of a priest or a deacon, or from the review by a diocesan court of the decision of the diocesan bishop convicting a priest or a deacon of an offence or imposing a penalty for an offence, one member shall be a bishop holding episcopal office in the church, three shall be members of the clergy, and one shall be a member of the laity.
- e) On an appeal from the trial of a lay person, or from the review by a diocesan court of the decision of the diocesan bishop convicting a lay person of an offence or imposing a penalty for an offence, one member shall be a bishop holding episcopal office in the

church, one shall be a member of the clergy, and three shall be members of the laity.

- f) On a case stated under section three, subsection (d) one member shall be a bishop holding episcopal office in the church, two shall be members of the clergy and two shall be members of the laity.
- g) The Executive Council of Provincial Synod shall, at its first regular meeting following each triennial meeting of the Provincial Synod determine the names of two members of the clergy and two members of the laity from each diocese in the Province who shall be eligible for appointment to the Court.
- h) The persons whose names are determined under subsection (g) shall continue to be eligible for appointment to the Court until the Executive Council determines the names of persons to replace them.
- i) When a case is to be heard by the Court, the Metropolitan shall appoint the members of the Court from among the bishops holding episcopal office in the Province and the members of the clergy and laity determined under subsection (g).
- j) If, for any reason, a vacancy occurs among the members of the Court before the hearing commences, the vacancy shall be filled in the same way. If a vacancy occurs after a hearing has commenced the remaining members of the Court may continue the hearing and give judgment or may direct that a new Court be appointed and the hearing be recommenced.
- k) The Metropolitan may appoint himself or herself to the Court.
- l) No person who is or has been involved, or has an interest, in the case to come before the Court shall be a member of the Court.
- m) The Metropolitan, if a member of the Court, and otherwise the bishop among the members of the Court who is senior by election to that office, shall be President of the Court.

3. Jurisdiction:

- a) The Court has the jurisdiction conferred on it by section six of Canon XVIII with respect to the discipline of bishops.
- b) The Court has jurisdiction conferred on it by section four of Canon XVIII to review a decision of the Metropolitan or of a

diocesan bishop convicting a bishop of an offence or imposing a penalty for an offence.

- c) The Court has jurisdiction to hear and determine an appeal from any judgment or order of a diocesan court or the president thereof.
- d) The Court has jurisdiction upon a case stated by:
 - i) the Provincial Synod;
 - ii) the Executive Council of the Province; or
 - iii) the House of Bishops of the Province.

to determine the validity or interpretation of any provision of the Constitution of the Provincial Synod or of a diocesan synod or of any Canon of the Provincial Synod or of a diocesan synod.

- e) A priest or deacon of a diocese shall be tried in the diocesan court of that diocese in accordance with the canons of such diocese and the canons of General Synod, and where a conflict between such canons arises, the canons of General Synod shall govern.

4. Assessors:

- a) The Court, or the Metropolitan in the exercise of initial jurisdiction, shall be advised by at least two assessors.
- b) The Chancellor of the Provincial Synod shall be one of the assessors unless he or she is or has been involved, or has an interest, in the case.
- c) The other assessors shall be chancellors or vice-chancellors of dioceses in the Province.
- d) The Metropolitan shall appoint the assessors.
- e) If an assessor for any reason is unable to act or to attend a sitting of the court or a trial by the Metropolitan, the President of the Court or the Metropolitan may appoint a substitute assessor.
- f) No one who is or has been involved, or has an interest, in the case shall be appointed as an assessor.
- g) The assessors shall advise the Court or the Metropolitan on matters of law and procedure.

5. Offences:

All persons who are subject to the ecclesiastical jurisdiction of the Provincial Court of Appeal shall be liable to discipline for any of the following offences:

- a) conviction of an indictable offence;
- b) immorality;
- c) disobedience to the bishop to whom such person has sworn canonical obedience;
- d) violation of any lawful Constitution or Canon of the Church, whether of a diocese, province, or of the General Synod by which the person is bound;
- e) willful or habitual neglect of the exercise of the ministry of the person without cause;
- f) willful or habitual neglect of the duties of any office or position of trust to which the person has been appointed or elected;
- g) teaching or advocating doctrines contrary to those accepted by the Anglican Church of Canada;
- h) contemptuous or disrespectful conduct towards the bishop of the diocese in matters pertaining to the administration of the affairs of the diocese or a parish.

6. Charges Against Diocesan Bishops:

- a) A charge alleging that a diocesan bishop has committed an offence as defined in section eight of Canon XVIII may be filed with the Metropolitan by
 - i) three bishops of the Province, or
 - ii) three members of the clergy licensed in, and three lay delegates to the synod, of the bishop's diocese.
- b) A diocesan bishop who has been accused by any person of committing an offence, but against whom no charge has been filed, may, together with two other bishops of the Province, file with the Metropolitan a request that the accusation be investigated, whereupon a charge alleging that the diocesan bishop has committed an offence

shall be deemed to have been filed.

- c) If the diocesan bishop against whom a charge is filed or is deemed to have been filed does not waive the appointment of a Committee of Inquiry, the Metropolitan shall appoint three persons (at least one of whom shall be a judge of a court of record of the Province of Ontario or a barrister or solicitor of at least ten years' standing at the bar of the Province of Ontario, and none of whom shall subsequently be assessors or members of the Court which may be convened to deal with such charge) as a Committee of Inquiry to determine whether there is sufficient evidence to warrant a trial of the charge.
- d) If the Committee of Inquiry determines that a trial is not warranted, the Metropolitan shall dismiss the charge.
- e) Subject to subsection (f), if the diocesan bishop waives the appointment of a Committee of Inquiry, or if the Committee of Inquiry determines that a trial is warranted, the Metropolitan may
 - i) exercise the initial jurisdiction conferred upon the Metropolitan by section three of Canon XVIII, or
 - ii) refer to the Court the determination of whether an ecclesiastical offence has been committed or the determination of a penalty.
- f) Where the diocesan bishop against whom a charge is filed or is deemed to have been filed is the Metropolitan, if the Metropolitan waives the appointment of a Committee of Inquiry and determines that a trial is warranted, the diocesan bishop with whom the charge or request was filed shall refer to the Court the determination of whether an ecclesiastical offence has been committed or the determination of a penalty.
- g) When exercising initial jurisdiction, the Metropolitan shall
 - i) be advised by assessors, and
 - ii) follow the same rules and procedure as would be followed by the Court including the principles and general procedures prescribed by Part five of Canon XVIII.
- h) During the period while the Committee of Inquiry or the Court is in session, the accused person may withdraw from the exercise of his or her office or be inhibited therefrom.

7. Review of Initial Jurisdiction:

A bishop who has been convicted of an offence by the Metropolitan or a diocesan bishop in the exercise of initial jurisdiction, or the Executive Council of the diocese in which the convicted bishop holds office or resides, may invoke the jurisdiction of the Court to review the conviction or the penalty imposed, by filing with the Metropolitan within thirty days of the conviction or imposition of penalty a written request for such review.

8. Appeals:

- a) Any party to a proceeding before a diocesan court may appeal.
- b) An appellant shall give written notice of appeal from a judgment or order of a diocesan court or of the president thereof within thirty (3) days from the date such judgment or order is pronounced. The notice shall be given to such persons and in such manner as are prescribed by the rules of the Court.
- c) The Court may, on motion, dismiss an appeal that is frivolous or vexatious or otherwise an obvious abuse of the process of the Court.

9. Sittings:

The Court may sit in any diocese in the Province at such time and place as the President of the Court directs.

10. Judgment:

- a) The Court shall hear and dispose of a matter within one year from the date on which the Metropolitan appoints the members of the Court.
- b) Before delivering judgment on an issue involving a question of doctrine the Court shall refer the question to the Provincial House of Bishops, and shall consider the opinions of the bishops who reply within two months after the question is referred to them.
- c) Subject to any right of appeal conferred by the Canons of the General Synod, the judgment of the Court is final and conclusive in respect of all matters in question in the proceeding.

11. Rules:

- a) The Executive Council of Provincial Synod may make rules with respect to the appointment and duties of officers of the Court, the practice and procedure of the Court including the procedure for the hearing of interlocutory matters, and all other matters necessary to give effect to the provisions of this Canon.
- b) Until such rules have been made the Rules of The Supreme Court of Appeal for The Anglican Church of Canada shall be followed to the extent that they are applicable.

Canon VI

Enactments of the General Synod

This Provincial Synod accepts all the enactments of the General Synod insofar as they have application to the Ecclesiastical Province of Ontario.

Canon VI

A Canon to Provide for the Administration of the Diocese of Moosonee as a Mission Area of the Ecclesiastical Province of Ontario

1. In this Canon,

“Diocese” means the Diocese of Moosonee;

“Metropolitan” means the Metropolitan or Acting Metropolitan of the Ecclesiastical Province of Ontario.

“Synod” means the Synod of the Diocese’

“Provincial Synod” means the Provincial Synod of the Ecclesiastical Province of Ontario.

2. The Diocese is a Mission Area of the Ecclesiastical Province of Ontario while this Canon is in force.

3.1 Notwithstanding anything in any Canon of the Synod the Metropolitan shall be the Bishop of the Diocese from the date this Canon comes into force until the date it expires.

3.2 The Metropolitan shall exercise all spiritual, temporal, disciplinary and judicial authority of the Bishop of the Diocese.

3.3 The Metropolitan may authorize other bishops to perform Episcopal liturgical functions in the Diocese including the ordination of deacons and priests, confirmation, the consecration of churches, chapels and church-yards and the blessing of oil.

3.4 The Metropolitan may appoint one or more Administrators for the Diocese or for areas of the Diocese and authorize them to act as deputies for the Metropolitan in temporal matters and to carry out duties and responsibilities in such matters. The Metropolitan may vary from time to time the terms of the powers delegated to the Administrator or Administrators.

3.5 Administrators are responsible to, and shall report to, the Metropolitan. Administrators serve at the pleasure of the Metropolitan.

4.1 The Canon comes into force on the date the Right Reverend Thomas A. Corston ceases to hold the office of Bishop of the Diocese.

4.2 When the Metropolitan and the Executive Council of the Synod jointly determine that the Diocese should cease to be a Mission Area and be restored to its former status the Metropolitan shall call such meetings of the Executive Council and of the Synod, as are required by Canon 13, to elect a diocesan bishop in accordance with that Canon.

4.3 This Canon expires on the date the person elected by the Synod is installed as Bishop of the Diocese.