

CANON SEVEN -- THE CLERGY

General Synod Canons

- 1(1) The licensing of clergy is governed by [Canon XVII](#) of the General Synod of The Anglican Church of Canada entitled *THE LICENSING OF CLERGY*, which Canon is set out in Schedule A to this Canon.
- 1(2) Relinquishment and abandonment of ordained ministry are governed by [Canon XIX](#) of the General Synod of The Anglican Church of Canada entitled *RELINQUISHMENT OR ABANDONMENT OF THE MINISTRY*, which Canon is set out in Schedule B to this Canon.

The Bishop's Authority to Appoint

- 2(1) The Bishop
 - (a) may appoint a minister to a parish or mission with such title or designation as the Bishop sees fit,
 - (b) [repealed]
 - (c) may transfer a member of the clergy from one parish to a position in another parish, and
 - (d) may appoint a minister to a chaplaincy or other position of pastoral responsibility.
- 2(2) When a vacancy arises in the stipendiary ministry the Bishop shall give all members of the clergy in the Diocese notice of intent to fill the vacancy sufficient to allow them to inform the Bishop if they are interested in being considered for appointment to the vacant position.
- 2(3) There shall be in each parish a Parish Advisory Committee comprising
 - (a) the two Church Wardens,
 - (b) one member of the Vestry appointed annually by the Parish Corporation, and
 - (c) two voting members appointed annually by the Parish Corporation, at least one of whom shall, if practicable, be between the ages of 16 and 35.
- 2(4) The Parish Advisory Committee shall meet within two weeks following its appointment to elect a chair and a secretary from among its members and the secretary shall forthwith inform the Bishop of the names and addresses of the chair and the secretary.
- 2(5) The Parish Advisory Committee shall commence its work only at the Bishop's direction.
- 2(6) The Bishop shall consult with the Parish Advisory Committee before appointing the Incumbent of a parish.
- 2(7) If, within six months after the effective date of the vacancy in the office of Incumbent, the Bishop considers that no substantial progress has been made in the consultation process, the Bishop may declare an inordinate delay and inform the Parish Corporation of intent to appoint an Incumbent without further consultation.
- 2(8) The Parish Advisory Committee may by unanimous vote, at any time, with the approval of a majority of all of the members of the Parish Corporation, vest the appointment of an Incumbent solely in the Bishop.
- 2(9) The Bishop may consult with the Parish Advisory Committee about the appointment of a minister to a position in the parish other than the office of Incumbent.
- 2(10) The Bishop may, after informing the Incumbent or other minister, consult with the Parish Advisory Committee about the transfer of the Incumbent or other minister to another parish.

2(11) The Bishop shall consult with an Incumbent or other minister before transferring him or her to another parish.

Resignations and Leaves of Absence

- 3(1) All members of the clergy are entitled in each year to four weeks' vacation, which may be taken in two or more periods, not exceeding 30 days in the aggregate, and may take an additional one week vacation between the Feast of the Epiphany and Palm Sunday.
- 3(2) Incumbents and other parish clergy shall consult with the Church Wardens when scheduling their vacations.
- 3(3) An Incumbent may resign from a parish by giving the Bishop not less than three months' notice.
- 3(4) Other ministers may resign their positions by giving the Bishop not less than one month's notice.
- 3(5) Notwithstanding subsections 3(3) and 3(4) the Bishop may accept the resignation of an Incumbent or other minister at any time.
- 3(6) The Bishop may refuse to accept a resignation from a minister who has not fulfilled an obligation to serve in the Diocese for a specific period of time.
- 3(7) No minister who has given notice of resignation shall leave his or her position before the period of notice expires.
- 3(8) Except when on vacation, no minister holding an appointment in a parish shall be absent from parish duties without the Bishop's permission.
- 3(9) The Bishop may grant leave of absence to a minister for any good cause.
- 3(10) When a member of the clergy is about to leave the Diocese to take or seek employment in another diocese, the Bishop shall forward *Letters Bene Decessit* to the bishop of the other diocese.
- 3(11) When the Bishop refuses to grant a leave of absence or to forward *Letters Bene Decessit*, the Bishop shall give the member of the clergy written reasons for the refusal.

Removal of an Incumbent

- 4(1) In this section "Court" means The Ecclesiastical Court for the Diocese of Fredericton constituted under Canon Eight.
- 4(2) A majority of the lay members of a Parish Corporation may submit to the Bishop
 - (a) a written application for the Bishop to mediate specified differences or disagreements between the Incumbent and voting members in the parish or any other specified circumstances which the applicants allege warrant removal of the Incumbent from the parish in the interests of the Church, and
 - (b) a deposit of \$500 to cover the costs of an inquiry pursuant to this section.
- 4(3) If the Bishop is not able to bring about a reconciliation between the Incumbent and voting members in the parish or resolve any circumstances which the applicants allege warrant removal of the Incumbent and is of the opinion that there should be an inquiry, the Bishop shall refer the matter to the Court.

- 4(4) If the Bishop, after attempting mediation, is of the opinion that the differences, disagreements or circumstances alleged by the applicants do not warrant an inquiry, the Bishop shall inform the applicants and shall not remove the Incumbent from the parish.
- 4(5) If the matter is referred to the Court, the Court shall conduct an inquiry into the matters alleged in the written application.
- 4(6) The president of the Court shall, not less than 15 business days before the inquiry is to be held, send notice thereof by ordinary mail to the Incumbent, to each lay member of the Parish Corporation who signed the application, to the Church Wardens of the parish, and to the Bishop.
- 4(7) In conducting an inquiry the Court shall hear evidence in the following order:
 - (a) evidence offered by the lay members of the Parish Corporation who signed the application,
 - (b) evidence offered by the Incumbent,
 - (c) evidence offered by the Bishop, and
 - (d) evidence from any other person whose evidence the Court considers may be of assistance to it.
- 4(8) Following the inquiry the Court shall give a written decision as to whether or not it is in the best interests of the parish or of the Diocese that the Incumbent should be removed and shall include in its decision a statement of the facts on which its decision is based.
- 4(9) The president of the Court shall forward the decision to the Bishop, who shall send a copy thereof to the Incumbent, to each lay member of the Parish Corporation who signed the application, and to the Church Wardens of the parish.
- 4(10) If the Court determines that the Incumbent should be removed the Bishop shall, subject to any appeal of the Court's determination and after reasonable notice to the Incumbent, remove the Incumbent from the parish.

Declarations and Oaths Required of Clergy

- 5(1) Priests and deacons at their ordinations and Rectors and Incumbents at their inductions or installations shall take and subscribe the following declarations:

I, *N*, solemnly declare that

 - (a) *I profess the faith set forth in the Scriptures and in the Catholic Creeds and affirm my allegiance to the doctrine of the Anglican Church of Canada as set forth in the Book of Common Prayer and in the Ordinal,*
 - (b) *In public prayer and in the administration of the Sacraments I will use the form of the Book of Common Prayer and none other except so far as shall be ordered by lawful authority, and*
 - (c) *I will pay true and canonical obedience to the Canons which have been or are from time to time passed by the General Synod, the Provincial Synod and the Diocesan Synod of Fredericton.*
- 5(2) Priests and deacons at their ordinations and Rectors and Incumbents at their inductions or installations shall take and subscribe the following oaths:
 - (a) The oath of canonical obedience to the Bishop.
 - (b) The oath of allegiance to the Sovereign.

Reports

- 6 The Incumbent of each parish shall
- (a) forward annually to the Secretary of the Synod the reports and other information prescribed in section 6 of Canon Five,
 - (b) deliver to the Bishop at each regular meeting of the Synod a report of the work done in the parish since the previous regular meeting of the Synod, and
 - (c) make such other reports and returns as are required by the Bishop or by regulation.

Stipends and Benefits

- 7 The Diocesan Council shall adopt regulations prescribing
- (a) minimum stipends and employment benefits for members of the clergy,
 - (b) standards for the provision of housing accommodation for members of the clergy, and
 - (c) policies respecting moving expenses incurred by members of the clergy.

Code of Pastoral Conduct

- 8 The Diocesan Council may adopt regulations respecting a code of pastoral conduct of ministers.