

Community Apostolic Episcopal Church

of Canada

Canons

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# The Code of Canon Law

**for**

**The Community Apostolic Episcopal Church of Canada**

The Object for which the corporation is incorporated.

1. To preach and advance the teachings of the Christian faith and the religious tenets, doctrines, observances and culture associated with that faith.
2. To establish, maintain and support a house of worship with services conducted under the tenets and doctrines of the Christian faith.
3. To support and maintain missions and missionaries to propagate the Christian faith.
4. To assist persons in coping with the effects of substance abuse by offering education and coaching and by establishing mutual support groups.
5. To provide the necessities of life to victims of disasters.
6. To relieve poverty by providing food and other basic supplies to persons of low income, establishing, operating and maintaining homeless shelters, and providing coaching and other similar programs to relieve poverty.
7. Provide spiritual support and pastoral coaching for grief, related to trauma or loss.

## The special provisions are:

1. The corporation shall be carried on without the purpose of gaining for its members, and any profits or other accretions to the corporation shall be used to promote its objectives.
2. The corporation shall be subject to the Charities Accounting Act.
3. The directors shall serve as such without remuneration, and no director shall directly or indirectly receive any profit from their positions as such, provided that (except as provided under the Federal Incorporation Act), directors may be paid reasonable expenses incurred by them in the performance of their duties.
4. The borrowing power of the corporation under any by-law passed and confirmed by section 59 of the Corporations Act shall be limited to borrowing money for current operating expenses, provided that the borrowing power of the corporation shall not be so limited if it borrows on the security of real or personal property.
5. If it is made to appear to the satisfaction of the Minister, upon report of the Public Guardian and Trustee, that the corporation has failed to comply with any of the provisions of the Charities Accounting Act, the Minister may authorize an inquiry to determine whether or not there is sufficient cause for the Lieutenant Governor to make an order under subsection 317(1) of the Corporations Act to cancel the letters patent of the corporation and declare them to be dissolved.
6. Upon the dissolution of the corporation and after payment of all debts and liabilities, its remaining property shall be distributed or disposed of to charities registered under the Income Tax Act (Canada), in Canada.
7. To invest the corporation's funds under the Trustee Act.
8. For the above objects, and as incidental and ancillary thereto, to exercise any of the powers as prescribed by the Corporations Act, or by any other statutes or laws from time to time applicable, except where such power is limited by these statutes or common law relating to charities.

## Preamble

Canon Law contains guidelines for actions, not beliefs. It presents norms of conduct, not the content of the faith. Therefore, the Canons concern church order and discipline rather than doctrine and dogma. Whereas theology is concerned with God’s revelation and the church’s teachings, canon law concerns the external order and practice patterns within the church community.

Canon Law has at least four functions in the church:

1. To aid the church in the achievement of its goals;
2. To afford stability to the church, that is, to provide good order;
3. To protect personal rights, provide avenues of recourse and redress of grievance and means for the resolution of conflicts; and
4. To educate the church community by reminding its members of its values and standards.

Organization of the Code: This Code of Canon Law is divided into seven sections or Articles. These include:

1. General Norms,
2. The People of God,
3. The Teaching Function,
4. The Sanctifying Function,
5. The Temporal Goods of the Church,
6. Sanctions of the Church.
7. General Bylaws

These parallel the books of the Code of Canon Law based on a blend of the Roman Etc1963. Anglican Canon Law, but are not identical. They have been written to be generally understood by the laity and Clergy. It is considerably briefer than the Roman Code, emphasizing essentials and omitting minutiae.

This Code concerns only those persons who are members of the

Apostolic Episcopal Community Church of Canada and each canon come into being when decreed and approved at our annual Synod. The original was approved by the pastoral council (board), but in the future, although approved by the commission, they must also be approved by the Synod attendees.

References to a specific canon law should be made by number and letters of the Article, paragraph, section, and subsection. For example, 1-02-A-b would refer to Article I, paragraph 02, section A, subsection b.

# Definitions

In these canons and all other by-laws of the Corporation, unless the context otherwise requires:

"**Act**" means the Canada Not-For-Profit Corporations Act S.C. 2009, c. 23 including the Regulations made under the Act, and any statute or regulations that may be substituted, as amended from time to time;

"**articles**" means the original or restated articles of incorporation or articles of amendment, amalgamation, continuance, reorganization, arrangement or revival of the Corporation and includes the articles of these CAEC canons;

"**bishop**" refers to one of the church's three orders of ordained ministers, bishops are charged with the apostolic work of leading, supervising, and uniting the church. Bishops represent Christ and his church and are called to provide Christian vision and leadership for their dioceses.;

"**board**" means the board of directors of the Corporation and "director" means a member of the board;

"**by-law**" means this by-law and any other by-law of the Corporation as amended and which are, from time to time, in force and effect, and for church purposes, by-laws and canons are synonymous and may be used interchangeably;

**The “chancellor” is the chief record-keeper of the church. Normally a priest, sometimes a deacon, the chancellor keeps the official archives of the diocese and generally manages the church's administrative offices**.

"**deacon**" refers to members of one of three distinct orders of ordained ministry. In the CAEC, a deacon exercises “a special ministry of servanthood,” serving all people and especially those in need;

**“lay minister”** refers to those who have not been ordained, but are preparing for ordination. The presiding bishop may authorize them to officiate weddings.

"**meeting of members**" includes an annual meeting of members (Synod) or a special meeting of members; "special meeting of members" includes a meeting of clergy, laity and/or volunteers and a special meeting of all members entitled to vote at an annual meeting (Synod) of members;

"**ordinary resolution**" means a resolution passed by a majority of not less than 50% plus 1 of the votes cast on that resolution;

“**priest”** is derived from the Greek presbyteros, “elder,” which is a synonym for presbyter. Presbyters constituted a collegiate ruling body of institutions in Judaism. The Catechism notes that “the ministry of a priest or presbyter” is “to represent Christ and his Church, particularly as pastor to the people;

"**proposal**" means a proposal submitted by a member of the Corporation that meets the requirements of section 163 (Member Proposals) of the Act;

"**regulations**" means the regulations made under the Act, as amended, restated or in effect from time to time;

"**special resolution**" means a resolution passed by a majority of not less than two-thirds (2/3) of the votes cast on that resolution; and

“**Vicar General**” is the principal deputy of the archbishop for the exercise of administrative authority and possesses the title of local ordinary. As vicar of the archbishop, the vicar general exercises the bishop’s ordinary executive power over the entire church and, thus, is the highest official in the church after the archbishop.

## Interpretation

In interpreting this by-law (canon), words in the singular include the plural and vice versa, words in one gender include all genders, and "person" includes an individual, body corporate, partnership, trust, and unincorporated organization.

Except as specified above, the words and expressions defined in the Act carry the same meanings when used in these canons.

# Article I, General Norms

## Para.01 Official Languages

1. The church's official language is English, and all official documents, reports and proceedings shall be written in English. English, French, Latin, Greek, Hebrew and Indigenous languages are the official languages used to recite liturgy.
2. With permission of the Presiding Bishop, the liturgy may be translated into the community’s predominant language.

## Para.02 Persons

1. Through the initiating rite of Baptism, one becomes a full and participatory member of the Body of Christ, the faithful.
2. a. The age of majority is considered to be eighteen in Alberta, Manitoba, Ontario, Prince Edward Island, Quebec, and Saskatchewan and nineteen in British Columbia, Newfoundland, Nova Scotia, New Brunswick, Northwest Territories, Nunavut, and Yukon.

b. A minor is not yet of the age of majority as per their province.

c. An infant is a child who has not yet attained seven years.

d. One who is living with a mental disability should be considered according to assessed mental age.

1. All individuals are equal before God. Hatred or indifference for any reason will not be tolerated. The Chapter of Bishops acknowledges that any organization can have instances of systemic discrimination. Clergy or laity can present these concerns to the Chapter of Bishops according to the Policies and Procedures Manual.

##

## Para.03 Juridical Acts

1. a. For validity, a juridical act must be performed by a person who is capable, and contains those elements which constitute the essence of the act, as well as the formalities and requirements that the law prescribes for the validity of the act.

b. An act is invalid if it is the result of force or threat that is imposed upon the person acting.

c. An act is invalid when performed as a result of ignorance or of error which concerns the substance of the act.

## Para.04 Power of Governance

1. a. **Ordinary power of governance** is that which, by virtue of the law, is attached to a given office.

b. Delegated power of governance is that which is granted to a person other than through an office.

1. The **power of governance** is divided into legislative, executive, and judicial power.
2. **Legislative power** is to be exercised in a manner prescribed by law; a lower legislator cannot make a law contrary to that of a higher legislator.
3. **Executive power** is that given to act by virtue of an office held; it may be delegated by the holder of that office.
4. **Judicial power** is to be exercised in the manner prescribed by law by those appointed by law as judges.
5. The term **Ordinary** refers to all Bishops, Episcopal Abbots or Priors, and those who have general ordinary executive power, that is, vicars general, episcopal vicars, and major superiors of any religious community or organization.

## Para.05 Ecclesiastical Offices

1. An ecclesiastical office is any post which by divine or ecclesiastical disposition is established by canonical provision.
2. No ecclesiastical office may be provided unless it is lawfully vacant.
3. A candidate for such office must be willing to fill the office.
4. **Roberts Rules of Order** shall be followed unless otherwise stated by a canon in the election of persons to those offices which are to be filled by election.
5. An ecclesiastical office shall become vacant:
* on the expiry of a predetermined time;
* on reaching the age limit for that office;
* by resignation;
* by transfer;
* by removal as prescribed or
* by deprivation as prescribed by law.

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# Article II. The People of God

## Para 01 Christ’s Faithful

1. Christ’s faithful (Christe Fideles) are those who have received a valid baptism, either through triple immersion in water or by triple pouring of water over the head, during which the words “I baptize you in the name of the Father and the Son and the Holy Spirit” are uttered by the minister of baptism. As members of Christ’s body, they are entitled to spiritual nourishment and care from the Church.
2. Christ’s faithful have an obligation to:
* practice the Faith,
* to pray to Almighty God,
* to follow God’s commandments,
* to receive the Holy Sacraments according to their capacity,
* to read, learn, and follow the wisdom contained in the Holy Scriptures,
* to attend the services of the church, and
* to assist the Clergy in whatever ways possible.
1. Laypersons, if suitable, may volunteer to be selected by the clergy to fulfill certain church offices and functions permitted by the canons.
2. Congregants are the faithful of Christ, who are actively committed to:
	1. attend worship services and/or
	2. accept the services of this church in the community,
	3. take part in the spiritual aspects of the church,
	4. partake in one or more of the seven sacraments of this church,
	5. are considered to be laity and have equal voting rights to clergy at Synod (see Policies and Procedures manual for details)
3. Members are volunteers and supporters, who:
	1. are active in various programs,
	2. may attend worship services,
	3. regularly support the diverse needs of the Parish and its Outreach Services, such as
		1. supportive group sessions,
		2. Aid to the homeless,
		3. meals to the poor and elderly,
		4. IV support and accompaniment to those needing medical care.
	4. offer one or more of the following supports: financial,
		1. talent,
		2. time.
	5. as an organization, have a vote at Synod (see Policies and Procedures manual for details)

## Para 02 Regulation of Clergy

1. a. It is recognized that all Christians share in the Priesthood of Christ. All are called to the ministry in Baptism, and that call is constantly renewed in the Eucharist. The ordained are set apart to promote and support the ministry of the whole church.

b. Minor orders include: lay pastors and registered lay readers. These recommendations would be sent to the Diocesan Bishop or the presiding Bishop.

c. Clergy in major orders include: Deacon, Priest and Bishop. Only those ordained with major orders, or appointed as a lay minister awaiting ordination to the diaconate, may officiate at weddings.

d. For all purposes of determining seniority under Canon Law, rank shall take precedence and be within the same rank, according to priority of consecration or ordination.

e. Clergy in major orders shall rank as follows, from highest to lowest:

* Presiding Bishop (Archbishop);
* Vicar General of Canada;
* Chancellor;
* Provincial Bishops or Abbots;
* Bishops Emeritus/Emerita;
* Diocesan Deans;
* Priests;
* Deacons.

f. All Clergy will be considered to be on the active list until notified of their transfer to the inactive list by the Presiding Bishop or Chapter of Bishops.

g. The age of retirement for all Clergy shall be when that clergy wishes to retire or as long as they can continue to carry out their duties competently.

h. The minimum ages of candidates for ordination or consecrations are as follows:

* Diaconate: 21 years;
* Priesthood: at least 22 years of age;
* Episcopate: 35 years.

The minimum academic education required for major orders shall be an academic high school graduation or recognized equivalency.

j. The minimum theological education required of candidates for major orders shall be a certificate, diploma, or degree in religion, divinity, or theology from a seminary, college, or university.

k. The Presiding Bishop may waive h, i and j above, if the candidate is over the age of thirty years and has demonstrated equivalent knowledge in those areas but lacks the formal education.

1. Candidates for major orders shall present evidence of good character and have the ability to support themselves and any family by a lay occupation.

1. The Presiding or Diocesan Bishop must first approve candidates for ordination to any level of Holy Orders.

a. Persons of clerical status from another ritualistic, apostolic, holy, orthodox, or Catholic Church may retain their status without the condition of re-ordination, upon the recommendation of a Bishop, or in the case of one with the rank of Bishop, on the recommendation by the Chapter of Bishops.

b. The Chapter of Bishops will elect and appoint a Priest for the office of Bishop. If accepted, the Bishop-elect shall be consecrated as soon as possible. Consecrations must be celebrated by at least two and preferably three bishops.

c. No newly elected Bishop shall be appointed as provincial or diocesan Bishop if not acceptable to two-thirds of the laity and Clergy in major orders in that province or diocese.

d. The Presiding Bishop shall appoint a candidate for the office of Presiding Bishop, or, if that Bishop is incapacitated, elected by two-thirds majority of the active Clergy and laity.

1. All Clergy may be in regular secular employment which supports them and their families or have retired on a pension from regular secular employment. Income tax letters will be provided by the board of the parish or the main church indicating that they must maintain an office in their home and they may need to use their personal automobile for clergy purposes.
2. Clergy will be assigned to a Bishop who will have regard to the wishes of all parties concerned using consultation with Clergy and laity. No Clergy shall be required to relocate residence without voluntary agreement to the change of assignment.

## Para.03 Governance of the Church

1. a. **The Presiding Bishop** shall exercise executive power within the church and such judicial power as the canons so give.

b. **The Presiding Bishop** shall appoint a Vicar General for Canada to assist with administrative duties with the approval of the Chapter of Bishops.

c. The **Vicar General** may be a Priest or Bishop, and ex officioshall be accorded the salutation “Very Reverend”.

d. At the discretion of the Presiding Bishop, as the growth of the church demands, five Provincial Bishops shall be elected to exercise executive power for the following:

* Western Canada (British Columbia and Yukon);
* Midwestern Canada (Manitoba, Saskatchewan, Alberta and the Northwest Territories);
* Ontario and Nunavut,
* Quebec, and
* The Maritimes (Newfoundland, Labrador, New Brunswick, Nova Scotia, and Prince Edward Island).

e. Each Provincial Bishop shall appoint an Archdeacon to assist in administrative duties.

f. A Provincial Archdeacon shall be a Priest, and ex officio, shall be accorded the salutation “Very Reverend”.

g. A Diocesan Bishop shall be appointed by the Chapter of Bishops and approved by the laity and Clergy for each diocese within a province.

h. A Diocesan Bishop may appoint a Dean (vicar forane) who shall be a Priest to assist in administrative duties.

 I. The Chapter of Bishops may appoint a Coadjutor Bishop to assist a Bishop governing a diocese. The coadjutor may or may not have the right of succession to the diocese upon the retirement or death of the governing Bishop.

j. Any Bishop retiring in office shall retain the title of that office, followed by the word “Emeritus” or “Emerita” following that title.

1. The Chapter of Bishops will act as the church's governing body. It will possess legislative, executive, and judicial powers and will include all the church's bishops under the leadership of the Presiding Bishop.
2. A Provincial Chapter of Bishops shall possess both executive and judicial powers. It shall consist of all the Bishops in that province, chaired by the Provincial or Suffrage Bishop.
3. The Canadian Church, a province, or a diocese must hold a synod called by the Presiding Bishop, a provincial Bishop, or a diocesan Bishop for communication, learning, recommendations, fellowship, prayer, and contemplation.

## Para 04 Definitions of Parish, Missions, Parish Ministries, Chaplaincy Services, Diocese, and Councils

1. A **Parish** is a community unit of Christians worshiping regularly under the direction of a priest or deacon who may or may not be assisted by other Clergy or religious. A parish is self-supporting and has an administrative office in the parish. Each parish must be responsible to the main church.A parish can only be formed when three or more members of the church propose a motion to the main church. At least one member of the main church must be on the board of the parish.
2. A **Mission** is a church unit that worships regularly but not weekly. It is under the diocesan Bishop, who appoints a Priest-in-charge who may not be domiciled or have an administrative office in that location. At his discretion, a bishop may appoint a Deacon in Charge or a Lay minister.
3. **Mission to Seafarers** provides support to seafarers as per “The Mission to Seafarers” organization.
4. **Parish Ministries** is a unit through which the church carries out its mission, which is “To restore all people to unity with God and each other in Christ”. It is an outreach of Clergy services offered to the people in many different locations within a defined geographical area or region. The diocesan Bishop appoints a Priest as director of the ministries who may be assisted by other Clergy or religious and who has a permanent administrative office in the area or territory.
5. **Chaplaincy services** are units of the church having responsibilities to an institution, such as a hospital, nursing home, seniors’ residence, university, college, school, or to an organization such as the military, police, fire services, societies, associations, the Royal Canadian Legion, and other community ministries. A member of the Clergy in major orders whose primary responsibility is for these types of service is called a chaplain.
6. Where four or more units consisting of any combination of A, B, C, or D above that may be conveniently grouped, they may petition the Provincial Bishop to form a new diocese, who will ask the Chapter of Bishops to call for nomination for a Bishop-elect.
7. Each diocese, parish, mission, and parish ministry may be dedicated to some recognized Christian saint, the blessed Trinity, or Christ our Lord himself.
8. Each diocese, parish, mission and parish ministries shall have a permanent or temporary place of worship – a church, chapel, oratory, or shrine. A permanent church or chapel shall be duly consecrated by the Presiding Bishop. A Priest or Bishop may bless an oratory or shrine.
9. I. Each diocese should have a Diocesan Council of Clergy whose members are all within that jurisdiction. This council will serve in an advisory capacity to the dean and the diocesan Bishop.
10. Each parish should have a Parish Council consisting of at least three lay members and the Clergy of the parish. This council will assist the Clergy in the operations of the parish, subject to the guidelines in the Policies and Procedures Manual, which states that only the parish Priest may act legally for the parish.
11. Each parish and mission will remit a ten percent tithe of their earnings to the parish or mission each month, with half being sent to the Community Apostolic Episcopal Church of Canada. Earnings include services such as weddings, baptisms, funerals, and paid pulpit duties.
12. It is understood that the Community Apostolic Episcopal Church of Canada is not in the marriage business; marriage is a sacrament of the church. Priests and deacons may not operate a separate business for weddings. All weddings must be performed in the church's name, using a marriage service approved by the church that is respectful and inclusive.

## Para 05 Religious Orders and Societies

1. All religious orders and societies must have at least three persons and, in their first year, develop a rule based on the Ten Commandments and Christ’s first and second commandments. After one year, a letter requesting recognition, along with the names and addresses of the members, the name of the order or society, the vows to be undertaken by its members, whether the members may be both male and female, whether married couples are accepted, and a copy of the rules shall be sent to the Presiding Bishop through the office of the Vicar General of Canada, who will then examine the documents and investigate the claims being made for its recognition..
2. Religious societies will differ from religious orders in that the members are not required to live a communal life and can be both Clergy and laity.
3. a. Three or more religious houses in a province shall elect a superior for the position of prior or prioress who shall be subject to the Presiding Bishop.

b. When two or more priories exist, the religious order will elect an abbot or abbess under the authority of the Presiding Bishop.

## Para 06 Ecclesiastical Dress and Symbols

Clergy employed in a lay occupation will wear the appropriate clothing for their work, except when performing liturgical duties or attending church functions, during which They will wear clerical attire or vestments when attending church functions at other. denominations, it is essential to respect the space and situation and dress appropriately.

#

# Article III, The Teaching Role of the Church

## Para 01 Duty of the Clergy

1. It shall be the duty of the Clergy to teach the church's faith and to read from the Holy Scriptures at the church's rites and celebrate weekly Eucharist.
2. Where possible, the church's youth should be instructed from the approved catechism, with their parents, godparents, and the church congregation responsible for their education.

#

# Article IV The Sanctifying Function of the Church

## Para 01 Brief Statement of the Church Worship

1. We worship God in the Trinity, glorifying the Father, Son, and Holy Spirit equally.
2. We honour and venerate the Saints and ask their intercession before God; of the Saints, Mary Mother of our Lord Jesus Christ, holds a special place.

## Para 02 The Holy Liturgy

1. The rites and ceremonies shall form the liturgy of the Community Apostolic Episcopal Church of Canada. These may be in the languages of the people to suit the congregation for which the rite is being said. They may be celebrated in any suitable location.
2. The church recognizes seven Sacraments (or mysteries):
* Baptism;
* Confirmation;
* The Holy Eucharist (the Lord’s Supper, Holy Communion, or the Mass);
* Holy Absolution or Confession (Reconciliation, Penitential Rite);
* Holy Orders;
* Holy Matrimony;
* Holy Unction (Healing of the Sick, Anointing).
1. In the administration of the Sacraments, clergy must ensure that the matter, form, and words conform to the approved ritual to ensure their validity. Liturgy may be used from the following:
	1. Evangelical Lutheran Church
	2. Anglican Church (Book of Alternative Services or Book of Common Prayer)
	3. Roman Catholic Church
2. The sacraments of
* Baptism,
* Confirmation,
* Holy Eucharist,
* Holy Absolution,
* Holy Matrimony and
* Holy Unction

may not be denied except for an exceedingly grave reason as acknowledged by a Bishop of the church.

1. a. All infants should be baptized as soon as possible after birth. The minister of Baptism is usually performed by a member of the clergy; however, in cases of necessity, anyone can perform it. A Christian may baptize.

b. The minister of Confirmation is usually a Bishop, although a vicar general may be delegated to confer the sacrament.

c. The minister of the Holy Eucharist shall be a priest or bishop. Deacons may perform a deacon’s Mass with the approval of the Presiding Bishop. Concelebration is permitted. The ritual may be performed by the celebrant facing East, away from the people, or facing West, that is, toward the people.

d. The host may be withheld if there is a locked tabernacle or Communion kit.

e. The seal of the sacrament of Holy Absolution is inviolable. It is a grave offence for a confessor to betray a penitent in any way. Clergy members are required to follow the law of the land regarding confidentiality.

f. The ministers of a marriage are the couple. The Chapter of Bishops does not see any sufficient reason for Clergy refusing to witness and to bless the marriage of divorced persons or same-gendered partners.

g. Holy Orders may be conferred only with the appropriate consent. Ordinations require the approval of the Diocesan Bishop and the Chapter of Bishops.Consecrations require the approval of the Chapter of Bishops.

h. All Clergy at their Ordination or Consecration shall be amenable to the provisions of Canon Law by their oath of office.

1. Other Acts of divine worship are: the recitation of the breviary (also called the Divine Office or the Liturgy of the Hours); funeral services; the exposition of the Blessed Sacrament (Benediction); the Stations of the Cross; and such others that may be approved in the diocese or the church
2. The Chapter of Bishops sees no reason for the Clergy to refuse to perform a burial service, whether the deceased be Christian or not, and it is not deemed a sin.
3. All the faithful are urged to attend regularly the liturgy of the Holy Eucharist and other church services.
4. All Clergy and religious are expected to recite at least two of the Hours of the Divine Office daily.
5. The laity are encouraged to pray daily.
6. The senior Priest of each church unit shall keep unit records. The priest shall keep current and accurate inbound, ledger-style records of all baptisms, confirmations, marriages, deaths, ordinations, and services.

# Article V: The Temporal Goods of the Church

## Para.01 Definitions

1. a. Property may be profane, blessed or consecrated.

b. Property may be real or personal. Property in realty is acquired by entry, conveyance, or devise. Property in personality is acquired in several ways, usually by gift, bequest or sale.

c. Property also signifies a beneficial right in or to a thing. This is either general or specific. General property is that which every absolute owner has. A person is said to have a special property in a thing when that person can only put it to a particular use. Generally, possession is an accompaniment of special property.

1. a. Property an individual has acquired shall remain that person’s property unless acquired on behalf of a church unit, such as a parish, when ownership rests with that unit.

b. Property owned by one church unit shall not become the property of another unit except by gift or sale.

c. All branch churches shall have a share in the main body of the church. Each church is a united partnership with The Community Apostolic Episcopal Church of Canada and the board of that church. The Board is responsible for the financials of the church, which must be reported quarterly to the Treasurer of the Community Apostolic Episcopal Church of Canada. A parish can only have three months’ operating expenses in their account; it may have a separate account for a special project on approval by the finance arm of the CAEC. They must keep CAEC and report on the status of the account quarterly.

1. A Bishop shall deconsecrate consecrated objects or buildings before they may revert to profane use.
2. Intellectual property is deemed the property of the individual who created it, and any royalties generated from such property shall be paid to that individual. As long as the individual continues to be a CAEC member, other CAEC members may share property. If the individual should leave the CAEC, that intellectual property shall still be considered theirs and continue to be theirs for their life.
3. Each church unit, including all non-consumable property acquired, should keep records. Depreciated property may be removed from the inventory when it is no longer usable or has lost 90% of its original value.
4. The senior member of the Clergy at any unit of the church shall ensure that current financial records are maintained and that a financial statement is prepared annually, the period of the statement being from the first of January to the thirty-first of December of the same year.
5. Stipends may be paid to working clergy for worship services and include expenses and/or mileage when a parish has at least 15-25 members and enough funds to allow it. The amount of the stipend must be by the Policies and Procedures Manual.
6. Financial debts disclaimer
7. Neither the Community Apostolic Episcopal Church of Canada nor any of its parishes shall take responsibility for debts incurred by another parish.
8. A member of the Clergy shall take full responsibility for any personal debts incurred, but not those incurred on behalf of their parish.

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# Article VI: Judicial Process, Procedures, and Sanctions

## Para 01 Judicial Courts

1. The entire judicial process must be viewed through the lens of reconciliation rather than separation. The CAEC hopes to resolve all differences through loving dialogue among all parties, pursuing reconciliation and redemption. If this is not achievable, the following procedures will be implemented..
2. The church's courts will consist of the Court of Final Appeal, the Court of Appeal, and the Chancery Courts—**General**.
3. **The Court of Final Appeal** will hear final appeals from the lower courts. The Presiding Bishop will be its sole judge, and the Presiding Bishop's decision is final.
4. **The Court of Appeal** will consist of two members elected from the Chapter of Bishops and one Priest member elected by the Chapter of Bishops. The senior Bishop will chair the proceedings.
5. **c. The Chancery Court will be selected by the Chancery Office and will consist of five members of the clergy. It will adjudicate all cases related to canon law, faith, and morals**.
6. All courts will make transcripts of their proceedings and use the Statutory Powers and Procedures Act to guide them.
7. The rights of the accused, as with any other citizen of Canada, shall be protected, or any such proceedings will be nullified by the Court of Final Appeal automatically.
8. Social media must not be used in any of these proceedings. Media such as Zoom or Skype may be used for non-disciplinary issues only. All disciplinary issues shall be carried out in person (in the case of a disaster or pandemic requiring isolation, the Chapter of Bishops, along with the Presiding Bishops, will decide how to proceed, in love, under those circumstances).

## Para 02 Sanctions

1. The courts may impose any one of the following sanctions:

a. an oral admonishment

b. a written reprimand

c. a forbidding to speak or write on faith or morals for a set period

d. a suspension from office for a set period

e. expulsion from the church

B. In addition to the above, in the interest of recognition and as an act of reconciliation, the courts may also require an oral or written apology from the accused to the person or persons involved or an oral recantation.

# Article VII: General Bylaws

## Para.01 Corporate Seal

The seal, an impression stamped in the margin of this document, shall be the corporation's seal. The seals are to be used as directed by the corporation's CAEC executive.

## Para 02 Execution of Documents

Deeds, transfers, assignments, contracts, obligations and other instruments in writing requiring execution by the Corporation may be signed by any two (2) of its officers or directors. In addition, the board may occasionally direct how and the person or persons by whom a particular document or type of document shall be executed. Any person authorized to sign any document may affix the corporate seal (if any) to the document. Any signing officer may certify a copy of any instrument, resolution, by-law or other document of the Corporation to be a true copy thereof.

## Para 03 Fiscal Year End

The corporation's financial year end shall be December 31, as per the motion passed by the board of directors on May 17, 2021.

## Para 04 Banking Arrangements

The banking business of the Corporation shall be transacted at such bank, trust company or other firm or corporation carrying on a banking business in Canada or elsewhere as the board of directors may designate, appoint or authorize from time to time by resolution. The banking business or any part of it shall be transacted by an officer or officers of the Corporation and/or other persons as the board of directors may by resolution from time to time designate, direct or authorize.

## Para 05 Borrowing Powers

The directors of the Corporation may, without authorization of the members,

1. borrow money on the credit of the corporation;
2. issue, reissue, sell, pledge or hypothecate debt obligations of the corporation;
3. give a guarantee on behalf of
4. mortgage, hypothecate, pledge or otherwise create a security interest in all or any property of the corporation, owned or subsequently acquired, to secure any debt obligation of the corporation.

## Para 06 Annual Financial Statements

The Corporation shall send to the members a copy of the annual financial statements and other documents referred to in subsection 172(1) (Annual Financial Statements) of the Act or a copy of a publication of the Corporation reproducing the information contained in the documents. Instead of sending the documents, the Corporation may send a summary to each member along with a notice informing the member of the procedure for obtaining a copy of the documents themselves free of charge. The Corporation is not required to send the documents or a summary to a member who, in writing, declines to receive such documents.

## Para 07 Membership Conditions

See Article II

## Para 08 Transferring Membership

A membership may only be transferred to the Corporation. Under Section 197(1) (Fundamental Change) of the Act, a special resolution of the members is required to make any amendment to add, change or delete this section of the by-laws.

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## Para 09 Notice of Members Meeting

Notice of the time and place of a meeting of members shall be given to each member entitled to vote at the meeting by the following means:

1. by mail, courier or personal delivery to each member entitled to vote at the meeting, during a period of 21 to 60 days before the day on which the meeting is to be held; or
2. by telephone, electronic, or other communication facility to each member entitled to vote at the meeting 21 to 35 days before the day on which the meeting is to be held.

Under subsection 197(1) (Fundamental Change) of the Act, a special resolution of the members is required to amend the Corporation's by-laws to change the manner of giving notice to members entitled to vote at a meeting of members.

## Para 10 Members Calling a Members Meeting (Synod)

The board of directors shall call a special meeting of members, as required by Section 167 of the Act, on written requisition of members carrying not less than 50% of the voting rights. The directors must call a meeting within twenty-one (21) days of receiving the requisition.

## Para 11 Absentee Voting at Members’ Meetings (Synod)

There will be no absentee voting.

## Para 12 Clergy Dues

The board of directors shall set the dues. Clergy shall be notified in writing of the membership dues at any time they pay them. If any are not paid within one (1) calendar month of the renewal date, the members in default shall automatically cease to be members of the Corporation unless an arrangement has been made with the church executive for a delay or payment options agreed to.

## Para 13 Termination of Membership

A membership in the Corporation is terminated when:

1. The member dies or resigns;
2. the member is expelled or the articles or by-laws otherwise terminate their membership;
3. the member's term of membership expires; or
4. The Corporation is liquidated and dissolved under the Act.

## Para 14 Effect of Termination of Membership

Termination of membership shall invoke automatic termination of rights.

Subject to the articles, upon any termination of membership, the member's rights, including any rights in the property of the Corporation, automatically cease to exist.

## Para 15 Discipline of Members

See Article VI

## Para 16 Proposals Nominating Directors at Annual Members’ Meetings (Synod)

See Policies and Procedures Manual

## Para 17 Cost of Publishing Proposals for Annual Membership Meetings (Synod)

See Policies and Procedures Manual

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## Para 18 Place of Members’ Meeting (Synod)

Directors shall decide the place of members’ meetings. Subject to compliance with section 159 (Place of Members' Meetings) of the Act, meetings of the members may be held at any place within Canada determined by the board or, if all of the members entitled to vote at such meeting so agree, outside Canada.

## Para 19 Persons Entitled to be Present at Members’ Meeting (Synod)

The only persons entitled to be present at a meeting of members shall be those entitled to vote at the meeting, the directors and the public accountant of the Corporation and such other persons who are entitled or required under any provision of the Act, articles or by-laws of the Corporation to be present at the meeting. Any other person may be admitted only on the meeting chair's invitation or by the members' resolution.

## Para 20 Chair at Members’ Meetings (Synod)

Members will designate a chair if the chair or vice-chair is absent. If the chair of the board and vice-chair are absent, the members present and entitled to vote at the meeting shall choose one of their number to chair the meeting.

## Para 21 Quorum at Members’ Meetings (Synod)

A simple majority of voting members is required for a quorum.A quorum at any meeting of the members (unless a greater number of members are required to be present by the Act) shall be a majority of the members entitled to vote at the meeting. Voting may be overruled, if necessary, due to doctrine or dogma, by the Archbishop and/or the College of Bishops and/or the executive of the main church.

## Para 22 Voting at Members’ Meetings (Synod)

At any meeting of members, every motion shall be determined by a majority of the votes cast on the motion unless otherwise provided by the articles, by-laws or the Act. In case of an equality of votes, either on a show of hands or on a ballot, the chair of the meeting, in addition to an original vote, shall have a second or casting vote.

## Para 23 Participation by Electronic Means at Members’ Meetings (Synod)

If the Corporation chooses to make available a telephonic, electronic or other communication facility that permits all participants to communicate adequately with each other during a meeting of members, any person entitled to attend such meeting may participate in the meeting using such telephonic, electronic or other communication facility in the manner provided by the Act, if permitted by the Archbishop. A person participating in a meeting by such means is deemed to be present at the meeting. Notwithstanding any other provision of this by-law, any person participating in a meeting of members under this section who is entitled to vote at that meeting may vote, by the Act, using any telephonic, electronic or other communication facility that the Corporation has made available for that purpose.

## Para 24 Members’ Meeting (Synod) Held Entirely by Electronic Means

Suppose the corporation's directors call a meeting of members under the Act. In that case, those directors may determine that the meeting shall be held, per the Act and the Regulations, entirely by means of a telephonic, electronic, or other communication facility that permits all participants to communicate adequately during the meeting. This is only to be used as a last resort and only with the permission of the Archbishop.

## Para 25 Number of Directors

The board shall be comprised of the fixed number of directors as determined from time to time by the members by ordinary resolution or, if the ordinary resolution empowers the directors to determine the number, by resolution of the board. The minimum number of directors may not be fewer than three (3), at least two of whom are not the Corporation's or its affiliates' officers or employees.

## Para 26 Term of Office of Directors

At the first election of Directors following the approval of this by-law, one-half (1/2) of the directors shall be elected for a two-year term, and one-half (1/2) of the directors shall be elected for a one-year term. Thereafter, except where an election is held to fill the unexpired portion of a term, newly elected directors shall be elected for two-year (2) terms.

## Para 27 Calling of Meetings of the Board of Directors

Meetings of the board may be called by the chair, the vice-chair, or any two (2) directors at any time; provided that for the first organization meeting following incorporation, such meeting may be called by any director or incorporator. If the Corporation has only one director, that director may call and constitute a meeting.

## Para 28 Notice of Meeting of Board of Directors

Notice of the time and place for the holding of a meeting of the board shall be given to every director of the Corporation not less than 14 days before the time when the meeting is to be held by one of the following methods:

1. delivered personally to the latest address as shown in the last notice that the Corporation sent by section 128 (Notice of directors) or 134 (Notice of change of directors);
2. mailed by prepaid ordinary mail to the director's address as set out in (a);
3. by telephonic, electronic or other communication facility at the director's recorded address for that purpose; or
4. by an electronic document under Part 17 of the Act.

Notice of a meeting shall not be necessary if all of the directors are present, and none objects to the holding of the meeting, or if those absent have waived notice of or have otherwise signified their consent to the holding of such meeting. Notice of an adjourned meeting is not required if the time and place of the meeting are announced at the original meeting. Unless the by-law otherwise provides, no notice of meeting need specifies the purpose or the business to be transacted at the meeting except that a notice of meeting of directors shall specify any matter referred to in subsection 138(2) (Limits on Authority) of the Act that is to be dealt with at the meeting.

## Para 29 Notice of Meeting of Board of Directors

The board may appoint a day or days in any month or months for regular meetings of the board at a place and hour to be named. A copy of any resolution of the board fixing the place and time of such regular meetings of the board shall be sent to each director forthwith after being passed, but no other notice shall be required for any such regular meeting except if subsection 136(3) (Notice of Meeting) of the Act requires the purpose thereof or the business to be transacted to be specified in the notice.

## Para 30 Voting at Meetings of the Board of Directors

At all board meetings, every question shall be decided by a majority of the votes cast on it. In case of an equality of votes, the chair of the meeting shall have a second or casting vote in addition to an original vote.

## Para 31 Committees of the Board of Directors

The board may appoint any committee or other advisory body deemed necessary or appropriate for such purposes and, subject to the Act, with such powers as the board shall see fit. Any such committee may formulate its own rules of procedure, subject to such regulations or directions as the board may occasionally make. Any committee member may be removed by resolution of the board of directors.

## Para 32 Appointment of Officers

The board may designate the corporation's offices, appoint officers on an annual or more frequent basis, specify their duties, and, subject to the Act, delegate to such officers the power to manage the corporation's affairs. A director may be appointed to any office of the Corporation. An officer may, but need not be, a director unless these by-laws otherwise provide. The same person may hold two or more offices.

## Para 33 Officers of the Corporation

Unless otherwise specified by the board (which may, subject to the Act, modify, restrict or supplement such duties and powers), the offices of the Corporation, if designated and if officers are appointed, shall have the following duties and powers associated with their positions:

1. Chair of the Board – If one is to be appointed, the board's chair shall be a director. The chair of the board, if any, shall, when present, preside at all meetings of the board of directors and of the members. The chair shall have other duties and powers as the board may specify.
2. Vice-Chair of the Board—The vice-chair of the board shall be a director if one is to be appointed. If the chair of the board is absent or unable or refuses to act, the vice-chair of the board, if any, shall, when present, preside at all meetings of the board of directors and of the members. The vice-chair shall have such other duties and powers as the board may specify.
3. President—If appointed, the president shall be the Corporation's chief executive officer and responsible for implementing its strategic plans and policies. The president shall, subject to the board's authority, have general supervision of the corporation's affairs.
4. Secretary – If appointed, the secretary shall attend and be the secretary of all board meetings, members and committees. The secretary shall enter or cause to be entered in the Corporation's minute book, minutes of all proceedings at such meetings; the secretary shall give, or cause to be given, as and when instructed, notices to members, directors, the public accountant and members of committees; the secretary shall be the custodian of all books, papers, records, documents and other instruments belonging to the Corporation.
5. Treasurer – If appointed, the treasurer shall have such powers and duties as the board may specify.

## Para.34 Officer Vacancies

In the absence of a written agreement to the contrary, the board may remove, whether for cause or without cause, any officer of the Corporation. Unless so removed, an officer shall hold office until the earlier of:

1. The officer's successor is being appointed,
2. b. the officer's resignation,c. such officer ceasing to be a director (if a necessary qualification of appointment), or
3. such an officer's death.

If the office of any officer of the Corporation becomes vacant, the directors may, by resolution, appoint a person to fill such vacancy.

## Para 35 Method of Giving Notice

Any notice (which term includes any communication or document), other than notice of a meeting of members or a meeting of the board of directors, to be given (which term includes sent, delivered or served) under the Act, the articles, the by-laws or otherwise to a member, director, officer or member of a committee of the board or the public accountant shall be sufficiently given:

1. if delivered personally to the person to whom it is to be given or if delivered to such person's address as shown in the records of the Corporation or the case of notice to a director to the latest address as shown in the last notice that the Corporation sent by section 128 (Notice of directors) or 134 (Notice of change of directors);
2. if mailed to such person at such person's recorded address by prepaid ordinary or air mail;
3. if sent to such person by telephonic, electronic or other communication facility at such person's recorded address for that purpose; or
4. if provided as an electronic document by Part 17 of the Act.

A notice so delivered shall be deemed to have been given when it is delivered personally or to the recorded address as aforesaid; a notice so mailed shall be deemed to have been given when deposited in a post office or public letter box; and a notice so sent by any means of transmitted or recorded communication shall be deemed to have been given when dispatched or delivered to the appropriate communication company or agency or its representative for dispatch. The secretary may change or cause to be changed the recorded address of any member, director, officer, public accountant or member of a committee of the board by any information believed by the secretary to be reliable. The declaration by the secretary that notice has been given under this by-law shall be sufficient and conclusive evidence of the giving of such notice. The signature of any director or officer of the Corporation to any notice or other document to be given by the Corporation may be written, stamped, type-written or printed or partly written, stamped, type-written or printed.

## Para 36 Invalidity of Provisions of this By-Law

The invalidity or unenforceability of any provision of these By-laws shall not affect the validity or enforceability of the remaining provisions.

## Para 37 Omissions and Errors

The accidental omission to give any notice to any member, director, officer, member of a committee of the board or public accountant, or the non-receipt of any notice by any such person where the Corporation has provided notice by the by-laws or any error in any notice not affecting its substance shall not invalidate any action taken at any meeting to which the notice pertained or otherwise founded on such notice.

## Para 38 Mediation and Arbitration

See Article IV

## Para 39 Dispute Resolution Mechanism

See Article IV

## Para 40 By-laws and Effective Date

The board of directors may not make, amend, or repeal any bylaws that regulate the Corporation's activities or affairs without having the bylaw, amendment, or repeal confirmed by the members by ordinary resolution. The bylaw, amendment, or repeal is only effective upon confirmation by the members and in the form in which it was confirmed.

This section does not apply to a by-law that requires a special resolution of the members, as required by subsection 197(1) (fundamental change) of the Act.