

**EVANGELICAL LUTHERAN CHURCH IN CANADA  
MINUTES OF NATIONAL CHURCH COUNCIL-DRAFT  
SEPTEMBER 6-8, 2012  
RADISSON HOTEL WINNIPEG DOWNTOWN, 288 PORTAGE AVENUE**

**PRESENT:**

Officers: National Bishop Susan Johnson                      Murray Walter, Secretary  
                 Sheila Hamilton, Vice-President                      Ken Day, Treasurer

Council: Rev. Chris Bishopp    Rev. Kathy Martin  
                 Jeff Buhse    Teddy Pope  
                 Marie-Laure Collet    Rev. Doug Reble  
                 Rev. Matthew Diegel    Rev. Trish Schmermund  
                 Cynthia Haines-Turner (ACC)    Rev. Jeff Smith  
                 Heidi Hesselink    Rev. Heather Spencer  
                 Cindy Hoppe    Jeanie Stann  
                 Allyn Langager    Barb Stolee  
                 Pat Lovell

Synod Bishops: Bishop Cindy Halmarson, SK Synod                      Bishop Elaine Sauer, MNO Synod  
                 Rev. Larry Kochendorfer, ABT Synod  
                 Rep  
                 Bishop Greg Mohr, BC Synod

ELCA Guest: Rev. Don McCoid, Executive for  
                 Ecumenical and Inter-Religious  
                 Relations

Staff: Rev. Paul Gehrs, Assistant to the Bishop, Justice and Leadership  
                 Rev. Carla Blakley, Assistant to the Bishop, Global Mission  
                 Rev. Lyle McKenzie, Assistant to the Bishop, Worship  
                 Rev. André Lavergne, Assistant to the Bishop, Ecumenical and Interfaith  
                 Gloria McNabb, Director of Finance and Administration  
                 Trina Gallop, Director of Communications and Stewardship

Regrets: Bishop Ron Mayan, ABT Synod  
                 Bishop Michael Pryse, Eastern Synod

**Thursday, September 6, 2012, 7:00 pm**

Opening Worship led by meeting chaplain, Rev. Heather Spencer.

Vice-President Sheila Hamilton called the meeting to order.

Two additions to the agenda. Under Correspondence add a letter from Tyler Gingrich. Under New Business add Appointments.

That NCC adopt the agenda as amended. **CARRIED.**

Declarations of Conflict of Interest

Matthew Diegel regarding the letter from MNO Synod Council.

Murray Walter regarding the letter from MNO Synod Council.

Minutes of the March 8-10, 2012 NCC meeting

That the minutes be amended by adding “During the discussion Matthew Diegel declared a conflict of interest.” on page 10, at the bottom of the page, after “...task force report.” **CARRIED.**

That the minutes of the March 8-10, 2012 NCC meeting be approved as amended. **CARRIED.**

That NCC approve the e-vote minutes as follows.

**CC-2012-20** That NCC record the minutes of April 30, 2012 e-vote #1-To approve the ELCIC 2011 Audited Financial Statements. **CARRIED.**

Report of the National Bishop

**CC-2012-21** That NCC ask the Secretary to write a letter of thanks to Faye Schultz to acknowledge her faithful service to this church.

The National Office is looking to relocate to a new office location in Winnipeg in order to maintain a reasonable

Lease cost. This will take place in the spring of 2013.

**CC-2012-22** That the NCC approve a three month sabbatical for Trina Gallop from September through November 2013. **CARRIED.**

**CC-2012-23** That NCC appoint The Rev. Dr. Matthew Anderson to the Anglican – Roman Catholic Dialogue. **CARRIED.**

**CC-2012-24** That NCC endorses the LWF Council request to observe the first week of February every year as World Interfaith Harmony Week and encourages members of the ELCIC to participate in this observance. **CARRIED.**

**CC-2012-25** That NCC endorses the “Joint Statement on Physical Punishment of Children and Youth,” and commends the Joint Statement to the congregations and members of the ELCIC as a tool for living out the call to “Support Families” that is contained in the 2011 ELCIC Social Statement on Human Sexuality. **CARRIED.**

Report of the Officers

Officers’ recommendations to NCC

**MS** That NCC adopt a policy that, given the role of the National Bishop is to relate to synods and national and international partners, the National Bishop will not normally participate in congregational events.

That the motion above be tabled to a later session at this meeting. **CARRIED.**

**CC-2012- 26** That NCC approve the draft guidelines for Committee on Conduct of Elections and Local Arrangements Committee Ballot Counters for the 2013 convention. **CARRIED**

### **2013 ELCIC National Convention Committee on Conduct of Elections**

#### **Orientation**

The Committee on Conduct of Elections will meet with the National Secretary Murray Walter and (ELCIC Staff Person) on (date and time) in (place) to review procedures for elections of Vice-President, National Church Council (NCC), Group Services Inc. (GSI), Court of Adjudication, and Nominating Committee for the 2013 National Convention.

A meeting with the Local Arrangements Committee Ballot Counters shall take place at (time, place and with whom)

Local Arrangement Ballot Counters shall assist in the **counting of ballots for elections only.**

Other ballots, such as a request from the floor for a secret ballot, shall be counted by the Committee on Conduct of Elections.

In addition, the Committee on Conduct of Elections shall supervise the counting of red and green card votes on the floor of convention.

#### **Procedures**

1. The (assigned place) will be used by the Committee of Elections and, as specified above, the Local Arrangements Committee (LAC) ballot counters. The LAC ballot counters will be supervised by a member(s) of the Committee on Conduct of Elections.

2. The number of ballots and the number of names on ballots will determine how the Committee must organize itself and break up the work for each set of ballots.

3. Suggested Procedure:

- a. Lay out ballots in alphabetical order across several tables
- b. Count # of ballots per person and record on separate sheet  
(1 person to count, 1 to watch, and 1 to record)
- c. Recount to verify (4th person to recount)
- d. Add up total # of ballots cast (this # also includes spoiled ballots)
- e. Verify (responsibility of a member of the Elections Committee)
- f. Calculate # needed for election
- g. Verify (responsibility of member of the Elections Committee)

4. A report template will be provided for reporting the results of each election. All reports should include the description of the ballot, the total number of ballots cast, the number of spoiled ballots and the number required to elect. In addition, the report is to contain the names of the persons who received votes and the number of votes they received in descending order. **Each category on a multiple ballot is considered a separate ballot.**

Delegates may choose to vote in one category, but not in another. **Separate totals for each category must be noted.** A sample of the reporting required is as follows:

Results of first ballot for Vice-President:

Votes Cast (a)  
Spoiled Ballots (b)  
Needed to Elect (a minus b times the % needed to elect)  
Person A 100  
Person B 75  
Person C 35

5. A copy of the election report is to be stored on the flash drive and brought to the convention office to be printed out. Print out 4 copies (1 for office, 1 for National Bishop, 1 for National Secretary and 1 for Elections Committee). The flash drive also needs to be brought to the A/V technician at the back of the plenary hall who will copy the report onto a laptop for the projection of the results.

6. The committee will also need to prepare ballot forms for subsequent elections. This needs to be done with great care, as an improperly prepared ballot will bring delays to the convention proceedings. The ballots should also be stored on the flash drive and brought to the convention office for printing by the LAC office group.

7. The National Bishop should be notified immediately when results are available along with an indication of when the reports will be ready for distribution and when ballots will be ready for use.

8. The LAC Office group will make two copies of the election results for each delegate table and the required number of copies of any ballots. The LAC Office group will bring the election results and ballots to the Head Steward.

9. Ballots once counted are to be placed in the large envelopes provided and sealed. The envelope is to be brought to the convention office and left for the Director, Finance & Administration for destruction.

10. The Chair of Convention will call for the stewards to distribute the report of the Committee on Elections following which the chair of the Committee on Conduct of Elections will be invited to present the report. **Elections are declared by the chair**, not by the Elections Committee.

## **Equipment**

One member of the Committee on Conduct of Elections will need to bring a laptop for preparing reports and ballots. A flash drive will be provided to the committee.

## **Instructions for Election of Officers from Administrative Bylaw Part VI, Section 3:**

In elections by the convention, the following rules shall obtain:

- a. All elections shall be by ballot. In all elections except those of the officers, a majority of the votes cast on any ballot shall elect.
- b. On the first 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.

- c. 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 elections committee. As each responds, the other two will be sequestered.
- d. On the first ballot for an officer, 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.
- e. The Committee on Elections shall make available to the convention the following information concerning each person appearing on the third ballot for an officer: age, 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.
- f. In elections of members of the National Church Council, Court of Adjudication, and the ELCIC Group Services Inc. names of the persons receiving the highest number of votes but not elected on a preceding ballot shall be entered on the next ballot to the number of two for each vacancy unfilled.
- g. 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.
- h. The result of each ballot in every election shall be announced in detail to the convention by the Committee on Elections.

## **2013 ELCIC National Convention**

### **Local Arrangements Committee Ballot Counters**

#### **Orientation**

A meeting with the Local Arrangements Committee Ballot Counters shall take place at (time, place and with whom)

Local Arrangement Ballot Counters shall assist in the **counting of ballots for elections only.**

Other ballots, such as a request from the floor for a secret ballot, shall be counted by the Committee on Conduct of Elections.

#### **Procedures**

1. The (assigned place) will be used by the Committee of Elections and, as specified above, the Local Arrangements Committee (LAC) ballot counters. The LAC ballot counters will be supervised by a member(s) of the Committee on Conduct of Elections.

2. The number of ballots and the number of names on ballots will determine how the Committee must organize itself and break up the work for each set of ballots.

3. Suggested Procedure:

- a. Lay out ballots in alphabetical order across several tables
- b. Count # of ballots per person and record on separate sheet (1 person to count, 1 to watch, and 1 to record)
- c. Recount to verify (4th person to recount)
- d. Add up total # of ballots cast (this # also includes spoiled ballots)
- e. Verify (responsibility of a member of the Elections Committee)
- f. Calculate # needed for election
- g. Verify (responsibility of member of the Elections Committee)

4. A report template will be provided for reporting the results of each election. All reports should include the description of the ballot, the total number of ballots cast, the number of spoiled ballots and the number required to elect. In addition, the report is to contain the names of the persons who received votes and the number of votes they received in descending order. **Each category on a multiple ballot is considered a separate ballot.**

Delegates may choose to vote in one category, but not in another. **Separate totals for each category must be noted.** A sample of the reporting required is as follows:

Results of first ballot for Vice-President:

Votes Cast (a)  
Spoiled Ballots (b)  
Needed to Elect (a minus b times the % needed to elect)  
Person A 100  
Person B 75  
Person C 35

5. Ballots once counted are to be placed in the large envelopes provided and sealed. The envelope is to be brought to the convention office and left for the Director, Finance & Administration for destruction.

### **Instructions for Election of Officers from Administrative Bylaw Part VI, Section 3:**

In elections by the convention, the following rules shall obtain:

- a. All elections shall be by ballot. In all elections except those of the officers, a majority of the votes cast on any ballot shall elect.
- b. On the first 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.

- c. 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 elections committee. As each responds, the other two will be sequestered.
- d. On the first ballot for an officer, 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.
- e. The Committee on Elections shall make available to the convention the following information concerning each person appearing on the third ballot for an officer: age, 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.
- f. In elections of members of the National Church Council, Court of Adjudication, and the ELCIC Group Services Inc. names of the persons receiving the highest number of votes but not elected on a preceding ballot shall be entered on the next ballot to the number of two for each vacancy unfilled.
- f. 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.
- g. The result of each ballot in every election shall be announced in detail to the convention by the Committee on Elections.

**CC-2012- 27** That NCC direct an investigation by the Finance Committee to consult with the synods regarding RASMUS and alternate technology and support solutions. **CARRIED.**

Closing worship for the day – Rev. Heather Spencer.

**Friday, September 7, 2012**

Opening prayer - Rev. Heather Spencer.

Bishop Susan Johnson called the meeting to order.

Report of the National Implementation Team - Sheila Hamilton

MS That NCC proceed with the recommendations from the National Implementation Team:

1. That NCC continue with changes that are in the purview of the National Church. This includes constitution and bylaw changes to affect the reduction of size of National Convention and NCC, the election of National Convention delegates by Synods, payment of delegate’s expenses to be the responsibility of the Synods, and the move to triennial conventions.
2. Encourage the Synods to convene a consultative process.

3. National Church communicate information about the planned changes to be presented at the 2013 National Convention for rostered leaders and congregations for inclusion in their annual meetings.

That motion be divided. **CARRIED.**

**CC-2012-28** That NCC continue with changes that are in the purview of the National Church. This includes constitution and bylaw changes to affect the reduction of size of National Convention and NCC, the election of National Convention delegates by Synods, payment of delegate's expenses to be the responsibility of the Synods, and the move to triennial conventions. **CARRIED.**

**CC-2012-29** That NCC encourage the Synods to convene a consultative process. **CARRIED.**

**CC-2012-30** That the National Church communicate information about the planned changes to be presented at the 2013 National Convention for synods, rostered leaders and congregations. **CARRIED.**

Discussion of Structural Renewal will continue under unfinished business.

The NCC meeting adjourned to facilitate the GSI Annual General Meeting. The minutes of this meeting are recorded separately.

Bishop Susan Johnson called the NCC meeting back to order.

Report from GSI - Hildy Thiessen , Executive Director and Jackie Dojack, Board Chair

Dwelling in the Word - Rev. Trish Schmermund

Lunch

Sheila Hamilton called the meeting to order.

Report of the Director of Finance and Administration - Gloria McNabb

Proposed Constitution and Bylaw Amendments - Murray Walter

Two task groups were appointed to formulate further amendments to the proposed Constitution and Bylaws.

Strategic Plan Review

Sheila Hamilton presented a strategic plan review.

A Chart of ELCIC Vision 2017 was distributed, which summarized the notes on the wall from NCC's visioning session in March, 2012. The Officers met in June to continue work on the strategic plan.

Officers recommend moving to four goals:

- We will practice Spirited Discipleship
- We will practice Compassionate Justice
- We will practice Effective Partnership
- We will ...nurture healthy church

Or ...love one another  
Or ...nurture spirited church.

The National Staff began developing strategies associated with the four goals. This work will continue between now and February and will be presented for review to NCC at the March 2013 meeting. NCC affirmed this plan.

### Synod Bishops' Reports

Petition for Every Member visit from Saskatchewan Synod.

*SSC-12-13 MSC That the Saskatchewan Synod in Convention petitions the National Church Council as part of a church-wide renewal process to encourage congregations of the ELCIC to conduct an every member visit with no agenda other than to listen to the voices of the baptized members and to report back to their Synod Councils on any results. Furthermore, that the Synod Councils report back to the 2013 National Church Convention both on the thoroughness of the visits and any resulting learnings. Finally, that the National Church Council report to the ELCIC on this endeavor via the Canada Lutheran or by other broadly received media.*

MS That as part of a church wide renewal process, NCC invites synod councils to encourage congregations of the ELCIC to conduct an every member visit with no agenda other than to listen to the voices of the baptized members and to report back to their Synod Councils on any results.

To table the motion. **DEFEATED.**

To amend the motion by adding "Furthermore, to invite synod councils to share what they hear with NCC." **CARRIED.**

**CC-2012- 31** That as part of a church wide renewal process, NCC invites synod councils to *encourage congregations of the ELCIC to conduct an every member visit with no agenda other than to listen to the voices of the baptized members and to report back to their Synod Councils on any results. Furthermore, to invite synod councils to share what they hear with NCC.* **CARRIED.**

Report from COGS - Cynthia Haines Turner

Report from Women of Faith Fund - Marie-Laure Collet

**CC-2012-32** That NCC appoint Margaret Olson to the Women of Faith Advisory Committee to replace Lindy Wozniak whose term comes to an end , and approve a second term for Sya Gregovsky and JoAnn Kapeikis. All three terms shall be for 2012-2014. **CARRIED.**

### Correspondence

The National Bishop will write to Pam Radunsky, thanking her for her letter and sharing observations of some things that are happening in women's ministry across the church.

Letter from MNO Synod Council Executive

Matthew Diegel and Murray Walter left the meeting, based on the conflict of interest declared at the beginning of the meeting. Pat Lovell indicated that she is in conflict of interest and left the meeting.

The National Bishop will write to the MNO Synod, quoting from the Governance Manual, indicating that the expectation is that the members of NCC would speak with one voice regarding NCC decisions.

Letter from Tyler Gingrich

**CC-2012-33** That NCC extend a call to special service to Rev. Tyler Gingrich, to serve as Youth Engagement Coordinator for Canadian Lutheran World Relief for a three year term. **CARRIED.**

Audit Committee

**CC-2012-34** That NCC approve audit fees of \$32,900 for 2012. **CARRIED.**

Constitution Committee

The Constitution Committee will begin working on amendments to the model constitution for congregations.

Finance Committee

**CC-2012-35** That NCC approve the establishment of an internally restricted fund to accumulate funds for the purpose of covering the expenses of ELCIC participation at the LWF Assembly which is held every six to seven years. **CARRIED.**

**CC-2012-36** That NCC approve the establishment of an internally restricted fund to accumulate funds for the purpose of covering the expenses of ELCIC participation at the WCC Assembly which is held every seven years.  
**CARRIED.**

**CC-2012-37** That NCC approve the amalgamation of the internally restricted photocopier reserve into the internally restricted fund for future capital expenditures. **CARRIED.**

Governance Committee

The Governance Committee is going to review the governance manual and will bring recommendations to the March meeting.

Greetings from the ELCA – Bishop Don McCoid

Closing Worship - Rev. Heather Spencer

**Saturday, September 8, 2012**

Opening prayer - Rev. Heather Spencer

Conference of Bishops Report

**CC-2012-38** That the question of licensing of lay people for sacramental ministry be referred to the Faith, Order and Doctrine Committee with the request that they seek consultation with the Conference

of Bishops, both Canadian Lutheran seminaries and a wider church response, with interim reports to NCC and anticipated final report to March 2015 NCC meeting. **CARRIED.**

New Business

**CC-2012-39** That NCC appoint Bishop Cindy Halmarson, Rev. Dr. Robert Kelly, Dr. Christian Eberhardt, Deacon Gretchen Peterson, Rev. John Gram, Marge Knebel, and John Nilson to the Faith, Order and Doctrine committee for a term to end with the 2013 convention. **CARRIED.**

A 2013 Convention Update (Joint Assembly) was provided.

Unfinished Business

From Officer’s Report

**CC-2012-40** That NCC affirm that, given the role of the National Bishop is to relate to synods and national and international partners, the National Bishop will give priority to invitations from these expressions of church in order to manage the volume of her workload. As per existing policy, congregations are requested to consult with their synod bishop prior to issuing an invitation to the National Bishop. **CARRIED.**

Final wording for proposed new ELCIC Constitution and Bylaws was presented and recorded by the Constitution Committee.

**CC-2012-41** That NCC approve the draft Constitution and commend it to the national convention. **CARRIED.**

**CC-2012-42** That Articles XIII and XIV be amended in the draft constitution to reflect the role of Synod Bishops as advisory to the National Church Council. **CARRIED.**

**Constitution  
Evangelical Lutheran Church in Canada**

**Table of Contents**

PREAMBLE	-----	2
ARTICLE I	Name and Incorporation -----	2
ARTICLE II	Confession of Faith -----	2
ARTICLE III	Nature of the Church -----	3
ARTICLE IV	Mission of the Church-----	3
ARTICLE V	Membership-----	5
ARTICLE VI	Congregations -----	5
ARTICLE VII	Synodically Recognized Ministries -----	6
ARTICLE VIII	Rostered Ministers – Ordained-----	6
ARTICLE IX	Rostered Ministers – Diaconal -----	6

ARTICLE X	Full Communion Provisions-----	7
ARTICLE XI	Synods -----	7
ARTICLE XII	Conventions-----	8
ARTICLE XIII	National Church Council-----	8
ARTICLE XIV	Officers -----	8
ARTICLE XV	Benefit and Pension Plans -----	8
ARTICLE XVI	Special Interest Conferences and -----	9
	Recognized Independent Organizations	
ARTICLE XVII	Court of Appeal -----	9
ARTICLE XVIII	Administrative Bylaws -----	9
ARTICLE XIX	Amendments-----	10

**PREAMBLE**

In the name of the Triune God: Father, Son, and Holy Spirit. Amen.

Believing in one holy catholic and apostolic Church,

Remembering the prayer of our Lord Jesus Christ that his followers may be one,

Responding to the Holy Spirit who continues to call and gather the Church.

The Evangelical Lutheran Church in Canada hereby resolves to adopt the following constitution to govern our life and witness in our country and throughout the world.

**ARTICLE I**

**Name and Incorporation**

Section 1. This constitution has been passed pursuant to and is subject to the provisions of the Evangelical Lutheran Church in Canada Act and the corporate bylaws enacted pursuant to that Act.

Section 2. For the purposes of this constitution and accompanying administrative bylaws the Evangelical Lutheran Church in Canada is hereby referred to as “this church.”

**ARTICLE II**

**Confession of Faith**

Section 1. This church confesses the Triune God—Father, Son and Holy Spirit—as the one true God. It proclaims the Father as Creator and Preserver; His Son, Jesus Christ, as Redeemer and Lord; and the Holy Spirit as Regenerator and Sanctifier.

Section 2. This church confesses that the gospel is the revelation of God's saving will and grace in Jesus Christ, which he imparts through Word and Sacrament. Through these means of grace the Holy Spirit creates believers and unites them with their Lord and with one another in the fellowship of the Holy Christian Church.

Section 3. This church confesses the Scriptures of the Old and New Testaments as the inspired Word of God, through which God still speaks, and as the only source of the church's doctrine and the authoritative standard for the faith and life of the church.

Section 4. This church subscribes to the documents of the *Book of Concord of 1580* as witnesses to the way in which the Holy Scriptures have been correctly understood, explained and confessed for the sake of the gospel, namely:

- a. The Apostles', the Nicene, and the Athanasian Creeds as the chief confessions of the Christian faith;
- b. The unaltered *Augsburg Confession* as its basic formulation of Christian doctrine;
- c. *Luther's Small Catechism* as a clear summary of Christian doctrine;
- d. *The Apology of the Augsburg Confession, Luther's Large Catechism, the Smalcald Articles with the Treatise, and the Formula of Concord* as further witnesses to the unaltered *Augsburg Confession*.

### ARTICLE III

#### Nature of the Church

Section 1. Jesus Christ is Lord of the Church. All power belongs to Him as its head. All actions of this church are to be carried out under His rule and authority.

Section 2. The Holy Spirit calls, gathers, enlightens and sanctifies the Church, which exists as congregations and synodically recognized ministries gathered for worship, witness, education and service, and as an inclusive fellowship which has its own identity and integrity. Congregations find their fulfilment in the universal community of the Church, and the universal Church exists in and through congregations.

Section 3. This church derives its character and its powers from its congregations, synodically recognized ministries and from its inherent nature as part of the Church universal. It regards itself as standing in the historic continuity of the communion of saints and as being an expression of that Christian fellowship in today's world.

### ARTICLE IV

#### Mission of the Church

Section 1. The mission of this church, as an expression of the universal Church and as an instrument of the Holy Spirit, is to share the gospel of Jesus Christ with people in Canada and around the world through proclamation of the Word, celebration of the Sacraments, and through service in

Christ's name.

Section 2. In seeking to achieve its mission, this church shall:

- a. Receive, establish and maintain congregations and synodically recognized ministries in which the gospel is rightly preached and the Sacraments rightly administered;
- b. Safeguard the faith and life of its congregations, synodically recognized ministries and rostered ministers, deciding all questions relating thereto on the basis of the Word of God and in accordance with its Confession of Faith;
- c. Admit persons to the roster of ordained and diaconal ministers by ordination, transfer, or consecration, and be responsible for their nurture, support and discipline;
- d. Study issues in contemporary society in the light of the Word of God and respond publicly to social and moral issues as an advocate for justice and as an agent for reconciliation;
- e. Publish materials for the education and the edification of its own members and others interested in the life of the Lutheran Church;
- f. Develop the worship life of this church, providing or recommending service books and other material for congregational and personal use;
- g. Establish church agencies and create regional synods for the administration of its programs;
- h. Have relationships with other Lutheran church bodies and with other Christian churches for the furtherance of its mission; and
- i. Estimate the financial needs of this church, and solicit and disburse funds for its program.

Section 3. In seeking to achieve its mission, this church may:

- a. Establish and maintain seminaries for the education and continuing development of rostered ministers and other church leaders;
- b. Establish and maintain, or otherwise recognize and support, schools for the education of its members and others for leadership in church and society;
- c. Establish and maintain, or otherwise recognize and support, institutions and agencies to minister to human need and in the name of Christ;

## ARTICLE V

### Membership

Section 1. As provided in the corporate bylaws, the membership of this church consists of member congregations and synodically recognized ministries. Baptized individuals who are members of a congregation or synodically recognized ministry (“baptized members”) shall exercise their privileges and responsibilities through participation in the congregation or synodically recognized ministry in which they are members.

Section 2. United in one Lord, one Faith and one Baptism, the baptized members of this church are to be constant in worship and in the study of the Holy Scriptures, regularly nourishing their life in Christ in the Sacrament of the Altar, presenting their children for Holy Baptism and providing for their Christian instruction. They are called by the Spirit to lead godly lives, to promote the unity and welfare of the church in the bond of peace, to proclaim the gospel and to renounce the evil one. The commitment of each baptized member to this call is to be expressed through this church, its synods and its congregations by a life of repentance, faith, prayer and the sharing of resources.

## ARTICLE VI

### Congregations

Section 1. A congregation of this church, the corporate existence which is recognized by this church, is a worshipping, learning, witnessing and serving community of persons baptized in the Name of the Triune God among whom the Word is proclaimed and the sacraments are administered according to the gospel.

Section 2. Each congregation shall operate in accordance with its constitution, owning its property, making decisions in regard to its programming, calling its rostered ministers after consulting with the bishop of the synod, and retaining authority in all other matters that have not been committed to the Evangelical Lutheran Church in Canada or its synods in this constitution or by subsequent enactments.

Section 3. Reception of a congregation shall be by action of the synod on whose territory it is located. Each congregation shall, in its application for reception into this church, agree to abide loyally by the constitution, administrative bylaws and enactments of this church and those of the synod of which it becomes a part.

Section 4. Each congregation shall normally be a part of the synod on whose territory it is located.

Section 5. Congregations shall only be members of this church. Multiple memberships are prohibited.

Section 6. Congregations shall have the right to petition this church according to procedures set forth in the administrative bylaws.

Section 7. A synod, acting for this church, may exclude a congregation from the membership of this church for proper cause by the disciplinary process prescribed in the administrative bylaws. This

action may be appealed to the Court of Appeal whose decision therein shall be final.

## **ARTICLE VII**

### **Synodically Recognized Ministries**

Section 1. A ministry recognized by any synod of this church shall be a worshipping, learning, witnessing and serving community of persons who desire to belong to this church and commit themselves to the gospel of Jesus Christ, and subscribe to Articles II and III of the Constitution of this church.

## **ARTICLE VIII**

### **Rostered Ministers – Ordained**

Section 1. The administrative bylaws of this church shall define the standards for acceptance into its ordained ministry, and for the admission and continuance of individuals on its roster of ordained ministers in a manner consistent with this article. Each synod shall establish and maintain a roster of ordained ministers in accordance with such standards.

Section 2. Each ordained minister must covenant to abide loyally by the constitution, administrative bylaws and enactments of this church and of the synod under which they serve.

## **ARTICLE IX**

### **Rostered Ministers – Diaconal**

Section 1. The administrative bylaws of this church shall define the standards for acceptance into its diaconal ministry, and for the admission and continuance of individuals on its roster of diaconal ministers in a manner consistent with this article. Each synod shall establish and maintain a roster of diaconal ministers in accordance with such standards.

Section 2. Each diaconal minister shall covenant to abide loyally by the constitution, administrative bylaws and enactments of this church and of the synod.

## **ARTICLE X**

### **Full Communion Partners**

Section 1. Ordered ministers of churches with which this church has a full communion agreement, who are serving in this church under the provisions of that full communion agreement, shall have the same rights and privileges as the equivalent order of ministry in this church.

## **ARTICLE XI**

### **Synods**

Section 1. The church shall be organized regionally into synods whose number and boundaries are to be determined by this church in its administrative bylaws.

Section 2. Each synod shall be incorporated in keeping with the terms of appropriate documents ratified by the National Church Council. Amendments thereto shall be subject to ratification by the National Church Council.

Section 3. Each synod shall have a constitution ratified by the National Church Council. Amendments thereto shall be subject to like ratification by the National Church Council.

Section 4. As a regional expression of this church, each synod shall have jurisdiction in its affairs and be responsible for its life and ministry as delineated in its constitution and administrative bylaws.

Section 5. It shall be the responsibility of each synod to:

- a. Shepherd congregations, synodically recognized ministries, rostered ministers and lay workers located within its jurisdiction;
- b. Advance the Church's mission within its jurisdiction;
- c. Conserve unity in the true faith and guard against any departure from it;
- d. Develop the resources of God's people for the advancement of God's Kingdom at home and throughout the world; and
- e. Co-operate with this church and other synods in implementing its programs.

Section 6. Synods shall carry out such additional duties and responsibilities as are assigned to them in the administrative bylaws.

Section 7. Each synod shall have the right to petition this church according to the procedures set forth in the administrative bylaws.

## **ARTICLE XII**

### **Conventions**

Section 1. The convention of this church shall be its highest legislative authority.

## **ARTICLE XIII**

### **National Church Council**

Section 1. There shall be a National Church Council comprised of the officers of this church, who shall serve as the officers of the council; additional members from the synods as provided in the administrative bylaws of this church; and other representatives from full communion partner agreements.

The Synod Bishops shall be advisory members of the council.

Section 2. The purpose, duties and expectations of council shall be as defined in the administrative bylaws of this church.

## **ARTICLE XIV**

### **Officers**

Section 1. This church shall be served by a bishop who shall be its chief pastor and chief executive officer. The bishop shall be on the roster of ordained ministers of this church. The other officers shall be a vice-chair, a secretary and a treasurer, all of whom shall be lay members of this church.

Section 2. The purpose, duties and expectations of the officers shall be defined in the administrative bylaws.

## **ARTICLE XV**

### **Benefit and Pension Plans**

Section 1. The administrative bylaws shall provide for the participation by rostered ministers and lay employees of this church, its synods, congregations, agencies, institutions, and other recognized ministries and organizations in a pension plan and in a group benefits plan. The administrative bylaws may establish rules providing for the participation of such employers and employees in such plans on a compulsory basis, and may determine the methods to be adopted by the participants in such plans in order to provide for the proper administration of such plans.

Section 2. The convention may review any such benefit or pension plan and may make recommendations to the administrator of such plan or to the National Church Council on any proposed amendments to such plan, and may from time to time provide advice and direction to the administrator with respect to any proposed amendment to such plan.

## **ARTICLE XVI**

### **Special Interest Conferences and Recognized Independent Organizations and Institutions**

Section 1. This church may authorize, as provided in the administrative bylaws, the organization of special interest conferences having common linguistic or cultural heritages. Such conferences may

hold periodic meetings for fellowship and discussion of common concerns. Reports of meetings, together with any recommendations arising out of their special sphere of interest, shall be made to the National Church Council.

Section 2. This church shall recognize independent Lutheran organizations and institutions of a national scope established for Christian education, for the care of the ill, the aged and the infirm or for missionary endeavour as approved by the National Church Council.

## **ARTICLE XVII**

### **Court of Appeal**

Section 1. There shall be a Court of Appeal.

Section 2. The purpose, duties and procedures of the Court of Appeal shall be defined in the administrative bylaws of this church.

## **ARTICLE XVIII**

### **Administrative Bylaws**

Section 1. This church may adopt such administrative bylaws, not in conflict with this constitution, as may be necessary. Such administrative bylaws may be amended at any convention by a two-thirds vote of the delegates present and voting.

Section 2. Administrative bylaws relating to convention procedure may be suspended by a two-thirds vote of the delegates present and voting.

## **ARTICLE XIX**

### **Amendments**

Section 1. ARTICLE II on "Confession of Faith" shall be unalterable.

Section 2. Amendments to this constitution shall be in writing and may be proposed by:

- a. The National Church Council;
- b. Twenty or more convention delegates representing a majority of synods.

Section 3. All proposed amendments must be reported to the convention no later than the first full day of business. The National Church Council shall make a report and recommendation during that convention on all proposed amendments.

Section 4. Adoption of an amendment shall require two separate readings separated by at least twenty four hours. Each reading must be passed by a two-thirds vote of the delegates present and voting.

NCC completed the review of the draft Bylaws, and referred them the Constitution Committee for documenting and for communication with the wider church in preparation for 2013 convention.

**Administrative Bylaws  
Evangelical Lutheran Church in Canada**

Part I	Head Office.....	2
Part II	Congregations.....	2
Part III	Synodically Recognized Ministries .....	3
Part IV	Rostered Ministers-Ordained.....	4
Part V	Rostered Ministers-Diaconal .....	8
Part VI	Synods .....	11
Part VII	Conventions .....	13
Part VIII	Nominations and Elections.....	15
Part IX	National Church Council .....	17
Part X	Officers .....	18
Part XI	Recall or Dismissal of an Officer .....	21
Part XII	Conference of Bishops.....	22
Part XIII	Colleges, Universities and Seminaries .....	22
Part XIV	Financial Matters .....	23
Part XV	Benefit and Pension Plans .....	23
Part XVI	Special Interest Conferences .....	24
Part XVII	Court of Appeal .....	25

**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 responsibly 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. Wilfully violating or disregarding the constitution or official actions of this church or the synod; or
- c. Applying for or maintaining membership in another church; or
- d. Refusing or neglecting to exercise proper discipline over its members;
- e. Failure to provide financial support to this church or the synod;
- 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.

**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; and
- d. Place on file in the synod office a copy of its governing documents and report promptly any amendments it may adopt.
- 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. Wilfully violating or disregarding the constitution or official actions of this church or the synod;
- 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 the church and other officers	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	Synod Council on whose territory the ministry is located or National Church

- situations) 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 Councils
- 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 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.

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 or other calling authority 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;
  - iv. Willful disregard of the constitution, administrative by-laws or enactments of this church or of 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 receives 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. Officers of this church	Convention of this church
iii. Staff of this church	National Church Council
iv. Synod officer	Synod Convention
v. Staff of the synod	Synod Council
vi. Staff of an educational or charitable agency	Synod Council on whose institution or territory the institution or carries out its functions
vii. Staff of Federation of Lutheran Churches	National Church Council
viii. Staff of a nationwide inter-Lutheran agency	National Church Council
ix. Staff of a provincial agency or institution	Synod Council
x. Staff of an inter-denominational agency	National Church Council
xi. Chaplain in an institution operated by the federal government	National Church Council
xii. Congregational diaconal minister of a synodically recognized ministry	Synod Council on whose territory the ministry is situated
xiii. Diaconal minister serving an institution or agency outside of Canada	National Church Council
xiv. Global missionary	National Church Council
xv. 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 such pension plan.

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 (Diaconal Ministers)

- 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;
  - iv. Willful disregard of the constitution, administrative by-laws 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.
- Section 14. All diaconal ministers consecrated by the ELCIC 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/Northwest Ontario Synod of the Evangelical Lutheran Church in Canada. Territory: Province of Manitoba and that portion of Ontario west of 86 degrees longitude.
- 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 cooperation with the 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 rostered officers 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 the 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. 80 delegates shall be lay, 10 shall be youth, and 60 shall be rostered ministers.
- Section 8. Synods shall be entitled to elect 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 the church at least ninety 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 ninety 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;
  - 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 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 2/3s 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 proceeding regular convention providing they have not been disqualified by termination of membership. Vacancies shall be filled by appointment of synod councils.

## **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. The 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 months prior to each convention.

- d. At least six 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 an officer: 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.
- 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 5 rostered members, one from each synod; 5 lay persons, one from each synod; and 1 lay person at large from the synod with the most baptized members. There shall be one 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 bishops 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 officers 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,
  - 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

- e. 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; and
- 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.

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 wilful 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 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 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, two 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 the 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 in Saskatoon shall be vested in the four western synods. Ownership of the Waterloo Lutheran Seminary shall be vested in the eastern synod(s). 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 cooperate 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 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 both 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 article 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 it 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.

Notice of Motion from the Eastern Synod Convention regarding financial stability of the church. Recommendation is to continue the conversation and to make this an agenda item for the next meeting.

**CC-2012-43** That NCC request the secretary to send a letter of thanks to the Eastern Synod for their generous leadership on the Praise Appeal. **CARRIED**

**Next Meetings:**

March 7-9, 2013      -Chaplain- Lyle McKenzie  
                              -Dwelling in the Word – we will leave this vacant in order to be flexible  
                              regarding other  
                              forms of Spiritual Renewal.

September 5-7, 2013 -Chaplain-  
                              -Dwelling in the Word

Dwelling in the Word - Jeanie Stann

Closing Worship - Rev. Heather Spencer