

## **I. Parish Officers**

### **Canon I-1: APPOINTMENTS TO CHARGES**

*assisted parishes:*

1. The Bishop shall have the right to present and appoint clergy to assisted parishes. Before the appointment of an Incumbent is made to a parish, the Bishop shall consult with the parish church board. (Amended – 2011)

*interim incumbent:*

2. The Bishop may appoint an interim incumbent between incumbencies.

*appointment of an incumbent to a parish:*

3. A vacancy in the incumbency of a parish shall be filled as set out in this section.

*concurrence committee:*

a) The parish shall act through a concurrence committee of between three and seven communicants of at least the age of eighteen, who shall be elected at a vestry meeting.

*parish profile:*

b) The concurrence committee shall draw up a parish profile as a resource for the selection of a new incumbent. Members of the parish shall be consulted in drawing up the profile.

*nomination of clergy by the Bishop:*

c) The Bishop shall provide a list of one or more nominees for the position of incumbent.

*consideration of the Bishop's nominees:*

d) The concurrence committee shall consider the Bishop's list. If the concurrence committee fails to concur in one of the nominees, the Bishop shall, at its request, provide another list.

*if no concurrence:*

e) If the concurrence committee fails to concur after the presentation of three consecutive lists within a six month period from the date of the presentation of the first list, the Bishop may make a further nomination or make an appointment.

*Bishop's right of appointment:*

4. Notwithstanding the foregoing, the Bishop shall have the right of appointment to any parish:

- a) which requests the Bishop to make the appointment, or
- b) which is in arrears to the Diocese with regard to stipend, transportation grant, or levy, or
- c) which is not an assisted parish, but which is unable to offer a full-time stipend, and after consultation with the wardens. [Added 1999]

*Celebration of New Ministry in parishes:*

5. Upon the appointment of an incumbent to a parish, a date shall be set for the Celebration of A New Ministry, such date to be as soon as possible but in any event no later than ninety days after the effective date of the appointment.

*licensing:*

- 6. a) No bishop, priest or deacon shall exercise an ordained ministry within the Diocese without a license or informal permission from the Bishop.
- b) The issuance or termination of a license or informal permission to exercise an ordained ministry is the exclusive prerogative of the Bishop.
- c) A licensee is required to maintain the confidence of the Bishop with respect to sound teaching, diligence, and exemplary Christian living.

*termination of appointments:*

7. Appointment to a charge may be terminated or amended:

- a) by the resignation of the appointee: after giving three months' advance notice in writing to the Bishop. Upon the request of the appointee the Bishop may waive, in whole or in part, this advance notice of resignation;
- b) in the case of an appointment to a charge for a specified term: at the conclusion of the term or as may be otherwise mutually agreed upon in the covenant establishing the term appointment. In the absence of such a mutual agreement any continuation of the term shall be deemed to be an extension of the term from month to month;
- c) in the case of an appointment to a charge for an unspecified term:
  - i) in accordance with a notice given under s. 8 of this Canon, or
  - ii) upon payment of compensation in lieu of such notice;

d) for cause or fault on the part of the appointee, which cause or fault is detrimental to the life of the church;

e) upon a Bishop or court of competent jurisdiction under General Synod Canon XVIII: Discipline pronouncing a sentence of:

i) suspension from the exercise of ministry or office;

ii) deprivation of office or ministry, or

iii) deposition from the exercise of ministry.

*termination of an appointment by notice:*

8. a) An appointment may be terminated by notice by:

(i) the Bishop with the concurrence of the Executive Committee, chaired by a member other than the Bishop; or

(ii) by the Executive Committee, chaired by a member other than the Bishop, with the concurrence of the Bishop.

b) (i) The notice period shall be three weeks for each year of service in the Diocese of Algoma, plus such additional notice as may be specified in the original Letter of Appointment, but failing a Letter of Appointment one week for each year of service in licensed ministry elsewhere in the Anglican Church of Canada. In no case shall the notice period be less than three months or more than eighteen months.

(ii) Stipend and benefits shall be paid for a minimum of three months, and then from month to month until the month in which the appointee commences other employment, or until the end of the notice period, whichever comes sooner. Further payments after the three month minimum period shall be conditional on the appointee actively seeking suitable alternative employment.

*appeal of revocation:*

### 9. *Appointments Tribunal*

a) There shall be an Appointments Tribunal composed of three members.

*jurisdiction:*

b) The Appointments Tribunal may hear appeals:

(i) when an appointment to a charge has been terminated or amended for cause: as to the existence of cause;

(ii) when an appointment to an office has been terminated or amended upon notice: as to the calculation of the length of notice;

iii) when an appointment to a charge has been terminated or amended with compensation in lieu of notice: as to the calculation of the amount of compensation.

*composition:*

c) The members of the Appointments Tribunal shall be selected as follows:

(i) one person appointed by the Bishop;

(ii) one person appointed by the appointee;

(iii) one person, who shall act as chair, appointed by the other two.

*powers of Tribunal:*

(d) On appeal against termination or amendment of an appointment to a charge for cause the Appointments Tribunal shall determine whether cause existed for revocation of the appointment without notice. If the Appointments Tribunal finds that cause existed, it shall dismiss the appeal. If it finds that cause did not exist, it may restore the appointment or make such other order as it considers just.

(e) On appeal against termination or amendment of an appointment to a charge on notice or with payment of compensation in lieu of notice, the Appointments Tribunal shall determine whether the calculation of the length of notice or the amount of compensation was correct. If it was correct, then it shall dismiss the appeal. If it finds the calculation was in error, then it shall calculate the correct length of notice or amount of compensation.

*(Rescinded and replaced 1997)*