

CANON 5

THE ORGANIZATION OF THE PARISH

MEETINGS OF THE CONGREGATION

Annual Congregational Meeting

1. (1) A meeting of each congregation, called the Annual Congregational Meeting, shall be held prior to March 31 each year. Notice of the date and time of such Annual Congregational Meeting shall be given by or on behalf of the Incumbent during Divine Service on a Sunday at least one week prior to such meeting.
- (2) The purpose of the Annual Congregational Meeting shall be to:
 - (a) Receive report of the work of the Church in that congregation during the previous year;
 - (b) Receive report of the finances of the Church in that congregation for the previous year;
 - (c) Select Churchwardens and other congregational officials for the ensuing year;
 - (d) Make plans for the future direction and work of the Church in that congregation;
 - (e) Transact other business for the good of the Church.

Special Congregational Meetings

2. A special meeting of the congregation may be summoned at any time by the Incumbent or by the Churchwardens, or upon requisition to the Incumbent, or to the Churchwardens in the Incumbent's absence, signed by any five members of the congregation entitled to vote, stating the purpose for which such meeting is desired. Notice of the date and time of such meeting shall be given during Divine Service on a Sunday at least one week prior to such meeting.

Qualifications of Those Entitled to Vote

3. Every baptized person who is at least sixteen years of age, is a member of or in communion with the Anglican Church of Canada, and for at least three months prior to such meeting has been identifiably involved with the congregation in regular worship, fellowship, and financial support to that congregation, shall be qualified to vote at meetings of the congregation.

Qualifications of Churchwardens and of Members of Vestries and Parish Councils

4. Every baptized person who is at least sixteen years of age, is a member of or in communion with the Anglican Church of Canada, a communicant where possible, and for at least three months prior to the Annual Congregational Meeting has been identifiably involved with the congregation in regular worship, fellowship, and financial support to that congregation, shall be eligible for election to the office of Churchwarden, member of the Vestry, and member of the Parish Council.

CHURCHWARDENS

Number of Churchwardens

5. Where practicable there shall be two Churchwardens for every congregation.

Selection of Churchwardens

6. At the Annual Congregational Meeting one Churchwarden shall be appointed by the Incumbent, and the other shall be elected by a majority of those present and entitled to vote. In the event that the Incumbent is unable or unwilling to appoint a Churchwarden, or in the event that there is no Incumbent, both of the Churchwardens shall be elected by those present and entitled to vote. And in the event that the members of the congregation present are unable or unwilling to elect a Churchwarden, the Incumbent shall appoint both of the Churchwardens.

Notification of Selection of Churchwardens

7. Notification of the selection of Churchwardens, with their names, shall be given by the person who chairs the Annual Congregational Meeting to the Administrative Assistant to the Bishop.

Term of Office of Churchwardens

8. (1) The Churchwardens shall hold their respective offices until the Annual Congregational Meeting subsequent to their selection, or until the selection of their successors.

(2) A Churchwarden in office for three consecutive years shall at the end of that time retire and be ineligible to serve as a Churchwarden or member of the Vestry of that congregation, or as a member of the Parish Council of that parish, until one year shall have elapsed; however, smaller congregations may be exempted from the application of this Section by the Diocesan Council.

Filling Vacancy in Office of Churchwarden

9. In the case of the death, resignation, refusal or neglect to serve, or transfer from the congregation of any Churchwarden, the office of Churchwarden shall be deemed to

be vacant, and the Incumbent shall appoint or the Vestry shall elect, as the case may be, a person to fill the vacancy. A Churchwarden selected under this Section shall serve until the subsequent Annual Congregational Meeting of the congregation, and such service shall not be counted towards the three-year maximum consecutive service permitted under Section 8(2).

Declaration of Churchwardens

10. Every Churchwarden shall sign in the Minute Book of the congregation the following declaration:

"I, [name], declare that I consent to be bound by the provisions of the Constitution and Canons of the Synod relating to Churchwardens."

Duties of Churchwardens

General

11. The Churchwardens shall have equal status and responsibility in the congregation in which they serve. In the exercise of their general responsibilities they shall act jointly. They shall act in consultation with the Incumbent and the Vestry of the congregation in the advancement of the Kingdom of God in that congregation. They shall exercise leadership, and with the Incumbent act as executive officers of the Vestry of the congregation in the supervision of all matters relating to that congregation; and they shall have general responsibility for all matters relating to the congregation that are not expressly the responsibility of the Bishop or the Incumbent. Without limiting the generality of the foregoing, the Churchwardens shall:

Leadership in Church life

- (a) give leadership in the congregation by regular worship, example, and stewardship;

Concerning Worship

- (b) provide at the expense of the congregation all things needed for the worship of Almighty God in the congregation, including appropriate furnishings, vesture, books, and, where there is no Parish Council, registers for the recording of baptisms, confirmations, marriages, and burials;
- (c) cause order to be preserved during services of worship;
- (d) share with the Incumbent responsibility for ensuring that the Church is not used for any improper or profane purpose;
- (e) where there is no Parish Council, make arrangements to provide services of worship and pastoral care as required when there is no Incumbent, or if the Incumbent is absent or incapacitated;

Work of the Church

- (f) co-operate with the Incumbent in the initiation, conduct, and development of Church work within the congregation;
- (g) use their respective best efforts to carry out all lawful resolutions adopted at meetings of the Synod, the congregation, and the Vestry;
- (h) bring to the attention of the Incumbent any matter pertaining to the congregation they consider requires the Incumbent's attention;
- (i) make jointly with the Incumbent on behalf of the congregation all contracts which have been approved by a meeting of the congregation or by the Vestry;
- (j) report their Incumbent to the Bishop, or, if there is no Bishop, to the Administrator of the Diocese, if the Incumbent is irregular in the performance of duty, immoral in behaviour, or unsound in doctrine;

Finances

- (k) exercise leadership in raising the revenue necessary for the operations of the Church, including the payment of all salaries and benefits;
- (l) be responsible for the safe custody and accurate recording of all money received in the congregation for the work of the Church;
- (m) be jointly responsible with the Incumbent for the proper disposition of all money received in the congregation for the work of the Church, subject to the approval of the Vestry;
- (n) where there is no Parish Council, cause the stipend of the Incumbent and any Curates to be paid punctually, such stipends being the first charge upon the funds of the parish;
- (o) where there is no Parish Council, cause the parish's assessment to the Diocese to be paid in accordance with diocesan policy, such assessments being the second charge upon the funds of the parish;
- (p) cause all salaries and accounts which are the responsibility of the congregation to be paid, such payment having first been authorized and approved by the Vestry where necessary;
- (q) give an account, duly audited, at the Annual Congregational Meeting of all money received and disbursed in the congregation for the work of the Church in the preceding year;

- (r) where there is no Parish Council, send to the Diocesan Office annually, no later than April 30, Financial Returns for the preceding year;
- (s) on retiring from office give a correct account of all financial transactions of the congregation for which they had been responsible, and deliver up to their successors the property of the Church which had been in their possession;

Church Property

- (t) keep the Church and other buildings of the congregation, and, where there is no Parish Council, the rectory and other parochial buildings, in a good state of repair and cleanliness, and insured in accordance with diocesan policy;
- (u) in the absence of a duly constituted Cemetery Committee, see that every cemetery pertaining to the congregation is decently fenced and well ordered;
- (v) where there is no Parish Council, take charge of the rectory and other Church property during a vacancy in the position of Incumbent;
- (w) see that the grounds of the Church and parish hall, and, where there is no Parish Council, the grounds of all parochial buildings, are properly cared for and kept in good condition.

THE VESTRY

Membership

12. (1) In every congregation there shall be a Vestry, which shall consist of members of the congregation as follows:
- (a) Ex-officio members: the Incumbent, the Curate(s), persons licensed by the Bishop and working full-time in the parish, the Churchwardens, the Treasurer, the Secretary, and, where there is only one congregation in the parish, the Lay Members representing the parish in Synod;
 - (b) Elected members, selected in one of the following two ways:
 - (i) Up to twelve members elected at the Annual Congregational Meeting in accordance with the provisions of Sub-section 2 of this Section;

- (ii) Representatives of congregational committees and/or organizations to a maximum of five, to be selected by the committees and/or organizations prior to the Annual Congregational Meeting; and additional members to make up a maximum total of twelve elected members, elected at the Annual Congregational Meeting in accordance with the provisions of Sub-section 2 of this Section.
- (c) At least one elected member of the Vestry shall be at least sixteen years of age, but no older than twenty-four years of age, at the time of election.

Term of Office of Vestry Members

- (2) (a) Elected members of the Vestry, including the representatives of congregational organizations, if any, shall serve in that capacity for three consecutive years; following which, if they are not appointed or elected to one of the positions of ex-officio membership, they must retire and shall be ineligible to serve as a Vestry member until one year shall have elapsed.
- (b) Elected members, at the expiry of their three year terms, may be appointed or elected to one of the ex-officio memberships; however, at the expiry of the term of that ex-officio membership they are not eligible for appointment or election to any other position on Vestry, ex-officio or elective, until one year shall have elapsed.
- (c) One-third of the elected members of the Vestry, as nearly as may be, shall retire annually, and their successors be elected at the Annual Congregational Meeting or selected by congregational committees and/or organizations as the case may be. In order to maintain this practice without interruption, current elected members of Vestries at the coming into effect of this Section shall continue in office until the expiration of the terms to which they were elected.
- (d) In the case of the death, resignation, refusal or neglect to serve, or transfer from the congregation, of any elected Vestry member, the other members of the Vestry may appoint a qualified member of the congregation to fill the vacancy until the expiration of the former member's term. Such service shall not be counted towards the three-year maximum service provided for in paragraph (a) of this Sub-section (2), and the member so appointed is eligible for election to a three-year term at the expiration of that interim service.

Duties of Vestries

13. It shall be the duty of the Vestry:

Work of the Church

- (a) To advise and assist the Incumbent and Churchwardens in the management of the affairs of the Church in that congregation, and in such other matters as may be referred to it;
- (b) To consider any proposal which may be put forward for the development or improvement of the work of the Church in that congregation, and by resolution to declare its opinion on such proposal;

Finances

- (c) To set up a budget for the congregation for the forthcoming financial year, to take steps to secure money to meet such budget, and to give prior approval to major expenditures;
- (d) To assist the Churchwardens in the collection of offerings and contributions for the work of the Church;
- (e) To scrutinize all expenditures and accounts pertaining to the congregation;
- (f) To appoint auditors to audit the financial records of the congregation at the end of the year;

Property and Employees

- (g) To consider all proposals for the erection, alteration, or repair of the Church and parish hall, and, where there is no Parish Council, of other parochial property, or of Church or other furniture or furnishings pertaining to the congregation;
- (h) To employ, where deemed necessary, a Church Secretary, vergger, sexton, caretaker, and other staff, and fix their remuneration;

Committees

- (i) Where there is no Parish Council, to appoint a Parochial Committee in accordance with Canon 3: *Ministry: Ordained and Lay*.
- (j) To appoint Nominating Committee to propose names for the various elective positions for the Annual Congregational Meeting.

Meetings of the Vestry

14. (a) The Vestry shall meet at least twice a year. The meeting shall be called by the Incumbent, or, if someone other than the Incumbent Chairs the Vestry, by the elected Chair in consultation with the Incumbent. A meeting shall be called at the written request of at least five members of the Vestry.
- (b) A quorum for a business meeting of a Vestry shall be fifty percent of the members plus one, consisting of the Rector, one Warden, and at least one half of the elected members. If there is no Incumbent in the Parish, a quorum for a business meeting of the Vestry shall include both Church Wardens of the congregation.
15. A Quorum for any Meeting of a Parish Committee other than the Vestry shall be 50% of the Committee Members plus one.
16. The Churchwardens shall, with the consent of the Incumbent, have power at any time to call a meeting of the Vestry; and they shall do so at any time upon the request of the Incumbent, or, in the absence of the Incumbent, of the curate. If the Incumbent is not the Chair of the Vestry they shall call the meeting in consultation with the Incumbent and the elected Chair.

TREASURER OF THE CONGREGATION

Selection

17. Each congregation shall have a Treasurer, who may be appointed by the Vestry at its first meeting following the Annual Congregational Meeting, or elected at the Annual Congregational Meeting.

Term of Office

18. The Treasurer shall be appointed for a two-year term, and may be re-appointed. After serving three consecutive two-year terms, the Treasurer shall retire and shall not be eligible for re-appointment until one year shall have elapsed.

Duties of the Treasurer

19. It shall be the duty of the Treasurer:
 - (a) To keep proper account of all money belonging to the congregation;
 - (b) To report regularly to the Incumbent, Churchwardens, and Vestry on the financial affairs of the Congregation;

- (c) To provide information and advice for the preparation of the budget of the congregation, and of the Parish Council where there is a Parish Council;
- (d) To ensure that all money contributed for special purposes are duly applied to such purposes, and, where applicable, remitted promptly;
- (e) To perform such other duties as may be prescribed by the Vestry from time to time.

Line of Responsibility

20. The Treasurer shall be responsible to the Vestry through the Churchwardens.

Replacement of Treasurer

21. In the case of the death, resignation, refusal or neglect to serve, incompetence, or transfer from the congregation of the Treasurer, the Vestry shall appoint a qualified member of the congregation to fill the vacancy.

THE SECRETARY OF THE VESTRY

Appointment

22. Each Vestry shall, at the first meeting following the Annual Congregational Meeting, appoint a Secretary.

Term of Office

23. The Secretary shall be appointed for a one-year term, and may be re-appointed. After serving three consecutive one-year terms, the Secretary shall retire and shall not be eligible for any office or membership on the Vestry until one year shall have elapsed.

Duties of the Secretary of the Vestry

24. It shall be the duty of the Secretary:

- (a) To keep minutes of all meetings of the Vestry and of the congregation;
- (b) To keep a record of the terms of office of all Vestry members whose terms of office are subject to specific tenure;
- (c) To perform such other duties as may be prescribed by the Vestry from time to time.

Replacement of Secretary

25. In the case of the death, resignation, refusal or neglect to serve, incompetence, or transfer from the congregation of the Secretary, the Vestry shall appoint a qualified member of the congregation to fill the vacancy, and such service shall not be counted towards the three-year maximum service provided for in Section 23.

PARISH COUNCILS

Membership

26. (1) Where there is more than one congregation in a parish there shall be a Parish Council which shall consist of members of the parish as follows:
- (a) Ex-officio members: the Incumbent, the curate(s), persons licensed by the Bishop and working full-time in the parish, the Churchwardens of each congregation in the parish, and the parish's Lay Representatives in the Synod;
 - (b) Elected members representing each of the congregations in the parish, elected at the Annual Congregational Meeting of each congregation. The number of representatives of each congregation shall be in accordance with a formula to be agreed upon by the Parish Council and the Vestry of each congregation. The formula creating the number of representatives shall provide for the election of at least one member of the Parish Council who shall be at least sixteen years of age, and not older than twenty years of age, at the time of election.

Term of Office of Parish Council Members

- (2) After serving three consecutive years as an elected member of the Parish Council, a member shall retire and shall not be eligible for re-election to the Parish Council until one year shall have elapsed.

Meetings of the Parish Council

27. (1) The Parish Council shall meet at least three times per year.
- (2) Meetings of the Parish Council may be called by the Incumbent, or, in the absence of the Incumbent, by the curate, if any, or, in the absence of such curate, or during a vacancy in the position of Incumbent, by two officers of the Parish Council, giving at least three days' notice specifying the time and place of the meeting. If the Incumbent is not the Chair of the Parish Council, such meetings shall be called by the elected Chair in consultation with the Incumbent.

Duties of the Parish Council

28. It shall be the duty of the Parish Council:

Work of the Church

- (a) To co-operate with the Incumbent in the initiation, conduct, and development of Church work both within the parish and outside it;
- (b) To provide at the expense of the parish registers for the recording of baptisms, confirmations, marriages, and burials within the parish;
- (c) To make arrangements to provide services of worship and pastoral care as required when there is no Incumbent, or if the Incumbent is absent or incapacitated;

Finances

- (d) To pay the stipend of the Incumbent and any curate(s) punctually, such stipends being the first charge upon the funds of the parish;
- (e) To pay the parish's assessment to the diocese in accordance with diocesan policy, such assessments being the second charge upon the funds of the parish;
- (f) To pay all salaries and accounts which are the responsibility of the parish;
- (g) To appoint auditors to audit the financial records of the Parish Council at the end of the year.

Lay Representatives in Synod

- (h) To elect Lay Representatives in Synod on behalf of the whole parish;

Parish Property

- (i) To keep the Rectory, and other parochial buildings which are not the responsibility of individual congregations, in a good state of repair and cleanliness, and insured in accordance with diocesan policy;
- (j) To see that the grounds of any parochial property which is not the responsibility of individual congregations are properly cared for and kept in good condition;
- (k) To take charge of the Rectory, and other parochial property which is not the responsibility of individual congregations, during a vacancy in the position of Incumbent;

Selection Committee

- (l) To appoint a Selection Committee in accordance with Canon No. 3, *Ministry: Ordained and Lay*.

General

- (m) To transact such other business as may concern the parish as a whole.

THE TREASURER OF THE PARISH COUNCIL

Appointment

- 29. Every Parish Council, at its first meeting following the Annual Congregational Meetings, shall appoint a Treasurer who shall be responsible to the Incumbent and the Parish Council.

Term of Office

- 30. The Treasurer shall be appointed for a two-year term, and may be re-appointed. After serving three consecutive two-year terms, the Treasurer shall retire and shall not be eligible for re-appointment until one year shall have elapsed.

Duties of the Parish Treasurer

- 31. It shall be the duty of the Treasurer:

General

- (a) To assist in all financial matters concerning the parish as a whole;

Accounts

- (b) To keep proper accounts of all money belonging to the parish as a whole;

Application of Money

- (c) To ensure that all money contributed for special purposes are duly applied to such purposes; and, where applicable, remitted promptly;

Reports

- (d) To report regularly to the Incumbent and the Parish Council on the financial affairs of the parish;

Budgets

- (e) To provide information and advice for the preparation of the budget of the parish and of individual congregations;

Financial Returns

- (f) To send to the Diocesan Office annually, not later than April 30 of each year, the Financial Returns for the preceding year;

Retirement

- (g) To deliver to their successors in office all finances and records of the parish of which they have had charge.

Replacement of Parish Council Treasurer

- 32. In the case of the death, resignation, refusal or neglect to serve, incompetence, or transfer from the parish of the Treasurer, the Parish Council shall appoint a qualified member of the parish to fill the vacancy.

THE SECRETARY OF THE PARISH COUNCIL

Appointment

- 33. Every Parish Council, at its first meeting following the Annual Congregational Meetings, shall appoint a Secretary.

Term of Office

- 34. The Secretary shall be appointed for a one-year term, and may be re-appointed. After serving three consecutive one-year terms, the Secretary shall retire and shall not be eligible for re-appointment until one year shall have elapsed.

Duties of the Parish Council Secretary

- 35. It shall be the duty of such Secretary:
 - (a) To keep minutes of all meetings of the Parish Council;
 - (b) To perform such other duties as may be prescribed by the Parish Council from time to time.

Replacement of Parish Council Secretary

- 36. In the case of the death, resignation, refusal or neglect to serve, incompetence, or transfer from the parish of the Secretary, the Parish Council shall appoint a qualified member of the parish to fill the vacancy.

PROVISION FOR ELECTED CHAIR

- 37. All meetings of the Congregation, Vestry, and Parish Council, held in conformity with this Canon shall be presided over by the Incumbent, or, in the absence of the Incumbent by the curate, or, if there should be no curate, by one of the Churchwardens, or, in the case of the Parish Council, by one of the officers of the

Parish Council. However, if the Incumbent so elects (which election shall be solely within the discretion of the Incumbent), the members present at a Congregational Meeting or meeting of the Vestry or Parish Council, as the case may be, may elect one of their number to be the Chair; and in the case of the Vestry and/or Parish Council, that member shall continue to serve as Chair until the first meeting of such Vestry or Parish Council following the Annual Congregational Meeting or Meetings, or following the appointment of a new Incumbent; at which time, should the Incumbent so elect, a new Chair may be elected, or the Incumbent may assume the office.

THE PROGRAMME COMMITTEE

Formation

38. (1) There shall be a Programme Committee or Committees in every parish, which shall take the form of:
- (a) a unified Parish Programme Committee; or
 - (b) a separate Congregation Programme Committee; or
 - (c) a combination of both.

Duties of Programme Committees

- (2) It shall be the duty of the Programme Committee or Committees:
- (a) to initiate and carry out programmes in the parish and/or congregation, using the sub-committee system;
 - (b) to meet and share information about plans and activities, and to oversee and co-ordinate programmes developed;
 - (c) to be in communication with the Programme Committees of the diocese and the National Church;
 - (d) to arrange for the implementation in the parish or congregation, as the case may be, of programmes initiated by the Diocese or the National Church.

Operation

- (3) The Diocesan Council shall from time to time provide guidelines for the operation of Parish and/or Congregational Programme Committees.

PARISH PROPERTY

Title to Property

Title to all Real Property and buildings located thereon in the Diocese shall be registered in the name of the Diocesan Synod of Eastern Newfoundland and Labrador which Synod shall hold such Real Property in trust for the parishes, congregations, or organizations of the Diocese, as the case may be.

Ownership of Other Property

40. (1) Ownership of other chattels, furnishings and personal property shall be held by a parish, congregation, or organization, as the case may be.
- (2) Upon disestablishment of a parish, congregation, or organization, title to all property of the parish, congregation, or organization shall vest in the Synod and any trust in favour of the parish, congregation, or organization shall thereupon terminate.

Incumbent to Control Property

41. Every Incumbent in the diocese shall upon appointment, assume and, while remaining in office, continue to hold and exercise the possession, management, care, control and use of all parish and congregational property within and pertaining to that Incumbent's parish or congregation, subject to such limitations and directions as may be made or given from time to time by the Diocesan Council, and the Incumbent shall surrender such charge and control to the Bishop whenever legally called upon to do so.

Leasing of Church Property

42.(1) The Incumbent together with the Churchwardens or the Parish Council, as the case may be, may lease or let Church lands, building or houses within the parish or congregation (excepting the Church Building and its grounds) upon the following terms and conditions:

- (a) The Lease shall not have a term exceeding seven (7) years;
- (b) The lessee or tenant may not sublet without consent of the Lessor;
- (c) There shall be an annual rent payable;
- (d) Any trade or business may only be conducted on the leased property with the consent of the lessor;
- (e) Vacant lands may not be leased for building purposes.

43. With the exception of rents and other revenue derived from Cathedral Glebe, all rents or other revenue derived from the leasing of parish property or parish glebe lands may be retained by the parish or congregation, as the case may be.

Permission Required to Mortgage, Develop, or Dispose of Property

44. Except as permitted under Clause 45 of this Canon, the Incumbent and Wardens or Parish Council, as the case may be, may not:

- (a) mortgage property; or
- (b) remove, repair, alter, build, or otherwise develop or dispose of property of the parish or congregation

without having first obtained the written consent of the Finance and Administration Committee of the Diocese.

45. The Diocesan Council may establish regulations from time to time whereby the Incumbent and Churchwardens or the Parish Council, as the case may be, may carry out construction, repairs, or other alterations to parish property without the written consent of the Administration and Finance Committee having been first obtained.
46. Applications for approval of construction plans by the Administration and Finance Committee shall be submitted on approved forms to that Committee signed by the Incumbent and the Churchwardens or two members of the Parish Council as the case may be. A plan of proposed work shall be submitted for approval with every application seeking authority to erect, repair or alter any building, together with a cost estimate and a statement as to how such costs are to be paid.

RECTORIES

Housing Provision

47. It is the duty of each parish to provide adequate housing to the Incumbent and the Incumbent's family. This shall be done either by:
- (a) providing a suitable house, free of rent, hereafter referred to as the "rectory"; or,
 - (b) providing a housing allowance in accordance with diocesan policy.

Duty of Incumbent

48. Where a rectory is provided, it shall be the duty of the Incumbent and family to be careful and considerate occupants, and generally to behave toward the rectory as though they were the prudent tenants of it.

Duty of Parish

49. It shall be the duty of the parish, exercised by two members designated for the purpose by the Parish Council, or by the Vestry where there is no Parish Council, generally to act as careful and considerate owners of the rectory; and in particular, to keep the rectory in good repair, insured in accordance with diocesan policy, adequately heated, and provided with such things as may be determined from time to time by diocesan policy.
50. The costs of heating the rectory and of all utilities except personal long distance telephone charges shall be borne by the parish.

Repairs and Replacements

51. The Incumbent shall, in writing, call to the attention of the persons designated in Section 49 of this Canon 5 to be responsible for the upkeep of the rectory, any repairs or replacements to the rectory which the Incumbent considers necessary.

Inspections

52. A committee consisting of the Incumbent, the persons designated in Section 49 of this Canon 5, two additional members of the parish appointed for the purpose by the Parish Council or the Vestry as the case may be, and the territorial Archdeacon or representative of the Archdeacon, shall inspect the rectory annually; and they shall submit, in writing, a report to the Parish Council or to the Vestry on the state of repair of the rectory, and make recommendations respecting any repairs or replacements they consider necessary. A copy of their report and recommendations shall be sent to the Administrative Assistant to the Bishop.

Incumbent's Death or Disability

53. In the event of the death or long-term disability of the Incumbent, the Incumbent's family shall be permitted to remain living in the rectory free of rent for a period of up to three months following the death or incapacity.

Additional Clerics

54. Where more than one cleric has been appointed by the bishop to serve in the parish, the parish is responsible for providing each such additional cleric and family adequate housing in accordance with the spirit of Section 47 of this Canon 5; and if a house is provided, the provisions of Sections 47 to 53 of this Canon 5 apply *mutatis mutandis* to such house.

INSURANCE

Inventory

55. An inventory of all parish property shall be prepared and submitted to the Administration and Finance Committee by every parish and congregation, as the case may be, in the Diocese at such times as the Administration and Finance Committee may direct.

Insurance

56. All property of the Diocese shall be adequately insured to the replacement value thereof under a policy of insurance established by the Diocese for all Diocesan, Parish, and congregational property. However, for certain properties, a value other than replacement value may be approved by the Administration and Finance Committee. In addition, regular and full-time lessees shall be required to provide proof of adequate insurance to cover any claims for property damage, personal injury or death.
57. The Administration and Finance Committee shall have power to collect from parishes and congregations the respective proper contributions towards the general premiums to be paid for the Diocesan Insurance Policy(s).

CEMETERIES

Management

58. Every cemetery belonging to the Church shall be managed by the Incumbent and Churchwardens or duly constituted Cemetery Committee of the congregation to which it belongs.
59. It shall be the duty of the Incumbent and Churchwardens or of the Cemetery Committee as the case may be:
- (a) to have each cemetery of which they have the management carefully divided into lots and graves;
 - (b) to have prepared a plan indicating the location and size of such lots and graves;
 - (c) to sell or assign such lots and graves, determining the price to be charged for them;
 - (d) to collect all money due on account of lots and graves sold, and to disburse it for the maintenance of the cemetery fences and for keeping the cemetery in proper condition;
 - (e) to use every effort to keep the property adequately fenced and in good order, and to protect it from injury, vandalism, desecration, and all improper use.

60. No one shall have the right to make selection of a lot, to prepare a grave, to erect a marker or monument, or in any way to make use of or interfere with such cemeteries, without the approval and authority of the appropriate Incumbent and Churchwardens or Cemetery Committee as the case may be.

Officiating at Funerals

61. No one shall have the right to officiate at a funeral without the consent of the Incumbent of the parish or of one of the parishes to which the cemetery belongs. If the parish does not have an Incumbent at the time, or in the Incumbent's absence, such consent may be given by one of the Churchwardens of the appropriate congregation.

Joint Ownership, Management

62. (1) Two or more congregations or/and parishes may agree together to own and manage jointly a cemetery or cemeteries, and the Incumbent and Churchwardens of each of the congregations or/and parishes shall cause to be set up a Cemetery Committee to manage such cemetery or cemeteries.
- (2) The membership of such Cemetery Committee shall consist of the Incumbent and an agreed number of persons of each congregation or/and parish involved, appointed by their respective Vestries.

St. John's/Mount Pearl Cemeteries

63. The area on Forest Road, St. John's, on the Kenmount Road (Trans Canada Highway), and elsewhere in the vicinity of St. John's and Mount Pearl designated by the Executive Committee as a cemetery, shall be common to the parishes of the cities of St. John's and Mount Pearl, and be managed by a Cemetery Committee consisting of the Incumbent and three lay members of each of those parishes.

Reporting

64. The accounts of a Cemetery Committee, closed on the thirty- first day of December in each year, shall be presented to the annual meeting of that body. Copies of these accounts, as passed, together with a report of the operations of the Cemetery Committee, shall be provided to its constituent congregations or/and parishes for presentation at their respective Annual Congregational Meetings.

ORGANISTS AND CHOIR DIRECTORS

Appointment and Responsibility

65. All Organists and Choir Directors shall be appointed to their office by the Vestry of the parish or congregation, and such organists and choir directors shall be responsible to and under the direction of the Incumbent of the parish or congregation in the performance of their duties and the ordering of services,

including the musical portion thereof which shall be under the control of the Incumbent.

66. Organists and Choir Directors shall hold office at the pleasure of the Vestry of the parish or congregation, as the case may be, or on such terms as to tenure of office and payment of salary as shall be agreed upon.

PARISH ARCHIVIST

Appointment

67. Every Parish or congregation shall have an Archivist who shall be appointed by the Rector

Term of Office

The Parish Archivist shall be appointed for a three-year term, and may be re-appointed at the discretion of the Rector.

Duties

The parish Archivist shall:

- (a) form an Archives Committee to ensure the involvement of parishioners and other interested parties;
- (b) liaise with the Diocesan Archives Committee in following any policies or procedures for the operation of Parish Archives;
- (c) carry out the work of the Parish Archives as needed with particular attention to the preservation of congregational and parish records as well as other significant documents, pictures and artifacts.

PARISHES WITH UNIQUE STRUCTURAL ORGANIZATION

68. The Diocesan Council may authorize parishes formed by the merger of two or more pre-existing parishes to be organized into two or more Pastoral Units, with a cleric resident in each Unit and exercising pastoral leadership and care particularly in that unit. The boundaries of such Pastoral Units shall be established by the Diocesan Council after consultation with the Incumbent, the other clerics appointed to minister in the parish, and the Church Wardens of the constituent congregations. Such boundaries shall be subject to review at least every five years.

69. Care shall be taken by the diocesan, parochial and congregational leadership to foster a sense of unity and cohesiveness within such parishes. However, distinct pastoral and structural needs of each Pastoral Unit and of the parish as a whole in such parishes must also be recognized. To this end the Diocesan Council may approve rules of order for such parishes, in consultation with the respective Parish Council, that may diverge somewhat from but remain consistent with the spirit and principles of the Canons of the Diocese.
70. Without limiting the generality of such rules of order pursuant to Section 69, the rules of order may address:
- (a) the appointment of the Incumbent and other clerics in the parish;
 - (b) the relationship of the Incumbent and other clerics to the various members and congregations of the parish;
 - (c) the residence of the clerics in the Pastoral Units and responsibility for the housing of such clerics;
 - (d) the membership and procedures of the Parish Council;
 - (e) the nature, membership and procedures of parochial standing committees;
 - (f) inter-Pastoral Unit organization and co-operation.

MISCELLANEOUS

Copy for Reference

71. A copy of this Canon shall be available at every meeting of the Congregation, Vestry, and Parish Council, for reference.