

GENERAL SYNOD 2010

RESOLUTIONS FORM

Resolution Number A056

Subject CANON III — THE PRIMATE — AMENDMENTS RECOMMENDED BY THE PRIMACY TASK FORCE

Moved by Bishop Michael Ingham, Diocese of New Westminster

Seconded by Bishop Linda Nicholls, Diocese of Toronto

Be it resolved that this General Synod:

amend Canon III as indicated in Appendix A to this Resolution (additions are in **bold**, deletions are in ~~strikeout~~).

Source Primacy Task Force

Submitted by the Acting General Secretary

Does this motion contain within it any financial implications? Yes No ✓

If yes, has the General Synod Expenditures Committee considered the implications? Yes No

EXPLANATORY NOTE/BACKGROUND INFORMATION:

General Synod 2007 called for a Task Force to conduct a detailed study of the role, duties and functions of the Primate and recommend changes, if any, to Canon III. The Council of the General Synod created the Task Force in the fall of 2007 and its Report has been distributed to members of the General Synod. The rationale for the recommended changes is set out in the Report.

PROCEDURE REQUIRED FOR ADOPTION:

This resolution must be passed by a two-thirds majority in the Order of Bishops and a two-thirds majority in the Orders of Clergy and Laity voting together.

APPENDIX A

CANON III

The Primate

Part I - The Primacy

1. The Primacy

- a) There shall be a Primate who shall be the presiding bishop of The Anglican Church of Canada.
- b) The Primate, upon assuming office, shall be the Senior Metropolitan of The Anglican Church of Canada.
- c) The Primate shall have the title “Archbishop”.

2. Election to the Primacy

The Primate shall be elected in accordance with the procedures established in part II of this Canon.

3. Definition of Senior Metropolitan

As Senior Metropolitan, the Primate:

- i) is *primus inter pares* among the Provincial Metropolitans**
- ii) convenes and chairs meetings of the Provincial Metropolitans**
- iii) consults with Provincial Metropolitans on matters of leadership and mission.**

3 4. Term of Office

- a) The term of office of the Primate shall commence upon installation to the office.

b) As soon as practicable following election, but in any case not more than 90 days after the date of election, the Primate shall resign ~~the any~~ **any** Episcopal ~~or and~~ Metropolitan offices held at the time of election to the Primacy.

c) The Primate shall hold office until:

i) attaining 70 years of age, or

ii) the effective date of a resignation accepted pursuant to section ~~7~~ **9** b) of this Canon, or

iii) the adoption of a resolution declaring the Primacy vacant pursuant to section ~~8~~ **10** d) of this Canon.

~~4. Duties of the Primate—~~

~~a) The Primate shall:—~~

~~i) exercise pastoral and spiritual leadership throughout the Anglican Church of Canada;—~~

~~ii) function as the President of the General Synod, the Chair of the Council of the General Synod,—~~

~~the Chair of the meetings of Metropolitans and the Chair of the meetings of the House of Bishops.—~~

~~iii) function as the Chief Executive Officer of the staff of the General Synod and shall delegate such duties of that office as the Primate deems appropriate, to the General Secretary and other executive members of the staff of the General Synod;—~~

~~iv) give leadership in developing the policies and strategies of the Anglican Church of Canada;—~~

~~v) oversee the implementation of the decisions of the General Synod and the Council of the General Synod;—~~

~~vi) report to each meeting of the Council of the General Synod and to the General Synod;—~~

~~vii) speak in the name of The Anglican Church of Canada after consultation with, or in accordance with the policies set by, the Council of the General Synod or the General Synod;—~~

~~viii) be, ex officio, a member of all committees, councils, boards and commission, standing or~~

~~special, appointed under any provision of the Constitution or any Canon enacted by the General Synod, or under any resolution of the General Synod, or of the Council of the General Synod;—~~

~~ix) visit every diocese of The Anglican Church of Canada;—~~

~~x) represent The Anglican Church of Canada internationally and ecumenically.~~

5. Ministry of the Primate

a) The Primate shall:

i) lead the Anglican Church of Canada in discerning and pursuing the mission of God;

ii) exercise pastoral and spiritual leadership throughout the Anglican Church of Canada and regularly visit every diocese of the Anglican Church of Canada;

iii) exercise a pastoral ministry in particular to the members of the Order of Bishops;

iv) serve as the President of the General Synod, Chair of the Council of General Synod, Chair of the meetings of the Provincial Metropolitans and meetings of the House of Bishops;

v) serve as Chief Executive Officer of the General Synod;

vi) be, ex officio, a member of all committees, councils, boards and commissions, standing or special, appointed under any provision of the Constitution or any Canon enacted by the General Synod, or under any resolution of the General Synod or of the Council of the General Synod;

vii) report to each meeting of the Council of General Synod and to the General Synod;

viii) speak and write prophetically to the Anglican Church of Canada, and on behalf of the Anglican Church of Canada to the world, in consultation with the Metropolitans and/or the Bishops, and the General Synod or its Council as appropriate;

ix) represent the Anglican Church of Canada internationally and ecumenically.

b) The Primate may, after consultation with the Provincial Metropolitans and the Chapter of the Anglican Military Ordinariate and subject to the provisions of financial requirements, appoint a Bishop Ordinary who shall have episcopal jurisdiction over the chaplains of The Anglican Church of Canada on duty with the Canadian Forces **in accordance with any applicable Canon.**

c) **The Primate may, after consultation with the Anglican Council of Indigenous Peoples and the Sacred Circle and subject to the provisions of financial requirements, appoint a National Indigenous Anglican Bishop who shall have a pastoral episcopal relationship with all indigenous ministries, in accordance with any applicable Canon.**

6. Sacramental Ministry of the Primate

The Primate, as Senior Metropolitan, is expected to exercise the apostolic ministry of a bishop throughout the Anglican Church of Canada, primarily by teaching and preaching the Word of God in Scripture, and also by:

i) subject to the invitation of the diocesan bishop, presiding at the sacraments of Baptism, Eucharist, Confirmation and Ordination during pastoral visits across the Anglican Church of Canada,

ii) having a visible role in the consecration of newly elected bishops of the Anglican Church of Canada,

iii) acting as chief consecrator of the National Indigenous Anglican Bishop and the Bishop Ordinary, as required,

iv) installing newly elected Metropolitans in their office, and

v) presiding at all liturgical events of the General Synod and its Council, and all national church events, though the Primate may delegate this to another.

5 7. The Office of the Primate

a) The Primate shall maintain an office at the headquarters of the General Synod of The Anglican Church of Canada.

b) The Primate may retain personal assistants after appropriate financial arrangements have been made pursuant to sections 5 7 c) and 5 7 d) of this Canon.

c) The Financial Management and Development Committee shall, in accordance with its budgeting procedures, determine the financial needs of the Primacy, including all salaries, office expenses, living allowances, travel expenses, entertainment allowances and other expenses.

d) The financial needs of the Primacy shall be met first from the income of any capital fund designated for such purpose and, second, from the proportional gifts that are made by the dioceses.

6 8. Acting Primate

During a vacancy in the Primacy or during the incapacity of the Primate, the Provincial Metropolitan senior by election, able and willing to act, shall have authority to perform all the duties of the Primacy and shall be styled “Acting Primate”.

7 9. Resignation from Office

a) The Primate may submit notice of intention to resign from the office of Primate to the Provincial Metropolitan senior by election.

b) The ~~senior~~ **Provincial Metropolitan senior by election** shall, after consultation with the other Metropolitans and with the Prolocutor and Deputy Prolocutor of the General Synod, jointly with the Primate determine the date on which the Primate’s resignation should take effect.

c) The Primate shall then submit to the ~~senior~~ **Provincial Metropolitan senior by election**, and the ~~senior~~ **Provincial Metropolitan senior by election** shall accept, a resignation to take effect on the date determined pursuant to section 9 b).

d) The ~~senior~~ **Provincial Metropolitan senior by election** shall report the resignation to the Council of the General Synod and to the Order of Bishops of the General Synod.

e) The title of the Primate after ceasing to hold office shall continue to be “Archbishop”.

8 10. Incapacity of the Primate

a) The incapacity of the Primate to carry out the functions of the Primacy for reason of illness or otherwise shall be established:

i) by the deed of the Primate to that effect addressed to the Provincial Metropolitan senior by election, or

ii) by a Certificate of Incapacity addressed to the Provincial Metropolitan senior by election, and signed by four Diocesan Bishops of The Anglican Church of Canada and one of:

a) The Provincial Metropolitans,

b) The Chancellor of the General Synod, or

c) The Prolocutor of the General Synod.

b) Where the incapacity of the Primate has been established by the deed of the Primate to that effect, the Primate may resume the functions of the Primacy by giving notice of intention to do so to the Acting Primate.

c) Where the incapacity of the Primate has been established by a Certificate of Incapacity, the Primate may resume the functions of the Primacy by giving to the Acting Primate notice of intention to do so, and

i) a certificate establishing the capacity of the Primate to resume the functions of the Primacy, signed by the persons who signed the Certificate of Incapacity, or their successors in office, or

ii) a certified copy of a resolution of the Council of the General Synod, or of the General Synod, directing that the Primate may resume the functions of the Primacy.

d) After the incapacity of the Primate to carry out the functions of the Primacy, has been established under section **8 10 a)** of this Canon, the Primacy may be declared vacant:

i) by special resolution of each of the Council of the General Synod and the Order of Bishops, or

ii) by special resolution of the General Synod.

Part II - Election Procedures

9 11. Procedural Guidelines

The Council of the General Synod shall establish procedural guidelines for the conduct of the election of a Primate but this Canon shall have precedence over anything contained in the guidelines as established.

~~10~~ 12. Eligibility

All bishops of The Anglican Church of Canada who are members of the Order of Bishops of the General Synod in accordance with the Constitution of the General Synod shall be eligible for election to the Primacy.

~~11~~ 13. General Synod to Elect

The Primate shall be nominated and elected by the General Synod of The Anglican Church of Canada in accordance with this Canon.

~~12~~ 14. Time of Election

a) Where a vacancy in the Primacy occurs less than 12 months before a regular session of the General Synod, the General Synod shall elect a Primate during such regular session at a time fixed by the Acting Primate.

b) Where a vacancy occurs more than 12 months before a regular session of the General Synod, unless the Council of the General Synod directs otherwise, the General Synod shall elect a Primate at a special session held at a time and place fixed by the Acting Primate in consultation with the Council of the General Synod.

~~13~~ 15. Meeting of the Order of Bishops

The Order of Bishops shall meet not earlier than one hundred and twenty days and not later than thirty days before the date fixed for the election of the Primate and shall nominate three or more bishops for the office of Primate.

~~14~~ 16. Notice to the Orders of Clergy and Laity

Immediately following the meeting of the Order of Bishops, the General Secretary of the General Synod shall send to all members of the Orders of Clergy and Laity the names of the nominees together with such biographical

information about each nominee as is required by the guidelines established under section ~~9~~ **11**.

~~15~~ **17**. President

The Prolocutor of the General Synod or, in the absence of the Prolocutor, the Deputy Prolocutor shall preside during the election of the Primate by the General Synod.

~~16~~ **18**. Celebration of Holy Communion

On the day appointed for the election, the General Synod shall convene for a celebration of Holy Communion.

~~17~~ **19**. Report of the Credentials Committee

Upon conclusion of the celebration of Holy Communion, the Credentials Committee shall report as to the standing of all persons present and as to the presence of a quorum of the General Synod.

~~18~~ **20**. Withdrawal of the Order of Bishops

A quorum of the General Synod being present, the Order of Bishops shall withdraw and sit apart from the other Orders.

~~19~~ **21**. Voting and Election in the Orders of Clergy and Laity

a) When the Order of Bishops has withdrawn, the Orders of Clergy and Laity shall proceed immediately to vote by ballot on the nominations made by the Order of Bishops.

b) Votes shall be taken by Orders and, subject to sections ~~20~~ **22** and ~~22~~ **24**, shall continue until there is an election.

c) After the second and each subsequent vote:

- i) the name of any nominee who has received fewer than 10 per cent of the votes cast in the Order of Clergy and fewer than 10 per cent of the votes cast in the Order of Laity, or

ii) if all nominees have received at least 10 per cent of the votes in both Orders, the name of the nominee who received the fewest votes in the aggregate,

shall be removed from the ballot before the next vote, until only two nominees remain.

d) An election occurs when a nominee receives a majority of the votes of:

i) the members of the Order of Clergy present, and

ii) the members of the Order of Laity present.

e) Upon an election occurring, the Order of Bishops shall be notified.

20 22. Further Nominations

a) Either the Order of Clergy or the Order of Laity may, at any time after the second vote is taken, by resolution request further nominations from the Order of Bishops.

b) Upon receipt of such a request, the Order of Bishops shall submit one or more additional nominations.

21 23. Resolutions

a) resolutions shall be presented in writing to the President.

b) No debate shall be permitted on any resolution or ballot.

22 24. Failure of Orders of Clergy and Laity to Elect

a) When, after the number of nominees has been reduced to two,

i) an election has not occurred after three successive votes, and

ii) no request for additional nominations has been made,

the Order of Bishops shall be notified that the Orders of Clergy and Laity are unable to elect.

b) When the Order of Bishops is notified that the Orders of Clergy and Laity are unable to elect, the members of the order of Bishops shall proceed to vote on the two remaining nominees and an election occurs when one of the nominees receives a majority of the votes of the members of the Order of Bishops present.

23 25. Declaration of Election

When an election occurs, the Order of Bishops shall return and sit with the Order of Clergy and Laity and the Acting Primate shall formally proclaim the elected person to be the Primate of the Anglican Church of Canada **the Prolocutor shall announce the election.**