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for Others*

ADMINISTRATIVE BYLAWS

Evangelical Lutheran Church in Canada

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ADMINISTRATIVE BYLAWS EVANGELICAL LUTHERAN CHURCH IN CANADA

Table of Contents

Part I	Head Office
Part II	Congregations
Part III	Synodically Recognized Ministries
Part IV	Rostered Ministers—Ordained
Part V	Rostered Ministers—Diaconal
Part VI	Synods
Part VII	Conventions
Part VIII	Nominations and Elections
Part IX	National Church Council
Part X	Officers
Part XI	Recall or Dismissal of an Officer
Part XII	Conference of Bishops
Part XIII	Colleges, Universities and Seminaries
Part XIV	Financial Matters
Part XV	Benefit and Pension Plans
Part XVI	Special Interest Conferences
Part XVII	Court of Appeal
Part XVIII	Transition

PART I HEAD OFFICE

Section 1. The registered head office of this church shall be located in Winnipeg, Manitoba.

Section 2. National Church Council shall determine the location of executive offices.

PART II CONGREGATIONS (Constitution, ARTICLE VI)

Section 1. A congregation seeking to be admitted into this church shall submit to the bishop of the appropriate synod a formal application and a copy of the constitution of the congregation. Prior to admitting said congregation, the synod shall ascertain if the constitution is in harmony with the faith and polity of this church.

Section 2. Each congregation of this church shall:

- a. Regularly and faithfully proclaim the Word and administer the sacraments;
- b. Endeavour to hold at least one service of worship on each Sunday;
- c. Cultivate in its members a life of prayer and an awareness of the presence of God;
- d. Educate persons of all ages in the faith confessed by this church and in its implications for daily living;
- e. Encourage and stimulate its members in their witness to Christ, in works of mercy and in the practice of Christian fellowship and stewardship;
- f. Provide adequately for the material needs of its minister(s) and other employees, including ensuring their participation, when eligible, in the benefit plan and in the pension plan as set out in Part XV;
- g. Share responsibility in providing the funds needed for the life and work of this church and of the synod;
- h. Assure that only those on the roster of ordained or diaconal ministers of this church or of churches in full communion agreement with this church serve it in a pastoral capacity, except as this principle is waived in a specific instance with the approval of the bishop of the synod, subject to review by the Synod Council;
- i. Comply with the constitution, bylaws and enactments of this church and of the synod, taking no actions in conflict therewith; and
- j. Place on file in the synod office a copy of its constitution and bylaws and report promptly any amendments it may adopt.

Section 3. A congregation may be suspended or excluded from this church by action of a synod if the congregation persists in any of the following offences:

- a. Turning aside from the faith confessed by the Evangelical Lutheran Church in Canada as set forth in ARTICLE II of its constitution;
- b. Willfully violating or disregarding the constitution or official actions of this church or the synod;
- c. Applying for or maintaining membership in another church;
- d. Refusing or neglecting to exercise proper discipline over its members;
- e. Failure to provide financial support to this church or the synod; or
- f. Failure to participate in conventions of this church or synod without reasonable excuse.

The bishop of the synod shall counsel with any congregation where such offences exist. If necessary, the bishop shall then admonish the congregation in writing. If the admonition is

unheeded, a representative committee composed of rostered ministers and laity shall be appointed by the Synod Council to investigate the congregation. Upon the recommendation of the committee the Synod Council may suspend or exclude the congregation from this church.

Disciplinary action of the Synod Council may be appealed to the Court of Appeal within forty-five days of receiving notification of the action of the Synod Council. The decision of the Court of Appeal is final.

- Section 4. A congregation considering severing its relationship with this church shall confer with the bishop of the synod before any formal steps are taken leading to such action. Subsequent to such consultation with the bishop, a motion to sever the relationship with this church may be considered at a special meeting of congregation and a two-thirds majority vote shall be required for approval of the motion. Written notice of the motion and the date and time of the congregational meeting shall be sent to the bishop at least thirty days before the meeting. A decision to sever the relationship with this church shall not be effective until it has been ratified by a two-thirds majority vote at a second special meeting of the congregation held not less than 90 days and not more than 150 days after the first meeting. Notice of the date and time of this second meeting shall be sent to the bishop of the synod by registered mail at least thirty days before the meeting.

PART III SYNODICALLY RECOGNIZED MINISTRIES (Constitution, ARTICLE VII)

- Section 1. A ministry seeking to be recognized by a synod of this church shall submit to the bishop of the appropriate synod a formal application and a copy of its governing documents. Synod Council shall, prior to recognizing said ministry, ascertain whether those governing documents are in harmony with the faith and polity of this church.

- Section 2. Each recognized ministry of this church shall:

- a. Faithfully live out its unique mission;
- b. Annually report to the appropriate synod;
- c. Comply with the constitution, bylaws and enactments of this church and of the synod, taking no actions in conflict therewith;
- d. Place on file in the synod office a copy of its governing documents and report promptly any amendments it may adopt; and
- e. Commit to live out a relationship of mutual support with this church through prayer, by participation in the wider church, with financial and other resources, and by regular communication.

- Section 3. A recognized ministry may be suspended or excluded from this church by action of a synod if the ministry persists in any of the following offences:

- a. Turning aside from the faith confessed by the Evangelical Lutheran Church in Canada as set forth in ARTICLE II of its constitution;
- b. Willfully violating or disregarding the constitution or official actions of this church or the synod; or
- c. Refusing or neglecting to exercise proper discipline over its members.

The bishop of the synod shall counsel with any recognized ministry where such offences exist. If necessary, the bishop shall then admonish the ministry in writing. If the admonition is

unheeded, a representative committee composed of rostered ministers and laity shall be appointed by the Synod Council to investigate the ministry. Upon the recommendation of the committee, the Synod Council may suspend or exclude the ministry from this church.

Disciplinary action of the Synod Council may be appealed to the Court of Appeal within forty-five days of receiving notification of the action of the Synod Council. The decision of the Court of Appeal is final.

PART IV ROSTERED MINISTERS—ORDAINED
(Constitution, ARTICLE VIII)

Section 1. Standards for Admission
To be eligible for ordination or admission onto the roster of ministers of this church, a candidate must have accepted a call (which call may be subject to the candidate’s ordination) and must have met the standards set forth in the *Candidacy Manual* of this church.

Section 2. Colloquy
Synodical examining committees shall interview all candidates for ordination and all persons applying for admission to the roster of ministers and shall ensure their:

- a. Acceptance of and adherence to the Confession of Faith of this church;
- b. Fulfilment of academic requirements; and
- c. Personal qualifications for carrying out the functions of ordained ministry.

Section 3. Continuance on the Roster of Ministers

- a. In order to remain on the roster of ministers of this church, each ordained minister must be in possession of a proper call, be on leave from call, retired, or be an individual who has been suspended from exercising the office and privileges of the ordained ministry, in accordance with these administrative bylaws. A Synod Council may remove an individual from the roster of ministers in accordance with the provisions of this Part.
- b. Calls may be issued for the ministries specified below by the agencies indicated:

	<u>Type of Ordained Ministry</u>	<u>Source of Call</u>
i.	Parish pastor	Congregation
ii.	Bishop of this church	Convention of this church
iii.	Staff of this church	National Church Council
iv.	Synod bishop and other officers	Synod Convention
v.	Staff of synod	Synod Council
vi.	Staff of an educational or charitable institution or agency	Synod Council on whose territory the institution or agency carries out its functions.
vii.	Staff of Federation of Lutheran Churches	National Church Council
viii.	Staff of nationwide Inter-Lutheran Agency	National Church Council
ix.	Staff of a provincial agency or institution	Synod Council
x.	Staff of an interdenominational agency	National Church Council
xi.	Chaplain in the Armed Forces or in an institution operated by the federal government.	National Church Council

xii.	Pastor developing a new congregation	Synod Council
xiii.	Pastor in a synodically recognized ministry	Synod Council
xiv.	Pastor of an independent congregation in Canada	National Church Council
xv.	Pastor serving an institution or agency outside of Canada	National Church Council
xvi.	Global missionary	National Church Council
xvii.	Pastor serving in a congregation under synod supervision	Synod Council
xviii.	Ministries not otherwise provided for (as in conjunction with occupations in unusual ministries in approved situations)	Synod Council on whose territory the ministry is located or National Church Council if the ministry involves more than one synod or is outside Canada, upon recommendation of the Conference of Bishops
xix.	Pastor ordained through alternate routes recognized by this church	Synod Council

- c. All ordained ministers of this church shall make an annual report of their ministry to their synod bishop.
- d. Each ordained minister shall, when eligible, participate in the benefit plan and in the pension plan referred to in Part XV unless, with respect to the pension plan, such ordained minister is required to participate in another registered pension plan as defined in section 147.1 of the Income Tax Act. An ordained minister required to participate in another registered pension plan shall provide proof of such participation to the committee or board appointed to administer the pension plan referred to in Part XV.

Section 4. No ordained minister of this church shall divulge any confidential disclosure given in the course of the care of souls or otherwise in a professional capacity, except with the express permission of the person involved, or where required by law, or in order to prevent the commission of a crime.

Section 5. Ordained ministers on the faculty of the Lutheran Theological Seminary Saskatoon must maintain status on the roster of ministers of the British Columbia Synod of the Evangelical Lutheran Church in Canada, the Alberta Synod of the Evangelical Lutheran Church in Canada, the Saskatchewan Synod of the Evangelical Lutheran Church in Canada or the Manitoba/Northwestern Ontario Synod of the Evangelical Lutheran Church in Canada. The synod in which the faculty member will be rostered will be decided by the Board of Governors of Lutheran Theological Seminary. Ordained ministers on the faculty of Waterloo Lutheran Seminary must maintain status on the roster of ministers of the Eastern Synod of the Evangelical Lutheran Church in Canada.

Section 6. An ordained minister of this church who accepts a call in a full communion partner church or another church with which this church has exchangeability of clergy shall, upon application to the bishop of the synod, be entitled to a Certificate of Transfer.

- Section 7. If an ordained minister resides at too great a distance from any congregation of this church or a full communion partner church to be able to sustain a living relationship thereto, the bishop of the synod may grant permission to hold membership in a congregation of another church.
- Section 8. Other than serving as minister to and/or joining a full communion partner church, or except as provided for in Section 7 above, an ordained minister of this church who enters the ministry or joins a congregation of a church other than this church shall cease to be a member of this church and shall be removed from the roster of ministers.
- Section 9. An ordained minister may voluntarily resign from the roster by giving written notice to the bishop of the synod. Request for reinstatement shall be submitted to the synod examining committee. Upon favourable action by this committee, the bishop shall declare the person eligible for a call. Upon acceptance of a call, the person shall be reinstated on the roster of ministers.
- A person who has failed to be approved by one synod may re-apply only to the same synod. If the second application is declined, the candidate may appeal to the National Church Council through the bishop of this church for an exception to this limitation.
- Section 10. An ordained minister serving under a call shall not engage in an additional occupation without approval of the calling authority and the bishop of the synod. The approval shall not be unreasonably withheld.
- Section 11. An ordained minister desiring to remain on the roster without call shall make application to the bishop of the synod, who shall bring the request to the Synod Council for action. The Synod Council may grant the application for a period of up to three years. An application for an extension of “on leave from call” status for an additional five years may be granted by the Synod Council for the purpose of parental leave or study leave.
- The status of “on leave from call” shall be subject to an annual review by the Synod Council and may be cancelled by the Synod Council as a result of this review. Before cancelling the status of “on leave from call,” the Synod Council shall give the ordained minister 90 days written notice of the intent to cancel. The action of the Synod Council may be appealed to the Court of Appeal within 45 days of receiving notification of the intent of the Synod Council to cancel the “on leave from call” status. The decision of the Court of Appeal shall be final.
- At the end of the approved “on leave from call” period, the Synod Council shall remove the ordained minister from the roster of ministers and shall notify that minister of such action. This action of the Synod Council is not subject to appeal.
- Section 12. Upon application, the status of “retired” shall be granted by Synod Council to an ordained minister who has attained the age of 55 years or who has 30 years of service.
- Section 13. Discipline
Synod Councils shall undertake to put in place the following provisions for discipline of ordained ministers:
- a. Synod Councils shall subject an ordained minister to discipline for:
 - i. Preaching or teaching of doctrine in conflict with the Confession of Faith of this church (Constitution, ARTICLE II);

- ii. Conduct unbecoming an ordained minister;
 - iii. Willful disregard for or violation of the functions and standards established by this church for the office of Word and Sacrament; or
 - iv. Willful disregard of the constitution, administrative bylaws or enactments of this church or the synod.
- b. After three years an ordained minister suspended from the office and privileges of the ordained ministry by a Synod Council shall be removed from the roster of ministers by the Synod Council which suspended such individual unless, within three years of the date of such suspension, that Synod Council received evidence satisfactory to it of repentance and amendment of life.
 - c. An ordained minister under discipline by a synod or otherwise removed by it from the roster of ministers must be restored by that synod to good standing before becoming eligible for acceptance by another synod. If not restored by that synod, the ordained minister may appeal to the Court of Appeal for an exception to this ruling.
 - d. Upon reinstatement by a Synod Council, an ordained minister who was suspended from the office and privileges of the ordained ministry may apply for status of “on leave from call.”
- Section 14. The National Church Council may from time to time establish guidelines to define or to assist in the interpretation of the above grounds for discipline.
- Section 15. The National Church Council shall also maintain a *Manual on Discipline of Ministers* containing material which provides guidance to synods and individuals involved in a process dealing with a complaint against, or the discipline of, an ordained minister.

PART V ROSTERED MINISTERS—DIACONAL
(Constitution, ARTICLE IX)

- Section 1. Standards for Admission
To be eligible for consecration or admission onto the roster of ministers of this church, a candidate must have accepted a call (which call may be subject to the candidate’s consecration) and must have met the standards set forth in the *Candidacy Manual* of this church.
- Section 2. Colloquy
Synodical examining committees shall interview all candidates for consecration and all persons applying for admission onto the roster of ministers and shall ensure their:
- a. Acceptance of and adherence to the Confession of Faith of this church;
 - b. Fulfilment of academic requirements; and
 - c. Personal qualifications for carrying out the functions of diaconal ministry.
- Section 3. Continuance on the Roster of Ministers
- a. In order to remain on the roster of ministers, each diaconal minister must be in possession of a proper call, on leave from call, retired, or be an individual who has been suspended from exercising the office and privileges of the diaconal ministry, in accordance with these administrative bylaws. A Synod Council may remove an individual from the roster of ministers in accordance with the provisions of this Part.
 - b. Calls may be issued for the ministries specified below by the agencies indicated:

	<u>Type of Diaconal Ministry</u>	<u>Source of Call</u>
i.	Congregational Diaconal Minister	Congregation
ii.	Staff of this church	National Church Council
iii.	Synod officer	Synod Convention
iv.	Staff of the synod	Synod Council
v.	Staff of an educational or charitable institution or agency	Synod Council on whose territory the institution or agency carries out its functions
vi.	Staff of Federation of Lutheran Churches	National Church Council
vii.	Staff of a nationwide Inter-Lutheran Agency	National Church Council
viii.	Staff of a provincial agency or institution	Synod Council
ix.	Staff of an inter-denominational agency	National Church Council
x.	Chaplain in an institution operated by the federal government	National Church Council
xi.	Congregational diaconal minister of a synodically recognized ministry	Synod Council on whose territory the ministry is situated
xii.	Diaconal minister serving an institution or agency outside of Canada	National Church Council
xiii.	Global missionary	National Church Council
xiv.	Ministries not otherwise provided for (as in conjunction with occupations in unusual ministries in approved situations)	Synod Council on whose territory the ministry is located or National Church Council if the ministry involves more than one synod or is outside Canada, upon recommendation of the Conference of Bishops

- c. All diaconal ministers shall make an annual report of their ministry to their synod bishop.
- d. Each diaconal minister shall, when eligible, participate in the benefit plan and in the pension plan referred to in Part XV unless, with respect to the pension plan, such diaconal minister is required to participate in another registered pension plan as defined in section 147.1 of the Income Tax Act. A diaconal minister required to participate in another registered pension plan shall provide proof of such participation to the committee or board appointed to administer the pension plan referred to in Part XV.

Section 4. No diaconal minister shall divulge any confidential disclosure given in the course of the care of souls or otherwise in a professional capacity, except with the express permission of the person involved, or where required by law, or in order to prevent the commission of a crime.

Section 5. If a diaconal minister resides at too great a distance from any congregation of this church or a full communion partner church to be able to sustain a living relationship thereto, the bishop of the synod may grant permission to hold membership in a congregation of another church.

Section 6. Other than serving as minister to and/or joining a full communion partner church, or except as provided for in Section 5 above, a diaconal minister of this church who enters the ministry or

joins a congregation of a church other than this church shall cease to be a member of this church and shall be removed from the roster of ministers.

Section 7. A diaconal minister may voluntarily resign from the roster by giving written notice to the bishop of the synod. Request for reinstatement shall be submitted to the synod examining committee. Upon favourable action by this committee, the bishop of the synod shall declare the person eligible for a call. Upon acceptance of a call, the person shall be reinstated on the roster of ministers.

A person who has failed to be approved by one synod may re-apply only to the same synod. If the second application is declined, the candidate may appeal to the National Church Council through the bishop of this church for an exception to this limitation.

Section 8. A diaconal minister serving under a call shall not engage in an additional occupation without approval of the calling authority and the bishop of the synod. Approval shall not be unreasonably withheld.

Section 9. A diaconal minister desiring to remain on the roster without call shall make application to the bishop of the synod, who shall bring the request to the Synod Council for action. The Synod Council may grant the application for a period of up to three years. An application for an extension of “on leave from call” status for an additional five years may be granted by the Synod Council for the purpose of parental leave or study leave.

The status of “on leave from call” shall be subject to an annual review by the Synod Council and may be cancelled by the Synod Council as a result of this review. Before cancelling the status of “on leave from call,” the Synod Council shall give the diaconal minister 90 days written notice of the intent to cancel. The action of the Synod Council may be appealed to the Court of Appeal within 45 days of receiving notification of the intent of the Synod Council to cancel the “on leave from call” status. The decision of the Court of Appeal shall be final.

At the end of the approved “on leave from call” period, the Synod Council shall remove the diaconal minister from the roster of ministers and shall notify that minister of such action. This action of the Synod Council is not subject to appeal.

Section 10. Upon application, the status of “retired” shall be granted by Synod Council to a diaconal minister who has attained the age of 55 years or who has 30 years of service.

Section 11. Discipline

a. The Synod Council shall subject a diaconal minister to discipline for:

- i. Preaching or teaching of doctrine in conflict with the Confession of Faith of this church (Constitution, ARTICLE II);
- ii. Conduct unbecoming a diaconal minister;
- iii. Willful disregard for or violation of the functions and standards established by this church for the office of Word and service; or
- iv. Willful disregard of the constitution, administrative bylaws or enactments of this church or of the synod.

b. After three years, a diaconal minister suspended from the office and privileges of the diaconal ministry by a Synod Council shall be removed from the roster of ministers by the Synod

Council which suspended such individual unless, within three years of the date of such suspension, that Synod Council receives evidence satisfactory to it of repentance and amendment of life.

- c. A diaconal minister under discipline by a synod or otherwise removed by it from the roster of ministers, must be restored by that synod to good standing before becoming eligible for acceptance by another synod. If not restored by that synod, the diaconal minister may appeal to the Court of Appeal for an exception to this ruling.
- d. Upon reinstatement by a Synod Council, a diaconal minister who was suspended from the office and privileges of the diaconal ministry may apply for status of “on leave from call.”

Section 12. The National Church Council may from time to time establish guidelines to define or to assist in the interpretation of the above grounds for discipline.

Section 13. The National Church Council shall also maintain a *Manual on Discipline of Ministers* containing material which provides guidance to synods and individuals involved in a process dealing with a complaint against, or the discipline of, a diaconal minister.

Section 14. All diaconal ministers consecrated by this church have the right to use the title “Deacon.”

PART VI SYNODS (Constitution, ARTICLE XI)

Section 1. This church shall be organized into five synods with names and territories as follows:

- a. Name: British Columbia Synod of the Evangelical Lutheran Church in Canada.
Territory: Province of British Columbia;
- b. Name: Alberta Synod of the Evangelical Lutheran Church in Canada, also known as the Synod of Alberta and the Territories.
Territory: Province of Alberta and territories of the Yukon, Nunavut and the Northwest Territories;
- c. Name: Saskatchewan Synod of the Evangelical Lutheran Church in Canada.
Territory: Province of Saskatchewan and the geographical area served by member congregations outside Saskatchewan;
- d. Name: Manitoba/Northwestern Ontario Synod of the Evangelical Lutheran Church in Canada.
Territory: Province of Manitoba and the portion of Ontario west of 86 degrees longitude; and
- e. Name: Eastern Synod of the Evangelical Lutheran Church in Canada.
Territory: Province of Ontario east of 86 degrees longitude and the Provinces of Quebec, New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland and Labrador.

Section 2. The number and size of synods shall be reviewed by the National Church Council at such times as it deems appropriate or when a request for such a review is made by a synod seeking a change to its boundaries or by at least forty congregations seeking a change to the boundaries of their synod. The establishment of a new synod must receive a two-thirds majority vote by the delegates present and voting at the convention(s) of the synod(s) involved and thereafter it must be approved by the convention of this church by a majority vote.

Section 3. Congregations which might benefit from inclusion in an adjoining synod may apply to this church for reassignment to that synod.

- Section 4. The bishop of this church, or a bishop otherwise appointed by the bishop of this church, shall preside according to the duly authorized rite of this church when a newly elected synodical bishop is set apart and/or installed to that office.
- Section 5. Within the context of this church's policy and structure as set forth in these bylaws and by convention resolution, each synod bears primary responsibility for:
- a. Initiating and developing new congregations and synodically recognized ministries on its territory;
 - b. Providing chaplaincies and other forms of ministry to institutions on its territory;
 - c. Relating to regional social structures, councils of churches and the like;
 - d. Operating camps and other centres for conferences and retreats;
 - e. Developing programs and providing resources for evangelism, Christian education, social ministry, stewardship, worship and music, and youth ministry among its members in co-operation with this church and the synods; and
 - f. Promoting and supporting the cause of mission in the world.
- Section 6. Each synod shall be responsible for maintaining a current roster of ministers of this church which are within its jurisdiction. At the written request of a rostered minister who is a member in good standing and who is called into another synod, the secretary of each synod shall issue a Certificate of Transfer and shall enter on the roster of ministers of the synod the names of all rostered ministers for whom proper Certificates of Transfer have been received.
- Section 7. Each synod shall be responsible for all acts of installation of its rostered ministers, except in the case of the National Bishop of this church and other rostered ministers serving under call from the National Church Council.
- Section 8. Each synod shall receive contributions from congregations for the work of this church and shall forward to this church a proportion thereof determined by mutual consultation between the synod and this church.

PART VII CONVENTIONS
(Constitution, ARTICLE XII)

- Section 1. The regular conventions of this church shall be held triennially.
- Section 2. The time and place of the next regular convention shall be determined by National Church Council.
- Section 3. The secretary shall make a *Bulletin of Reports* available to all delegates-elect at least forty-five days before each regular convention.
- Section 4. Arrangements for conventions of this church shall be made by the National Church Council in conjunction with a committee appointed by the host synod for that purpose.
- Section 5. Each synod shall pay the cost of its delegate(s) at a rate determined by the National Church Council.
- Section 6. All appointments for general religious services or public meetings shall be subject to approval by the bishop of this church, who shall appoint a chaplain to be responsible for the devotional periods of the convention.

- Section 7. The maximum number of voting delegates at convention shall be 150. Eighty (80) delegates shall be lay, ten (10) shall be youth, and sixty (60) shall be rostered ministers.
- Section 8. Synods shall be entitled to elect ten (10) delegates from each synod; the remaining delegates shall be apportioned among the synods based on baptized membership 18 months prior to convention.
- Section 9. Youth delegates shall be baptized members between the ages of 16 and 25 inclusive on the first full day of the convention.
- Section 10. The secretary of each synod shall forward to the secretary of this church at least 90 days before the convention a certified list of the regular and alternate delegates elected in the synod. The roll of the delegates to each convention shall be prepared by the secretary of this church in advance of the convention. Changes in the roll of delegates must be authorized by the synod concerned prior to the commencement of the convention.
- Section 11. Petitions from synods and congregations shall be submitted to the secretary of this church not later than 90 days prior to the convention for referral to the Committee of Reference and Counsel, and for inclusion in the *Bulletin of Reports*.
- Section 12. During the first session of each regular convention, the bishop of this church shall announce the membership of the following committees appointed by the officers:
- a. Committee of Reference and Counsel; and
 - b. Committee on Conduct of Elections.
- Section 13. A resolution of a general character which is not germane to the pending question or report shall be given to the Committee of Reference and Counsel by the delegate proposing such resolution. The Committee of Reference and Counsel shall report all such resolutions to the convention with its recommendations. Other duties of the committee shall be to recommend special orders for the hearing of representatives, to grant or deny permission to distribute printed or electronic matters not issuing from the office of the secretary and to give such assistance to the bishop as may be desired in the course of the convention.
- Section 14. All reports published in the *Bulletin of Reports* or in supplements thereto shall be received by the convention by virtue of that fact without vote.
- Section 15. The privilege of the floor shall be granted at all times to all members of the National Church Council.
- Section 16. Official representatives from other church bodies may be given seat and voice.
- Section 17. Any delegate may request the convention to grant any person the privilege of addressing the convention upon any matter then under consideration. Such request shall be granted only upon the affirmative vote of at least two-thirds of the delegates then present and voting. However, such person shall not thereby have seat or voice in the convention.
- Section 18. Unless otherwise determined by a two-thirds vote of the convention, all speeches in general discussion shall be limited to three (3) minutes.

- Section 19. When a motion calling for an appropriation of funds comes before the convention from any source other than the National Church Council, it shall be referred at once to said council for consideration and report.
- Section 20. *Bourinot's Rules of Order*, latest edition, shall be the governing parliamentary law of this church, except as otherwise provided in its constitution and bylaws.
- Section 21. Special conventions shall be called for specified purposes by the bishop of this church to be held within 90 days of receiving a request in writing from 2/3 of the members of the National Church Council or from 2/3 of the synods.
- Section 22. The voting membership at a special convention shall consist of the delegates seated in the preceding regular convention providing they have not been disqualified by termination of membership. Vacancies shall be filled by appointment of synod councils.
- Section 23. A quorum shall consist of twenty percent of the eligible voting members provided that such members are from at least 2/3 of the synods.

PART VIII NOMINATIONS AND ELECTIONS

- Section 1. The procedure for nominations in general shall be as follows:
- a. The National Church Council shall submit nominations for the Committee on Nominations to the church in convention.
 - b. This church in convention shall elect the Committee on Nominations for the next convention. This committee shall consist of five members, one from the British Columbia Synod, one from the Alberta Synod, one from the Saskatchewan Synod, one from the Manitoba/Northwestern Ontario Synod, and one from the Eastern Synod.
 - c. The committee shall elect its own convenor at an initial meeting called by the secretary. They shall prepare a slate of nominations for election by the convention to fill vacancies in the membership of the National Church Council, Court of Appeal and ELCIC Group Services Inc. except as otherwise provided. This slate shall be complete at least three (3) months prior to each convention.
 - d. At least six (6) months prior to the convention, the secretary shall publish on the official website of this church a list of vacancies to be filled at the convention.
 - e. The Committee on Nominations shall select two nominees for each vacancy having concern for inclusive representation and the particular needs of the National Church Council, Court of Appeal, and ELCIC Group Services Inc. and also for geographical and synodical distribution, but nominating no person holding an elected position whose term does not expire at the time of the convention.
 - f. Should any of the nominees indicate inability to serve, the Committee on Nominations shall make whatever alteration to the list of nominations as may be necessary.
 - g. Following the report of the Committee on Nominations to the convention, opportunity shall be given for nominations from the floor.
 - h. The report shall provide the following information about each nominee: occupation, synod, and a brief statement of experience. Like information shall be given by the nominator to the Committee on Nominations for each person nominated from the floor.
 - i. Upon completion of all nominations, the secretary shall have the official ballots prepared.
- Section 2. The officers shall be elected in the following order: bishop, vice-chair, secretary, and treasurer.

- Section 3. In elections by the convention, the following rules shall apply:
- a. All elections shall be by ballot. In all elections except as otherwise provided, a majority of the votes cast on any ballot shall elect.
 - b. When the National Bishop is eligible for re-election, the first ballot shall contain one name only in a yes or no vote on election of the incumbent National Bishop. Two-thirds of the ballots cast shall be required for election.
 - c. Should the election fail, the election shall proceed with an ecclesiastical ballot of nominations from the floor. On this ballot for bishop, three-fourths of the votes cast shall be required for election. Thereafter, only such votes as are cast for persons who have received votes on the first or nominating ballot shall be valid. On the second ballot, two-thirds of the votes cast shall be required for election. On the third ballot, a majority of the votes cast shall elect. On the fourth ballot, the voting shall be limited to five persons receiving the highest vote on the third ballot, and a majority of the votes cast shall elect. On the fifth ballot, the voting shall be limited to the three persons receiving the highest vote on the fourth ballot, and a majority of the votes cast shall elect. On the sixth ballot, the voting shall be limited to the two persons receiving the highest vote on the fifth ballot, and a majority of the votes cast shall elect.
 - d. Following the second ballot for bishop, each eligible person receiving one or more votes will be invited to provide a brief biography. These may include congregational membership, degrees earned and honorary, pastorates and other positions held in the church, secular profession or occupation, membership on boards, special committees or agencies. Following the third ballot, those five persons receiving the highest number of votes cast will be invited to address the convention. Following the fourth ballot, those three persons receiving the highest number of votes cast will be invited to respond to questions submitted in writing from the convention delegates and selected by the Committee on Conduct of Elections. As each responds, the other two will be sequestered.
 - e. On the first ballot for vice-chair, three-fourths of the votes cast shall be required for election. Thereafter, only such votes as are cast for persons who have received votes on the first or nominating ballot shall be valid. On the second ballot, two-thirds of the votes cast shall be required for election. On the third ballot, the voting shall be limited to the four persons receiving the highest vote on the second ballot, and a majority of the votes cast shall elect. On the fourth ballot, the voting shall be limited to the three persons receiving the highest vote on the third ballot, and a majority of the votes cast shall elect. On the fifth ballot, the voting shall be limited to the two persons receiving the highest vote on the fourth ballot, and a majority of the votes cast shall elect.
 - f. National Church Council shall nominate a person for the offices of secretary and treasurer. Opportunity will be given for nominations from the floor of the convention.
 - g. The Committee on Conduct of Elections shall make available to the convention the following information concerning each person appearing on the third ballot for vice-chair: congregational membership, degrees earned and honorary, positions held in the church, secular profession or occupation, membership on boards, special committees or agencies.
 - h. If no nominee receives a majority of votes on the first ballot for elections of secretary, treasurer, members of the National Church Council, Court of Appeal, and the ELCIC Group Services Inc., only the names of the two persons receiving the highest number of votes but not elected on the preceding ballot shall be entered on the next ballot.
 - i. At no point during the election will any eligible person be permitted to withdraw his or her name from any ballot. Nor will any person be compelled to provide a biography or address the convention.
 - j. The result of each ballot in every election shall be announced in detail to the convention by the Committee on Conduct of Elections.

- Section 4. In determining eligibility for re-election to the National Church Council, Court of Appeal, and ELCIC Group Services Inc., a half-term shall be counted as a full term.
- Section 5. All terms of office, except as otherwise provided in these bylaws, shall begin at the conclusion of the convention at which the election thereto occurred.
- Section 6. A person shall not be eligible to serve on more than one of the following:
National Church Council, Court of Appeal, or ELCIC Group Services Inc.

PART IX NATIONAL CHURCH COUNCIL
(Constitution, ARTICLE XIII)

- Section 1. The council shall normally meet in March and September of each year.
- Section 2. The Executive Committee of the council shall consist of the officers of this church.
- Section 3. In addition to the officers, National Church Council shall consist of five (5) rostered members, one (1) from each synod; five (5) lay persons, one (1) from each synod; and one (1) lay person at large from the synod with the most baptized members. There shall be one (1) additional member appointed by the Council of General Synod (COGS) of the Anglican Church of Canada for a term to be determined by COGS.
- Section 4. Members of council, other than the officers and synod bishop, shall be elected by the convention for a term of three years and are eligible for re-election but may not serve more than three consecutive terms.
- Section 5. A majority of the members of the council shall constitute a quorum.
- Section 6. The council shall arrange for the celebration of the duly authorized rite of this church when a new National Bishop is set apart to that office. The bishop of this church (or if such office is vacant, the council) shall appoint a bishop to preside at the rite.
- Section 7. The council shall issue letters of call to the rostered salaried staff of this church, to rostered ministers serving within the structures and agencies of this church, and to those in special service in accordance with the bylaw provisions (Part IV, Section 3 or Part V, Section 3).
- Section 8. The council shall approve personnel policies applicable to all executive and support staff.
- Section 9. The council shall be responsible for organizing the National Convention including preparation and presentation of annual budgets and convention agenda.
- Section 10. The council may issue official statements on social or moral issues in the name of this church between its conventions when, in the judgment of the council, an emergency exists or when delay of such action until the next convention would impair the timeliness of an utterance that this church ought in conscience to make. Concurrence of two-thirds of the total membership of the council shall be required in each such instance.
- Section 11. The bishop of this church shall be ex officio a member of all committees of council.

PART X OFFICERS
(Constitution, ARTICLE XIV)

- Section 1. The officers other than the bishop shall be elected by the convention for a term of three years according to procedures established in the administrative bylaws. The bishop shall serve for a term of six years. All officers shall be eligible to be re-elected without term limit and shall serve until their successors assume office.
- Section 2. Should a vacancy occur *ad interim* in any of the offices with the exception of the office of bishop, the National Church Council is empowered to fill the same until the next regular convention or to call a special convention to fill the vacancy. Each election by a convention shall be for a full term of office.
- Section 3. The terms of the officers other than bishop shall begin at the conclusion of the convention following election. The term of the bishop shall begin on the first day of September following election.
- Section 4. The bishop of this church shall:
- a. Serve as its leader and counsellor;
 - b. Seek to preserve its peace and order;
 - c. Call, convene and preside over its conventions and the meetings of the National Church Council;
 - d. Speak publicly and witness for the gospel on behalf of this church;
 - e. Oversee the officers and executive staff;
 - f. Co-ordinate the work of its committees, and serve in an ex officio capacity with voice and vote;
 - g. Represent this church at meetings of recognized independent organizations;
 - h. Convene meetings of the bishops of the synods;
 - i. Serve as the primary representative of this church in all inter-church associations and councils in which it holds membership;
 - j. Be responsible for coordinating administrative matters, clarifying areas of overlapping or unassigned accountability;
 - k. Convene meetings of the officers and executive staff of this church for consultation, other persons may be included at the discretion of the bishop;
 - l. Serve as a consultant in the nomination process for the election of chief executive officers of the institutions of this church;
 - m. Convene and chair meetings of the Executive Committee;
 - n. Prepare a report on the state of this church for presentation at the conventions of this church and of its synods;
 - o. Make an annual report to the National Church Council, analyzing the programs of this church and aiding the council in setting priorities and emphases in the work of this church;
 - p. Represent this church at conventions of the synods or appoint a member of the National Church Council to be a representative;
 - q. Engage, with the approval of the National Church Council, such staff as is necessary to discharge the responsibilities assigned to the bishop; and
 - r. Perform the additional duties prescribed in the constitution, administrative bylaws and resolutions of this church.

- Section 5. The vice-chair shall:
- a. Preside at conventions and at meetings of the National Church Council upon the request of the bishop;
 - b. In the event of the death, resignation or incapacity of the bishop, convene the National Church Council to provide for the discharge of the bishop's duties pending the election of a new bishop at a regular or special convention;
 - c. Serve as a member of the Executive Committee of the National Church Council, together with the bishop, secretary and treasurer; and
 - d. Perform the additional duties prescribed in the constitution, administrative bylaws and resolutions of this church.

Section 6. The secretary shall:

- a. Maintain the roster of congregations of this church;
- b. Have custody of the archives of this church, including:
 - i. Official documents and records of this church;
 - ii. Proceedings of the conventions of this church and of its synods; and
 - iii. Biographical data of rostered ministers who have served this church.
- c. Gather and publish the statistics of this church;
- d. Publish, as needed, the articles of incorporation and a current issue of the constitution and bylaws of this church and make available through the website of this church;
- e. Give notice of each convention of this church upon order of the bishop, and prepare and distribute a *Bulletin of Reports*;
- f. Maintain a record of delegates, advisory members and official visitors of the conventions;
- g. Keep convention minutes and codify convention resolutions;
- h. Register participants at regular and special conventions;
- i. Compile and publish a report of each convention to be made available on the website of this church;
- j. Issue Certificates of Election and notify those concerned of resolutions adopted by each convention;
- k. Respond to inquiries seeking information on policies approved or actions taken by the National Church Council and by the conventions of this church;
- l. Ensure that appropriate corporations are established for health care institutions or agencies owned by this church or its synods, and review and make recommendations regarding all proposed constitutional amendments; and
- m. Perform the additional duties prescribed in the constitution, administrative bylaws and resolutions of this church.

Section 7. The treasurer shall:

- a. Be the fiscal officer of this church;
- b. Make full report of the financial affairs of this church to conventions and to the National Church Council;
- c. Be responsible for the safekeeping of the securities, insurance policies, deeds, abstracts, mortgages and other legal instruments held by the National Church Council on behalf of this church and its boards; and
- d. Perform the additional duties prescribed in the constitution, administrative bylaws and resolutions of this church.

PART XI RECALL OR DISMISSAL OF AN OFFICER

- Section 1. The recall or dismissal of an officer of this church or of a synod of this church and the vacating of the office may be effected:
- a. For willful disregard or violation of the constitution, authority or resolutions of this church;
 - b. For such physical or mental disability or incompetence as may render the officer incapable of performing the duties of office; or
 - c. For such conduct as would subject the officer to disciplinary action in the synod or congregation of which he or she is a member.
- Section 2. Proceedings for recall or dismissal shall be instituted by filing with the chairperson of the Court of Appeal a petition stating specifically the charge or charges.
- a. A statement of charge against an officer of the National Church may be initiated:
 - i. By at least two-thirds of the elected members of the National Church Council; or
 - ii. By a petition signed by at least one-fifth of those who were delegates to the latest convention of this church, at least 15 of whom shall be rostered delegates and at least 15 of whom shall be lay delegates representing at least two synods with no more than 20 from any one synod.
 - b. A statement of charge against a synod officer may be initiated:
 - i. By at least two-thirds of the elected members of the Synod Council;
 - ii. By at least one-fifth of those who were delegates to the latest convention of the synod, at least one-quarter of whom are rostered delegates and at least one-quarter of whom are lay delegates; or
 - iii. By at least two-thirds of the elected members of the National Church Council.
- Section 3. The chairperson of the Court of Appeal shall cause a copy of the statement of charge to be delivered to the accused officer, together with a notice of the time and place when the court will meet to hear the charges. The accused officer shall have the right to present a defence. After hearing such testimony as it may deem necessary and helpful, the court shall decide promptly whether the charges have been sustained and whether the accused officer shall be recalled or dismissed and the office vacated. If the charges are not sustained, the statement of charge shall be dismissed. A judgment dismissing the charges shall be final and not subject to appeal. In any case, the court shall report the filing of the statement of charge and its disposition to the next convention of this church or, in the case of a synod officer, of the synod.
- Section 4. Notice of a decision by the court that the charges have been sustained shall be given to the accused officer, and unless the officer shall, within thirty days after receipt of such notice, file with the court an appeal of such decision to the next convention, the court shall enter judgment that the officer has been recalled or dismissed and the office vacated, and the National Church Council or, in the case of a synod officer, the synod council shall be notified of the entry of such judgment.

Section 5. Upon appeal by the accused officer, the next convention may decide by a two-thirds vote, after debate but without receiving testimony, that the officer shall be recalled or dismissed and the office vacated.

Section 6. After a decision that the charges have been sustained, if it be deemed essential to good order that the accused officer should be meanwhile suspended, the court, a majority of members concurring, shall direct its chair to notify the National Church Council or Synod Council, which in such case shall by a two-thirds vote suspend the accused officer from performance of the duties of office pending action on an appeal, and may make provision for performance of such duties *ad interim*.

Section 7. The Court of Appeal shall promulgate such additional rules of procedure, as it may deem necessary for the performance of its duties under this item.

PART XII CONFERENCE OF BISHOPS

Section 1. There shall be a Conference of Bishops composed of the National Bishop and the synodical bishops.

Section 2. The Conference of Bishops shall be convened by the National Bishop at least annually.

Section 3. The Conference of Bishops shall:

- a. Attend to the spiritual and collegial nurture of its members;
- b. Reflect and provide vision on issues that affect the life of this church;
- c. Develop and share objectives and strategies concerning pastoral leadership;
- d. Recommend policy and practice to the National Church Council;
- e. Advise National Church Council on referred matters; and
- f. Strive to achieve consistent practice across the synods.

PART XIII COLLEGES, UNIVERSITIES AND SEMINARIES

Section 1. Ownership and Governance of Schools
Ownership of the colleges and universities of this church shall be vested in this church in corporations whose membership shall be the same as that of the conventions of this church.

Section 2. Ownership and Governance of Seminaries
Ownership of the Lutheran Theological Seminary Saskatoon shall be vested in the four western synods. Ownership of the Waterloo Lutheran Seminary shall be vested in the Eastern Synod. The Board of Governors shall be elected or appointed by the appropriate synods.

PART XIV FINANCIAL MATTERS

Section 1. The fiscal year and the budget year of this church shall be the calendar year.

Section 2. The annual budget and financial reports of this church shall reflect the entire range of its activities. The income listed shall include support from all sources.

Section 3. Each budget shall approve an amount for contingency not to exceed 7% of the budget.

Section 4. There shall be an operating reserve to be determined by the National Church Council.

- Section 5. There shall be an annual consultation between representatives of the National Church and the synods for the purpose of establishing benevolence targets for the following year.
- Section 6. Special church-wide appeals to congregations for raising funds shall require the consent of the convention or the National Church Council.
- Section 7. The financial accounts of this church shall be submitted annually for audit to a chartered accountant named by the National Church Council.

PART XV **BENEFIT AND PENSION PLANS**
(Constitution, ARTICLE XV)

- Section 1. Each synod, congregation, synodically recognized ministry, agency, institution and other recognized organization associated with this church shall co-operate with the National Church Council to ensure that the following pension and benefit plans are available for their respective employees:
- a. A contributory pension plan constructed on the money-purchase principle, in which the accumulated contributions attributed to each member's account are fully vested;
 - b. A group benefits plan that would provide death benefits, disability and such other benefits as may be determined by the committee or board appointed to administer the group benefits plan; and
 - c. Vested rights of members and beneficiaries of the pension plan established for rostered ministers of this church and lay employees shall not be abrogated by any action of this church.
- Section 2. The synods, congregations, synodically recognized ministries, agencies, institutions and other recognized organizations associated with this church shall ensure that each eligible rostered minister and each eligible lay employee is properly enrolled in the pension plan referred to in Section 1a, and that all necessary documents are completed and all necessary contributions are made in order to provide for such participation.
- Section 3. The synods, congregations, synodically recognized ministries, agencies, institutions and other recognized organizations associated with this church shall ensure that each eligible rostered minister and each eligible lay employee is properly enrolled in the group benefits plan referred to in Section 1b, and that all necessary documents are completed and all necessary payments are made in order to provide for such participation.
- Section 4. The obligations established in these administrative bylaws with respect to participation in the pension plan and in the group benefits plan referred to in Section 1 do not apply:
- a. With respect to the pension plan, to an individual who was a rostered minister on December 31, 1985 and was not actively contributing to a registered pension plan as of that date; and
 - b. With respect to the pension plan or the group benefits plan, unless the rostered minister or lay employee is eligible to join such plan in accordance with the terms of such plan.

PART XVI SPECIAL INTEREST CONFERENCES
(Constitution, ARTICLE XVI)

- Section 1. Upon receipt of formal notice from not fewer than six congregations and not fewer than six rostered ministers of a desire for the formation of a Special Interest Conference representing a specific national and cultural heritage, the bishop of this church shall convene the interested persons for the purpose of organizing such a conference. As long as at least four congregations and at least four rostered ministers desire the continuation of the conference, it shall not be disbanded involuntarily.
- Section 2. Other special interest conferences of a like character may be organized and continued in existence by the convention or the National Church Council at its discretion upon the expression of a similar desire on the part of any number of congregations and rostered ministers of this church.
- Section 3. The officers of a Special Interest Conference and the committee on arrangements for its next annual or biennial meeting shall constitute the entire continuing organization of the conference unless an exception to this rule is granted in a specific instance by the National Church Council.

PART XVII COURT OF APPEAL
(Constitution, ARTICLE XVII)

- Section 1. The Court of Appeal shall consist of five members, three lay and two rostered, who shall be elected by the convention for a term of three years. No member may hold a position on National Church Council, Synod Council or a synodical committee for theological education and leadership. No member shall serve more than two consecutive terms. A vacancy occurring *ad interim* may be filled by the National Church Council until the next regular convention, which shall fill the unexpired term.
- Section 2. A quorum shall consist of three members including at least one lay and one rostered member. A majority must concur in any decision.
- Section 3. The court shall elect its own officers.
- Section 4. Due notice of the time and place of meetings of the court shall be given by its secretary to all persons involved in the case and shall be posted on the official website of this church.
- Section 5. The court may make rules and orders in any matter of procedure not provided for in this bylaw in order to facilitate the proper and expeditious handling of its business.
- Section 6. Disciplinary actions of Synod Councils may be appealed to the court. The decisions of the court in such matters shall be final. Such decisions shall be reported to the parties involved in the appeal and to the bishop of this church.
- Section 7. An appeal must be filed with the secretary of the court within forty-five days from the date of the decision, which is being appealed. The court shall hear and determine the appeal on the data upon which the decision appealed was based and render its verdict in writing. The court may for the purpose of hearing and determining the appeal receive such further evidence and in such manner and form as in its sole discretion may determine.

Section 8. All decisions of the Court of Appeal shall be posted on the official website of this church and in the *Bulletin of Reports* in full or in summary form, as directed by the chair of the court.

Section 9. The court shall perform such other duties as prescribed in the administrative bylaws.

PART XVIII TRANSITION

Section 1. Where the provisions of Part XVIII conflict with provisions contained elsewhere in the administrative bylaws, the provisions of Part XVIII shall prevail.

Section 2. The terms of all officers, National Church Council members, Court of Appeal members and ELCIC Group Services Inc. directors, elected at convention in 2015 shall be four years.

Section 3. The convention of this church following 2015 shall be in 2017.

Section 4. The terms of all officers, National Church Council members, Court of Appeal members and ELCIC Group Services Inc. directors elected at convention in 2017 shall be five years.

Section 5. The convention of this church following 2017 shall be in 2019.

Section 6. The term of the bishop if elected in 2019 shall be six years. The terms of all other officers, National Church Council members, Court of Appeal members and ELCIC Group Services Inc. directors elected in 2019 shall be three years.

Section 7. The convention of this church following 2019 shall be in 2022.

Section 8. The individuals elected to the Court of Adjudication shall be deemed members of the Court of Appeal and shall perform the duties of that court until their current term of office expires. The number of members of that court shall be reduced to five commencing with the convention in 2017.

Signatures of two directors/trustees:

Sign

Date: _____

Print Name

Sign

Date: _____

Print Name