

Subject: **Governance - Procedures for enactment of Canons and amendment of the Declaration of Principles, the Constitution, and the Canons**

Moved By: Robert Falby from the Diocese of Toronto

Seconded By: Archbishop Caleb Lawrence from the Diocese of Moosonee

**Note: The mover and the seconder must be members of the General Synod and be present in the House when the resolution is before the synod for debate.**

**BE IT RESOLVED:**

That *first reading* be given to the Resolution that section 11 of the Declaration of Principles be amended to read as follows:

**11. Amendments; Enactment of Canons**

- a) *Amendments to the Declaration of Principles*
- i) The Solemn Declaration of the Declaration of Principles belongs in a particular historic context and therefore cannot be altered or amended.
  - ii) An amendment to the Declaration of Principles can be considered only when a majority of each Order is present at the session of the General Synod.
  - iii) Subject to subsection iv), an amendment to the Declaration of Principles shall take effect when passed by a two-thirds majority in each Order.
  - iv) An amendment to sections 6, 7 and 8 of the Declaration of Principles shall take effect only when the General Synod has adopted it in the manner prescribed in subsection iii), and the synods of each of the ecclesiastical provinces of the Anglican Church of Canada have consented to it.
  - v) The synod of an ecclesiastical province of the Anglican Church of Canada shall be deemed to have consented to an amendment to section 6, 7 or 8 of the Declaration of Principles adopted by the

General Synod if no resolution proposing consent to the amendment has been voted upon in the provincial synod before the expiration of 3 years from the date the amendment was passed by the General Synod.

- vi) Where a proposed amendment to the Declaration of Principles has been defeated by the General Synod, or where an amendment to section 6, 7 or 8 of the Declaration of Principles passed by the General Synod has not taken effect pursuant to subsection iv), the proposed amendment may be introduced again at any subsequent session of the General Synod.

*b) Amendments to the Constitution*

- i) An amendment to a section of the Constitution which has its origin in the Declaration of Principles must be consistent with the Principle concerned.
- ii) An amendment to the Constitution of the General Synod shall take effect when passed by a two-thirds majority of each Order voting at a session of the General Synod.

*c) Canons and Amendments to Canons*

- i) All Canons dealing with doctrine, and amendments to such Canons, shall take effect when passed by a two-thirds majority in each Order at two successive sessions of the General Synod, the Canon or amendment proposed having been referred for consideration to diocesan and provincial synods, following the first approval of the General Synod.
- ii) All Canons dealing with matters other than doctrine or amendments to such Canons, shall take effect when passed by a two-thirds majority of the Order of Bishops, and of the Orders of Clergy and Laity voting together.

*d) Amendments to the Rules of Order and Procedure*

An amendment to the Rules of Order and Procedure shall take effect when passed by a two-thirds majority of the Order of Bishops, and of the Orders and Clergy and Laity voting together.



e) *Amendments on Second Reading at Synod*

i) Where a resolution proposing a Canon dealing with doctrine or an amendment to such a Canon has been:

- a) passed at one session of the General Synod,
- b) referred for consideration to all diocesan and provincial synods, and
- c) brought before a second session of the General Synod,

it shall be in order for the General Synod to adopt any amendment to the resolution which would have been in order when the resolution was considered at the first session of the General Synod.

ii) A resolution amended pursuant to subsection i) shall take effect if passed by the required majority at the second session notwithstanding the amendment.

**EXPLANATORY NOTE/BACKGROUND INFORMATION:**

Under the present rules (see Appendix to this resolution) certain types of legislation require a higher level of approval than regular resolutions.

Amendments to most provisions in the Declaration of Principles, and to Canons dealing with doctrine, worship or discipline, and amendments to such Canons, come into effect only when passed by a 2/3 majority of each of the three Orders of the General Synod at two successive sessions. Between sessions they must be referred to all diocesan and provincial synods for consideration.

Amendments to the three sections of the Declaration of Principles which distribute jurisdiction between the General Synod and the Provinces and which describe the General Synod's jurisdiction regarding discipline (section 6, 7 and 8) must also have the consent of the provinces before they are brought before the second session of the General Synod.

These higher approval standards exist for at least two reasons: 1) the subject matter of such legislation is of a high level of importance and 2) legislation on these subjects affects the whole church so there should be a high level of consultation prior to enactment.

Because General Synod cannot act at one session to enact this type of legislation, progress towards the accomplishment of structural and other changes can be very slow. The Governance Working Group is of the view that this is an impediment to efficient and effective governance. It believes that, with one exception, the requirement that these types of legislation be passed at two successive synods should be abandoned.

Obviously, this would mean that the requirement for reference of such legislation to dioceses and provinces for consideration would also be abandoned. Rather, the Governance Working Group proposes that the requirement for notice of motion be increased from 30 days to 90 days. A companion resolution to amend section 13 of the Rules of Order and Procedure will accomplish that and would give members of General Synod time to consult in their dioceses about proposed changes before they are considered by the General Synod.

If a proposed change is to the jurisdiction distributing sections, provincial consent would still be required. Such a change would not come into force until consented to. If a provincial synod did not consider the change during the 3 years following its enactment by General Synod, it would be deemed to have consented.

The one exception to this proposed change relates to matters of doctrine. The Governance Working Group is of the view that matters of doctrine are sufficiently important that Canons dealing with them should come into effect only when passed by the required majority at two successive synods with reference between synods to dioceses and provinces.

Other changes to the existing provisions have been made to improve the drafting. They are not substantive.

To come into effect, this resolution, being an amendment to the Declaration of Principles, will have to be passed by a 2/3 majority of each Order of the General Synod voting separately at two successive sessions, having been referred between those sessions to the dioceses and provinces for consideration

Source: The Council of the General Synod  
(name of committee, diocese, etc.)

Submitted by: The General Secretary

- A) Does this motion contain within it any financial implications?  
Yes \_\_\_\_\_ No \_\_\_\_\_
- B) If yes, has the General Synod Expenditures Committee considered the implications?  
Yes \_\_\_\_\_ No \_\_\_\_\_

## **Appendix - Section 11 of the Declaration of Principles as now in force:**

### **11. Amendments**

#### *a) Declaration of Principles*

i) The Solemn Declaration of the Declaration of Principles, while continuing to be part of the Declaration of Principles belongs in a particular historic context and therefore cannot be altered or amended.

ii) A change in the Declaration of Principles (except for section 1) can be considered when a majority of each Order is present at a session of the General Synod. To take effect it shall require a two-thirds majority in each Order voting at two successive sessions of the General Synod, the change proposed having been referred for consideration to all dioceses and provincial synods following the first approval of the General Synod.

iii) No change in sections 6, 7 and 8 of the Declaration of Principles can be effected without the consent of all provincial synods except that if a vote on the proposed amendment has not taken place in any provincial synod prior to the next regular session of the General Synod, such provincial synod shall be deemed to have approved the amendment.

iv) Any proposed amendment to the Declaration of Principles which has been defeated by a vote of the General Synod, or of a provincial synod with respect to sections 6, 7 and 8, may be introduced again at any subsequent session of the General Synod.

#### *b) Constitution*

The Constitution of the General Synod may be amended by a two-thirds majority of each Order voting at a session of the General Synod, except that any section of the Constitution which has its origin in the Declaration of Principles must be consistent with the Principle concerned.

#### *c) Canons*

i) All Canons dealing with doctrine, worship, or discipline, and all alterations to such Canons, shall require to be passed by a two-thirds majority in each Order voting at two successive sessions of the General Synod, the Canons and alterations proposed having been referred for consideration to diocesan and provincial synods, following the first approval of the General Synod.

ii) All other Canons may be approved or amended by a two-thirds majority of the Order of Bishops, and of the Orders of Clergy and Laity voting together

d) *Rules of Order and Procedure*

The Rules of Order and Procedure may be amended at any regular session of the General Synod by a two-thirds majority of the members voting in the normal manner.

e) *Amendments on Second Reading at Synod*

i) Where a proposed change to the Declaration of Principles (other than to sections 6, 7, or 8 thereof) or to a Canon dealing with doctrine, worship, or discipline has been:

a) passed at one session of the General Synod,

b) referred for consideration to all diocesan and provincial synods, and

c) brought before a second session of the General Synod for consideration,

it shall be in order for the General Synod to adopt any amendment to the proposed change which would have been in order when the proposed change was considered at the first session of the General Synod and the proposed change shall take effect if passed by the required majority at the second session with or without such amendment.

ii) Where a proposed change to sections 6, 7 or 8 of the Declaration of Principles has been:

a) passed by the required majority at one session of the General Synod,

b) referred for the consideration of all diocesan synods,

c) referred for consent to all provincial synods, and

d) brought before a second session of the General Synod for consideration,

it shall be in order for the General Synod to adopt any amendment which does not alter the proposed change in any substantive way but which merely improves the clarity or form of the proposed change and the proposed change shall take effect if passed by the required majority at the second session with or without such amendment.