

Role of the Primacy Task Force
Report to General Synod
June 2010

FOR ACTION BY THE GENERAL SYNOD:

Moved by: Bishop Michael Ingham

Seconded: Bishop Linda Nicholls

That Canon III on The Primacy be amended as detailed in Attachment A.

A. Mandate of the Task Force

General Synod 2007 (Act 59) called for a Task Force to:

- Conduct a detailed study of the role, duties, and functions of the Primate
- Recommend changes, if any, to Canon III
- Complete its work in advance of General Synod 2010; and
- Report to General Synod 2010 and, if the Task Force thinks appropriate, to recommend resolutions for consideration by General Synod

The Council of General Synod created the Task Force in the fall of 2007 consisting of two bishops, two clergy and two laity including representation from each ecclesiastical province.

B. Work of the Task Force

The Task Force conducted a detailed archival review of the functions of the primacy in Canada since 1893, along with a consideration of other models of primacy within the Anglican Communion. We sought and received the advice and reflections of our current Primate, Archbishop Hiltz, and Archbishops Hutchison and Peers.

Extensive research was conducted into contemporary leadership models in academic, business, and civil society.

In the summer and fall of 2009 we held a series of workshop consultations with each of the Provincial Synods and with the national staff at Church House in order to seek the advice and input of the Canadian Church as widely as feasible.

One meeting was held with the provincial metropolitans in 2008.

We chose to focus our work theologically through the lens of mission. Our primary question was, how is primacy to be understood by a church engaged in Christ's mission to the world?

C. Theological Considerations

From ancient times, in both East and West, the ministry of primacy has been inseparable from, and exercised by, bishops. As the early church grew, the work of oversight (*episcopé*) of the people of God was recognized as a distinct ministry, and those chosen and set apart by the church were themselves subject to pastoral and juridical oversight.

The English Reformation in the 16th century retained the three orders of bishops, priests, and deacons, and also the historic office of primacy. John Whitgift, Archbishop of Canterbury from 1583 to 1604, was of the view that “Primates, ‘first bishops,’ Patriarchs, Metropolitans, ‘Bishops of the Mother City,’ and Archbishops” are all one and the same. While some English Reformers argued for the abandonment of Catholic tradition in favour of a more Calvinist model, Anglicanism preserved the ancient custom of a three-fold ministry and a sacramental theology of ordination.

There has been general resistance to the idea of a ‘universal primacy’ as exercised by the Bishop of Rome. Instead, Anglican practice has been to have national or provincial primacies exercised in collegial relationship with one another and shaped by the distinctive characteristics of each provincial church. Across the Anglican Communion the models of primacy reveal significant variations (England, for example, has two, York and Canterbury, one designated as Primate of England, the other as Primate of All England). In each case, however, it is a ministry exercised by a bishop.

This ministry is described in the “Baptism, Eucharist and Ministry” report of the World Council of Churches 1982 as follows:

Bishops preach the Word, preside at the sacraments, and administer discipline in such a way as to be representative pastoral ministers of oversight, continuity and unity in the Church. They have pastoral oversight of the area to which they are called. They serve the apostolicity and unity of the Church's teaching, worship and sacramental life. They have responsibility for leadership in the Church's mission. They relate the Christian community in their area to the wider Church, and the universal Church to their community. They, in communion with the presbyters and deacons and the whole community, are responsible for the orderly transfer of ministerial authority in the Church. (BEM, Ministry, 29)

Primatial ministry is therefore to be exercised in accordance with ecumenically agreed understandings of *episcopé*. Throughout the Anglican Communion primates exercise an apostolic ministry of oversight of their local churches characterized by preaching God's Word, presiding at the sacraments (particularly the episcopal rites of Confirmation and Ordination), pastoral care, discipline, governance, leadership in mission, and connecting the local and wider church together. Their central concern is the mission of God.

The first General Synod in Canada in 1893 established the Office of Primate, to be elected by the Order of Bishops from among the metropolitans. However, no duties, powers or responsibilities were given to the office other than as President of the General Synod and of the House of Bishops. The first nine primates of the Canadian church operated as diocesan bishops in addition to their national responsibilities. This ensured that they retained the sacramental and juridical authority of bishops, though only within their own dioceses since no jurisdictional powers attached to the primacy itself.

Until 1934, no financial provision was made for the primacy by the General Synod. Prior to this, the salary was met by the diocese whose bishop had been elected. Several of these dioceses also had to elect suffragan bishops to do the work delegated by the diocesan. There were few dioceses in Canada able to accept such a cost. Even after 1934 the position remained under-funded for decades, while the workload increased and expectations of the church grew significantly.

The sheer size of Canada, combined with the growing national and international responsibilities of the primate, led to serious concerns about the health and well-being of the incumbent. Several Canadian primates died in office. From the 1920s onward the church discussed several ways to limit and manage the burden of work. These included the erection of a fixed primatial see, a national cathedral, and eventually the model of a detached primacy that was adopted in 1969.

This ‘locally adapted’ model removes the responsibilities of diocesan ministry from the primate in order to make possible (and bearable) a national episcopal ministry. Its purpose, however, is more than simply a manageable workload. As Canadian Anglicans have increasingly developed a sense of being a single national church with an identity spanning the vastness of the country, there is felt to be a need for “a visible locus of the unity and universality of the church.” The primacy has gradually become symbolic of Anglicanism in Canada as a whole.

Yet, its adaptation here (as in the Episcopal Church) has also raised questions about continuity with historic *episcopé* and the ancient traditions. The Moscow Consultation on Episcopacy in 1992 contains this observation:

With the growth of the Communion and the establishment of fresh provinces, new ‘metropolitans’ have come into being as Primates or Presiding Bishops in the Anglican Communion. Not all of these primacies are attached to ‘fixed’ sees (e.g. Wales and Scotland), and it is not everywhere the case that the Primate has a see of his own. In the Episcopal Church in the United States and now in Canada the Presiding Bishop or Primate has been ‘freed’ from diocesan responsibilities to be a ‘chief executive.’ Both these variants raise certain questions about the relationship of *episcopé* and pastoral ministry. (*On Being A Bishop*, J. Robert Wright ed, Church Hymnal Corp. 1993, 142)

Should primates be mainly administrators and chief executives? What is distinctively *episcopal* about a ministry without a jurisdiction or a diocese? These questions have been central to discussions of the primacy in Canada both before and after 1969. Our church expects primatial ministry to be exercised by a bishop. It seems to follow that the office should carry traditional pastoral, sacramental, and jurisdictional authority in accordance with the nature of the historic episcopate.

Unlike most - if not all - other models in the Communion, the Canadian primacy has never carried any jurisdiction (other than presidential duties during the meetings of the General Synod and the House of Bishops), and its sacramental and pastoral responsibilities since 1969 have remained undefined.

Jurisdiction, however, while central to the ministry of a diocesan bishop, is not necessarily inherent in that of a primate. In a paper presented to the Canadian House of Bishops in 2007, Bishop John Baycroft wrote:

At the risk of outrageously oversimplifying some very complex issues, I think it is broadly correct to say that since the Reformation Anglicans have been freeing themselves from a Western mediaeval notion of bishops as simply jumped up priests with more jurisdiction distinguishing them. The trend has been to embrace the understanding that episcopacy is a distinct order, and that the distinction is sacramental and ministerial rather than juridical. The jurisdiction attached to the ministry of a bishop flows from the nature of the ministry entrusted to the bishop. (*Reflections on Primacy*, Baycroft, 1)

If the nature of the bishop's ministry determines the jurisdiction attached to it, it follows that primatial ministry - detached from diocesan responsibilities - need not require an extensive jurisdiction. In Canada, efforts to preserve jurisdiction in some way for the primacy have foundered for many reasons (see the Archival Summary). They may also be theologically unnecessary.

It is difficult to make a similar argument, however, with respect to sacramental ministry. Since 1971 our primates have largely lost the specifically episcopal ministries of Confirmation and Ordination. They have no defined role in the consecration of new bishops. Our primates have no canonical right to preside at the sacraments of Baptism or Eucharist except at Church House. Elsewhere they are subject to the invitation of the diocesan bishop, which is a patchwork quilt of inconsistency across the Canadian church.

The heart of *episcopé* is mission, expressed through the apostolic work of preaching, caring, inspiring, leading, unifying, and presiding over the sacraments of our faith. The Canadian model of primacy implicitly expresses this theology, but in practice sometimes denies it. The recommendations of the Role of the Primacy Task Force seek simply to make it more explicit and more uniform in its working across the church.

D. New Perspectives on Leadership

Ideas about leadership in the wider world have changed dramatically. Science has always had a marked influence on culture, including that of the Christian Church; and many of the ideas about the role of leaders arise from changing perceptions within that world. Scientists like David Bohm see the problem of the old view as fragmentation - dividing scientific disciplines into parts - instead of focusing upon wholeness. When this separation is carried over to organizations and institutions, we tend to view the leader as separate from the system. New science focuses on relationships and connectedness. In human and institutional terms, it follows that we have to see leaders as part of an organic system that evolves over time. The old metaphor of the machine has been replaced by the web, - an image drawn both from nature and technology.

Leadership based on this new model has more to do with interconnectedness and collaboration than with hierarchy. While vision and mission are prime responsibilities of the leader, they develop at all levels of the organization and arise out of interaction among them. The leader's task is threefold - to focus on the highest purpose; to reflect on it and refine its expression in the light of an emerging future; and to communicate it in ways to make us understand it and want to participate in it.

Global institutions and new technologies surround us and the pace of change is staggering. As Peter Senge observes, "People struggle simultaneously to speed up and to slow down". We understand the need for deeper reflection and understanding and the need for a new story, - or perhaps an old story understood in new ways. But we pursue our usual activities even more obsessively and avoid reflection at our peril. What we really need to do is to learn to see with the heart.

Leadership is embedded both within systems and in structures. In the same way that nature evolves and changes, such systems have to adapt to changing realities. Chilean neuroscientist Humberto Maturana observes that we have to commit to "a manner of co-existence in which love, mutual respect, honesty and social responsibility arise spontaneously from living instant after instant" and to become more human through realizing "that we do not see the world as it is but as we are". A missional approach may cause the leader to worry more about unquestioned answers than about unanswered questions.

In large institutions and organizations, leaders are given many opportunities early in their working careers. They travel the world; they see the direct impact of what happens in the wealthier countries upon the poorer ones; they learn of regional differences formed by history and experience; they ponder the impact of decisions made in one location on others; they deal with people in different stages of development and share their joys and pains; and they encounter dreamers and visionaries whose ideas are waiting to be born. The experience makes such leaders effective interpreters and translators.

Effective leaders embody discipline, determination and humility. As someone who is continually learning and reflecting, the leader takes the time to confront current reality and sees it not as a threat, but as a starting point to move toward a new creation. The weight of this task, along with others, makes heavy demands. To grow in the job necessitates facing the facts - that one does not have the capability to do it alone; that one's self is separate from the role and needs care and support; that too often a leader can be a scapegoat for the fears and obsessions of others. But in spite of the challenges, leaders have the joy of creating value and meaning and play a role in changing the world from what it is - to what it might be and should be.

These perspectives were a central part of our provincial and national consultations, and drew much comment and response.

E. What We Learned From the Consultations

1. Personal Qualities Expected of a Primate

There was a strong consensus on this expressed in each of our provincial and national consultations. These are the words most commonly used:

visionary; dreamer; listener; spiritual; mediator; motivator; interpreter; knowledgeable; humble; warm; inspiring; caring; open; receptive; collaborative; discerning; hopeful; compassionate; intellectual; emotionally intelligent; wise; enthusiastic; prophetic; consultative; self-caring; balanced; reconciler; liaison; present; visible; godly; pastoral; transparent; proactive; diplomatic; prayerful; shepherd; love; passion; authentic; determined; communicator; encourager; effective; thoughtful; non-anxious; confident; calm; adaptive; theological; patient; teacher; decisive; charismatic; faithful; catalyst; approachable; initiative-taker; peacemaker; ecumenical; galvanize; advocate; challenging; engaging; anticipates; learner; moral; accessible; virtual; viral; gracious; activist; pilgrim; story-teller; human; 'smells of God'; learned; authoritative; relational; servant; mentor; public speaker; inclusive; vigorous; leader by example; missional; empowering; hearing; holy; ambassador; sociable; fit; healthy; Anglican; unencumbered; principled; unafraid; courageous; unifying; enabling; arbitrator; apostolic; truth-teller; outside the box thinker; Christ-centred; Spirit-led; coherent; networker; scriptural; tough.

Our favourite (from the Province of Rupert's Land) is: "Gitchi ayame ha we kima" translated as Canada's Great Praying Boss.

2. Leader of a Church in Mission

For decades, international conferences of bishops, clergy and laity have emphasized the need for the Christian church to move from 'maintenance' to 'mission.'

This was widely affirmed in our provincial and national consultations. Canadian Anglicans are ready to adopt a new focus on baptismal ministry in a post-Christian and increasingly secular society. Where we once spoke of ‘the church’s mission’ we now sense it is more accurate to speak of God’s mission, and to see the church as an instrument of it. God is already ahead of us in the world, calling us to follow.

Leadership in these times involves enabling the church to be faithful and courageous in serving God’s mission. The Role of the Primacy Task Force recommends the addition of these words to Canon III: [the Primate shall] “lead the Anglican Church of Canada in discerning and pursuing the mission of God.”

3. Relations with Indigenous Peoples

As will be reported to the General Synod by the Governance Working Group, Canada’s indigenous Anglicans have reached a new stage in their relationship with the church. A series of Sacred Circles, the New Agapè, the experience of the Residential Schools, the start of the federal Truth and Reconciliation Commission, and the appointment of a National Indigenous Anglican Bishop have opened fresh horizons of understanding about God’s mission among both indigenous and non-indigenous Christians.

These will be addressed significantly by the canonical proposals to be brought to General Synod by the GWG. For the purposes of Canon III, the Role of the Primacy Task Force recommends the addition of a new section authorizing the primate to appoint and, if necessary, to ordain a person chosen by indigenous Canadian Anglicans as their national bishop.

4. Sacramental Ministry of the Primate

As noted in the Theological Considerations above, the absence of a defined sacramental and liturgical ministry for the primate has been a source of much reflection and concern both in Canada and elsewhere.

There was considerable discussion of this at each of the consultations. Members struggled with the fact that Canadian primates no longer celebrate the specific liturgical and sacramental rites reserved for bishops, except by local invitation, while at the same time being disinclined to interfere with the historic jurisdiction of diocesan bishops in their areas.

In interviews with the current and former primates, the Task Force learned that a wide variety of practice exists across the Canadian church, ranging from minimal acknowledgment of the primate’s presence and ministry in some places to full honour and respect in others. In each case, this is determined by local tradition or by local bishops. Canon III has been silent on these matters.

The Role of the Primacy Task Force recommends the addition of a new section to the Canon on the Primacy that would address this deficiency. As Section 6, it strikes a

balance between respect for local episcopal jurisdictions and the specifically episcopal ministry of the primate.

By adding this section into the Canon, the General Synod would give expression to a hope that on visits across the Canadian church the primate will preside at the sacraments of Baptism, Eucharist, Confirmation, and Ordination, and that diocesan bishops be encouraged to make this possible as appropriate.

It also (for the first time) incorporates into the Canon a ministry of teaching and preaching the Word of God in Scripture, an expectation no less real for being absent, and one in which our primates have consistently excelled.

5. Prophetic Ministry

Another point of considerable discussion in our workshop consultations was the extent to which the primate should be free to exercise a prophetic ministry to, and on behalf of, Canadian Anglicans.

Currently, Canon III states that the primate may speak out publicly “in accordance with the policies set by the Council of General Synod or the General Synod.” To some, this appears to restrict the primate’s individual voice and to limit any public pronouncements - especially on matters of social justice or public policy - to institutionally approved positions. It was remarked that a prophet’s ministry is “to disturb the comfortable.”

Others, however, were cautious about authorizing primates with a ‘carte blanche’ to speak alone or without the support of the church as a whole, particularly on matters of controversy, disagreement, or sensitivity, that could cause scandal or harm.

Both our former primates noted they did not feel personally confined by the current Canon in any restrictive way, but rather that there exists a good deal of latitude for personal discretion in such matters. Neither felt silenced or prevented from speaking out of their Christian conscience, and both noted the importance of consultation with the church through the metropolitans, the House of Bishops, the Council of General Synod or the General Synod, as the urgency of any given situation might allow.

Both also noted, however, that the primate’s ability to speak to the whole Canadian church about matters of importance - for example, through the use of Pastoral Letters - is effectively restricted by the ability of diocesan bishops to hold back permission for their distribution. Again, there is a patchwork quilt of practice across our country, and it is not unknown for a local bishop to refuse permission for Pastoral Letters from the primate to be read out in churches.

At the provincial and national workshops it was widely noted that modern technologies such as websites, e-mail, and both religious and secular newspapers, offer new possibilities for communication. There is widespread support for the recent

use of webcasts and the creation of interactive fora on the internet. However, it was also widely felt that the anomaly of a primate not having the ability to speak directly to the whole church at principal occasions of worship should be corrected.

The Role of the Primacy Task Force therefore recommends the addition of these words to the revised Canon: [The Primate shall] “speak and write prophetically to the Anglican Church of Canada, and on behalf of the Anglican Church of Canada to the world, in consultation with metropolitans and/or the bishops, and the General Synod or its Council, as appropriate.”

This does not change the jurisdiction of bishops in dioceses, but rather articulates the expectation of the church that the primate will exercise such a ministry, and adds the responsibility to the Canon.

6. Senior Metropolitan

The first General Synod of 1893 created the position of primate who was to be elected from among the metropolitans by the Order of Bishops. In 1934 the General Synod opened the election to all diocesan bishops in Canada and gave the right of nomination to the Order of Bishops and of election to the Orders of Clergy and Laity.

This change provoked lengthy discussion about the relationship between the primate and metropolitans (see the Archival Summary). The 1969 revisions to Canon III gave the primate the title of Senior Metropolitan, but did not define its meaning.

In the Ordinals of the Canadian church deacons and priests are required to swear obedience to their diocesan bishops and successors (in all things lawful). Similarly, bishops at their ordination must swear obedience to metropolitans and their successors. Metropolitans do not make similar oaths before the primate, indicating that the relationship between them is intended to be personal and collegial rather than juridical.

The Role of the Primacy Task Force believes it would be helpful to include a definition of “Senior Metropolitan” in the Proposed Canon III that clarifies this relationship. It simply states what has become the case in our church: that the primate serves as “first among equals” among the metropolitans, functions as the chair and convener, and is expected to consult with them in the exercise of primatial ministry. It is a primacy of respect and honour.

There are differing views across the Canadian church about how this relationship should be expressed liturgically. The Task Force recommends that the primate preside at the installation of new metropolitans. No change is implied here in the relationship between them, but it would give public expression to the primate’s role as “primus inter pares” and strengthen the collegial nature of their fellowship in the Gospel.

Currently, the canons of all four ecclesiastical provinces are silent on the matter of the installation of a new metropolitan. Custom appears to determine the matter in each case, and there is no common standard. In Ontario the duty falls to the Provincial Prolocutor. In British Columbia and Yukon, to the senior bishop. If General Synod 2010 amends Canon III in the manner here suggested, it will require some change of tradition, not of canon. There will likely be ample time for such consideration in view of the recent installations of new metropolitans in 2009.

7. A Primatial See?

From 1929 onwards there was discussion in Canada about the creation of a Primatial See. This would be an area in which the primate would function as a diocesan bishop, to which he would be elected by the church at large rather than by the people of the area.

It was agreed it should be “fairly central, easily accessible, and so small in extent as to make few local demands upon the time and energies of the Primate.” (1929 Report on the Primacy)

The intention was to preserve the inherent jurisdiction of the episcopate and also to afford the primate an opportunity to exercise a sacramental and pastoral ministry, since no such provisions attach to the primacy itself. It also recognized the need to minimize local responsibilities to allow for national and international ones.

However, no location for such a See could be determined, despite decades of discussion. Nor was any agreement reached about the canonical formation or funding of such a See. In 1956 the Synod of the Diocese of Ottawa voted to offer itself as a Primatial See, thus intentionally forgoing the right to elect its own bishop, but the offer was not taken up by the Canadian church (nor does the motion appear to have been rescinded).

The Role of the Primacy Task Force believes it is time to lay the notion to rest.

8. A National Cathedral?

In 1963 the Commission on a Fixed Primatial See suggested, among other things, that Christ Church Cathedral Ottawa be named a National Cathedral and that the primate have a seat there as well as the diocesan bishop. A later Task Force on the Primacy (1984) raised the same matter and noted “a wide variety of opinion” across the Canadian church.

The word ‘cathedral’ derives from the Latin for ‘chair’ and refers to the seat or throne of a bishop in a church designated for that purpose. It carries implications of jurisdictional authority.

The Role of the Primacy Task Force believes the matter is now redundant. The model of primacy developed by the Canadian church does not vest the incumbent with jurisdictional authority. Since the 1969 revisions to Canon III, we have looked to our primates for missional, pastoral, and apostolic leadership, exercised collaboratively and collegially. The exercise of discipline is restricted to Church House in the role of Chief Executive, and does not extend beyond that. The current recommendations for revision to Canon III propose no change to this.

In recent years, bishops of Ottawa have extended invitations to the primate on the occasion of significant national events, including an annual service at the New Year, thereby symbolizing the primate's teaching role both to the nation and to its capital.

9. Chief Consecrator of Bishops?

In Anglicanism primates have a particular relationship with other bishops, sharing with them the ministry of oversight, pastoral care, teaching, leadership, and unity.

General Synod in 1969 gave the primate "pastoral responsibility for the whole Canadian church" which was later changed to "pastoral and spiritual leadership throughout the Anglican church of Canada." It has been widely understood that the primate should exercise such pastoral and spiritual leadership along with, and not apart from, fellow bishops.

Our interviews with the current and former primates revealed the growing importance of ministry not only with other bishops but to other bishops as well. There is need for bishops to find support and counsel in the midst of increasing pressure and demands. The very absence of a juridical relationship between the primate and the bishops is an advantage here, since the relationship can therefore be primarily pastoral and supportive.

The Role of the Primacy Task Force recommends the inclusion in Canon III of the additional words: "the primate shall exercise a pastoral ministry in particular to the members of the Order of Bishops." Again, this simply states what is already the case.

In most provinces of the Anglican Communion, the primate acts as presider at the ordinations of new bishops. This liturgical ministry as chief consecrator serves to emphasize the particular relationship between them. In Canada, however, that role is reserved by all four provincial canons to the provincial metropolitan or senior bishop. Currently, the primate has no canonical role in the ordination of new bishops.

It is clear the Canadian church prefers to see a pastoral relationship between its bishops and its primate. In our provincial and national consultations there was a mixed response to the question of whether the primate should be given the role of chief consecrator, some clearly wishing it, others wary of creating any confusions about accountability, or of elevating the primacy to a level of power beyond anything we have hitherto enjoyed.

Nevertheless, Canadian Anglicans were generally surprised to learn in our consultations that the primate is frequently a bystander at such occasions, and has no official or formal role at these significant events in the life of an individual and a diocese.

The Role of the Primacy Task Force therefore recommends the inclusion in the proposed Canon III of the words: “having a visible role in the consecration of newly elected bishops of the Anglican Church of Canada.” This is intended to articulate the expectation among Anglicans that this should already be happening. It respects the polity and integrity of our current provincial structures, and leaves the exact manner of such participation to the metropolitans and provinces.

Respectfully submitted by:

Members of the Task Force

Bishop Michael Ingham, chair	Province of BC/Yukon
Bishop Linda Nicholls	Province of Ontario
Very Rev. James Merrett	Province of Rupert’s Land (resigned ‘09)
Rev. Edmund Laldin	Province of Canada
Ms. Norah Bolton	Province of Ontario
Ms. Susan Suppes	Province of Rupert’s Land

We are most grateful for the support and assistance of Church House staff, especially Nancy Hurn, Margaret Shawyer, and Dianne Izzard.

Attachment A Proposed Changes to Canon III (page 13)

Attachment B Summary of Archival Material (page 21)

Attachment C Some Other Provinces of the Anglican Communion (page 29)

ATTACHMENT A

Current General Synod Canon III

CANON III

Part I - The Primacy

1. The Primacy

- a) There shall be a Primate who shall be the presiding bishop of The Anglican Church of Canada.
- b) The Primate, upon assuming office shall be the Senior Metropolitan of The Anglican Church of Canada.
- c) The Primate shall have the title "Archbishop".

2. Election to the Primacy

The Primate shall be elected in accordance with the procedures established in part II of this Canon.

CHANGES to CANON III
as recommended by the
Role of the Primacy Task Force

CANON III

The Primate
(title added)

Part I - The Primacy

1. The Primacy *(no changes to this section)*

- a) There shall be a Primate who shall be the presiding bishop of The Anglican Church of Canada.
- b) The Primate, upon assuming office, shall be the Senior Metropolitan of The Anglican Church of Canada.
- c) The Primate shall have the title "Archbishop".

2. Election to the Primacy

(no changes to this section)

The Primate shall be elected in accordance with the procedures established in part II of this Canon.

3. Definition of Senior Metropolitan

(new section)

As Senior Metropolitan, the Primate:

- i) is *primus inter pares* among the Provincial Metropolitans
- ii) convenes and chairs meetings of the Provincial Metropolitans
- iii) consults with Provincial Metropolitans on matters of leadership and mission

3. Term of Office

- a) The term of office of the Primate shall commence upon installation to the office.
- b) As soon as practicable following election, but in any case not more than 90 days after the date of election, the Primate shall resign the Episcopal or Metropolitan offices held at the time of election to the Primacy.
- c) The Primate shall hold office until:
 - i) attaining 70 years of age, or
 - ii) the effective date of a resignation accepted pursuant to section 7b) of this Canon or,
 - iii) the adoption of a resolution declaring the Primacy vacant pursuant to section 8 d) of this Canon.

4. Duties of the Primate

- a) The Primate shall:
 - i) exercise pastoral and spiritual leadership throughout the Anglican Church of Canada;
 - ii) function as the President of the General Synod, the Chair of the Council of the General Synod, the Chair of the meetings of Metropolitans and the Chair of the meetings of the House of Bishops.
 - iii) function as the Chief Executive Officer of the staff of the General Synod and shall delegate such duties of that office as the Primate deems appropriate, to the General Secretary and other executive members of the staff of the General Synod;

4. Term of Office *(minor changes to this section)*

- a) The term of office of the Primate shall commence upon installation to the office.
- b) As soon as practicable following election, but in any case not more than 90 days after the date of election, the Primate shall resign any Episcopal and Metropolitan offices held at the time of election to the Primacy.
- c) The Primate shall hold office until:
 - i) attaining 70 years of age, or
 - ii) the effective date of a resignation accepted pursuant to section 9 b) of this Canon, or
 - iii) the adoption of a resolution declaring the Primacy vacant pursuant to section 10 d) of this Canon.

5. Ministry of the Primate

(new section replacing former section 4)

- a) The Primate shall:
 - i) lead the Anglican Church of Canada in discerning and pursuing the mission of God;
 - ii) exercise pastoral and spiritual leadership throughout the Anglican Church of Canada and regularly visit every diocese of the Anglican Church of Canada;
 - iii) exercise a pastoral ministry in particular to the members of the Order of Bishops;
 - iv) serve as the President of the General Synod, Chair of the Council of General Synod, Chair of the meetings of the Provincial Metropolitans and meetings of the House of Bishops;
 - v) serve as Chief Executive Officer of the General Synod;

- iv) give leadership in developing the policies and strategies of the Anglican Church of Canada;
 - v) oversee the implementation of the decisions of the General Synod and the Council of the General Synod;
 - vi) report to each meeting of the Council of the General Synod and to the General Synod;
 - vii) speak in the name of The Anglican Church of Canada after consultation with, or in accordance with the policies set by, the Council of the General Synod or the General Synod;
 - viii) be, ex officio, a member of all committees, councils, boards and commission, standing or special, appointed under any provision of the Constitution or any Canon enacted by the General Synod, or under any resolution of the General Synod, or of the Council of the General Synod;
 - ix) visit every diocese of The Anglican Church of Canada;
 - x) represent The Anglican Church of Canada internationally and ecumenically.
- b) The Primate may, after consultation with the Provincial Metropolitans and the Chapter of the Anglican Military Ordinariate and subject to the provisions of financial requirements, appoint a Bishop Ordinary who shall have episcopal jurisdiction over the chaplains of The Anglican Church of Canada on duty with the Canadian Forces.
- vi) be, ex officio, a member of all committees, councils, boards and commissions, standing or special, appointed under any provision of the Constitution or any Canon enacted by the General Synod, or under any resolution of the General Synod or of the Council of the General Synod;
 - vii) report to each meeting of the Council of General Synod and to the General Synod;
 - viii) speak and write prophetically to the Anglican Church of Canada, and on behalf of the Anglican Church of Canada to the world, in consultation with the Metropolitans and/or the Bishops, and the General Synod or its Council as appropriate;
 - ix) represent the Anglican Church of Canada internationally and ecumenically.
- b) The Primate may, after consultation with the Provincial Metropolitans and the Chapter of the Anglican Military Ordinariate and subject to the provisions of financial requirements, appoint a Bishop Ordinary who shall have episcopal jurisdiction over the chaplains of The Anglican Church of Canada on duty with the Canadian Forces, in accordance with any applicable Canon.
- c) The Primate may, after consultation with the Anglican Council of Indigenous People and the Sacred Circle and subject to the provisions of financial requirements, appoint a National Indigenous Anglican Bishop who

shall have a pastoral episcopal relationship with all indigenous ministries, in accordance with any applicable Canon.

6. Sacramental Ministry of the Primate
(new section)

The Primate, as Senior Metropolitan, is expected to exercise the apostolic ministry of a bishop throughout the Anglican Church of Canada, primarily by teaching and preaching the Word of God in Scripture, and also by:

- i) subject to the invitation of the diocesan bishop, presiding at the sacraments of Baptism, Eucharist, Confirmation and Ordination during pastoral visits across the Anglican Church of Canada,
- ii) having a visible role in the consecration of newly elected bishops of the Anglican Church of Canada,
- iii) acting as chief consecrator of the National Indigenous Anglican Bishop and the Bishop Ordinary, as required,
- iv) installing newly elected Metropolitans in their office, and
- v) presiding at all liturgical events of the General Synod and its Council, and all national church events, though the Primate may delegate this to another.

5. The Office of the Primate

- a) The Primate shall maintain an office at the headquarters of the General Synod of The Anglican Church of Canada.

7. The Office of the Primate *(no changes to this section).*

- a) The Primate shall maintain an office at the headquarters of the General Synod of The Anglican Church of Canada.

- b) The Primate may retain personal assistants after appropriate financial arrangements have been made pursuant to sections 5 c) and 5 d) of this Canon.
- c) The Financial Management and Development Committee shall, in accordance with its budgeting procedures, determine the financial needs of the Primacy, including all salaries, office expenses, living allowances, travel expenses, entertainment allowances and other expenses.
- d) The financial needs of the Primacy shall be met first from the income of any capital fund designated for such purpose and, second, from the proportional gifts that are made by the dioceses.

6. Acting Primate

During a vacancy in the Primacy or during the incapacity of the Primate, the Provincial Metropolitan senior by election, able and willing to act, shall have authority to perform all the duties of the Primacy and shall be styled "Acting Primate".

7. Resignation from Office

- a) The Primate may submit notice of intention to resign from the office of Primate to the Provincial Metropolitan senior by election.
- b) The senior Metropolitan shall, after consultation with the other

- b) The Primate may retain personal assistants after appropriate financial arrangements have been made pursuant to sections 7c) and 7d) of this Canon.
- c) The Financial Management Committee shall, in accordance with its budgeting procedures, determine the financial needs of the Primacy, including all salaries, office expenses, living allowances, travel expenses, entertainment allowances and other expenses.
- d) The financial needs of the Primacy shall be met first from the income of any capital fund designated for such purpose and, second, from the proportional gifts that are made by the dioceses.

8. Acting Primate

(no changes to this section)

During a vacancy in the Primacy or during the incapacity of the Primate, the Provincial Metropolitan senior by election, able and willing to act, shall have authority to perform all the duties of the Primacy and shall be styled "Acting Primate".

9. Resignation from Office

(minor changes to this section)

- a) The Primate may submit notice of intention to resign from the office of Primate to the Provincial Metropolitan senior by election.
- b) The Provincial Metropolitan senior by election shall, after consultation

Metropolitans and with the Prolocutor and Deputy Prolocutor of the General Synod, jointly with the Primate determine the date on which the Primate's resignation should take effect.

- c) The Primate shall then submit to the senior Metropolitan, and the senior Metropolitan shall accept, a resignation to take effect on the date determined pursuant to section 7b).
- d) The senior Metropolitan shall report the resignation to the Council of the General Synod and to the Order of Bishops of the General Synod.
- e) The title of the Primate after ceasing to hold office shall continue to be "Archbishop".

8. Incapacity of the Primate

- a) The incapacity of the Primate to carry out the functions of the Primacy for reason of illness or otherwise shall be established:
 - i) by the deed of the Primate to that effect addressed to the Provincial Metropolitan senior by election, or
 - ii) by a Certificate of Incapacity addressed to the Provincial Metropolitan senior by election, and signed by four Diocesan Bishops of The Anglican Church of Canada and one of:
 - a) The Provincial Metropolitans
 - b) The Chancellor of the General Synod, or
 - c) The Prolocutor of the General Synod.

with the other Metropolitans and with the Prolocutor and Deputy Prolocutor of the General Synod, jointly with the Primate determine the date on which the Primate's resignation should take effect.

- c) The Primate shall then submit to the Provincial Metropolitan senior by election, and the Provincial Metropolitan senior by election shall accept, a resignation to take effect on the date determined pursuant to section 9b).
- d) The Provincial Metropolitan senior by election shall report the resignation to the Council of General Synod and to the Order of Bishops of the General Synod.
- e) The title of the Primate after ceasing to hold office shall continue to be "Archbishop".

10. Incapacity of the Primate

(no changes to this section)

- a) The incapacity of the Primate to carry out the functions of the Primacy for reason of illness or otherwise shall be established:
 - i) by the deed of the Primate to that effect addressed to the Provincial Metropolitan senior by election, or
 - ii) by a Certificate of Incapacity addressed to the Provincial Metropolitan senior by election, and signed by four Diocesan Bishops of The Anglican Church of Canada and one of:
 - a) The Provincial Metropolitans,
 - b) The Chancellor of the General Synod, or
 - c) The Prolocutor of the General Synod.

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| <p>b) Where the incapacity of the Primate has been established by the deed of the Primate to that effect, the Primate may resume the functions of the Primacy by giving notice of intention to do so to the Acting Primate.</p> <p>c) Where the incapacity of the Primate has been established by a Certificate of Incapacity, the Primate may resume the functions of the Primacy by giving to the Acting Primate notice of intention to do so, and</p> <p style="padding-left: 20px;">i) a certificate establishing the capacity of the Primate to resume the functions of the Primacy, signed by the persons who signed the Certificate of Incapacity, or their successors in office, or</p> <p style="padding-left: 20px;">ii) a certified copy of a resolution of the Council of the General Synod, or of the General Synod, directing that the Primate may resume the functions of the Primacy.</p> <p>d) After the incapacity of the Primate to carry out the functions of the Primacy, has been established under section 8a) of this Canon, the Primacy may be declared vacant:</p> <p style="padding-left: 20px;">i) by special resolution of each of the Council of the General Synod and the Order of Bishops, or</p> <p style="padding-left: 20px;">ii) by special resolution of the General Synod.</p> | <p>b) Where the incapacity of the Primate has been established by the deed of the Primate to that effect, the Primate may resume the functions of the Primacy by giving notice of intention to do so to the Acting Primate.</p> <p>c) Where the incapacity of the Primate has been established by a Certificate of Incapacity, the Primate may resume the functions of the Primacy by giving to the Acting Primate notice of intention to do so, and</p> <p style="padding-left: 20px;">i) a certificate establishing the capacity of the Primate to resume the functions of the Primacy, signed by the persons who signed the Certificate of Incapacity, or their successors in office, or</p> <p style="padding-left: 20px;">ii) a certified copy of a resolution of the Council of the General Synod, or of the General Synod, directing that the Primate may resume the functions of the Primacy.</p> <p>d) After the incapacity of the Primate to carry out the functions of the Primacy, has been established under section 10a) of this Canon, the Primacy may be declared vacant:</p> <p style="padding-left: 20px;">i) by special resolution of each of the Council of the General Synod and the Order of Bishops, or</p> <p style="padding-left: 20px;">ii) by special resolution of the General Synod.</p> |
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Part II -- Election Procedures

(Sections 9 through 22 remain as printed in the Canon and are not included here to save space)

23. Declaration of Election

When an election occurs, the Order of Bishops shall return and sit with the Orders of Clergy and Laity and the Acting Primate shall formally proclaim the elected person to be Primate of the Anglican Church of Canada.

[It should be noted that this section is inconsistent with current Canon III, Part 1, section 3a) Term of Office.]

Part II - Election Procedures

(The only change being recommended to this part is in section 23 to bring it into consistency with other portions of this Canon. [Section 23 to be renumbered as 25])

25. Declaration of Election

When an election occurs, the Order of Bishops shall return and sit with the Order of Clergy and Laity and the Prolocutor shall announce the election.

[It should be noted that the person so elected is Primate-elect, until formally installed as Primate in accordance with Part 1, section 4a) Term of office, of this proposed Canon]

Attachment B

Role of the Primacy Task Force November 2008

Summary of Archival Material on the Canadian Primacy

1. Of the 12 completed primacies in Canada, 6 have died while in office. All before mandatory retirement, and before the change to the current (non-diocesan) model.
2. Since the formation of the General Synod, there have been periodic reviews of the Primacy: in 1929-31, 1945-48, 1952-1956, 1963-1968, 1976, 1984, 2007-10.
3. The Canon on the Primacy has undergone various revisions: 1934, 1953, 1969, 1978 and 1998.
4. The original formation of the church in Canada in 1893 provided for the Primate to be elected by the House of Bishops from among the metropolitans, and to hold office for life.
5. Robert Machray was elected our first Primate in 1893, but no duties, powers or responsibilities were spelled out by the General Synod. It was felt that bishops governed the church (a report in the 1920s referred to the Primate as the “supreme ruler” of the Church). The only duties given to the new Primate in 1893 were as President of the General Synod and of the House of Bishops.
6. That first General Synod also said that the Primate should become Metropolitan of the province in which he resides and take the title of Archbishop of his diocese. It also gave all Metropolitans the title of “Archbishop.”
7. A proposal before the General Synod of 1921 to allow any diocesan bishop with over ten years standing to be eligible for election as Primate was defeated by the bishops.
8. In 1929 the same question was re-visited. There was a desire to broaden the field of candidates for election as Primate to all the diocesan bishops. But this posed some problems about the relation between a Primate and the Metropolitans - especially that of his own province (if the successful candidate were not already the Metropolitan). What should be the relation between the two? Who had precedence? What chaos might ensue if there were disagreements between them? Who had the right of discipline over whom? It was felt a Primate could not be subordinate to a Metropolitan, and therefore should no longer be a member of his Provincial House of Bishops.

9. In 1929 there was discussion of the merits of creating a Primatial See. A Report suggested it be “fairly central, easily accessible, and so small in extent as to make few local demands upon the time and energies of the Primate.” The Primatial See should constitute its own ecclesiastical province distinct from others in the country. There was discussion about the need for an endowment.
10. The 1929 Report also recommended that the Primate be elected by the House of Clergy and Laity of the General Synod, with the right of nomination reserved to the House of Bishops.
11. Concern had also arisen in 1929 about the burden of office on the individual. The Primate was also a Diocesan Bishop and Metropolitan of a large missionary area. All this was thought to be “too insistent in its demands upon a man of three score and ten or upwards.”
12. The 1929 Report suggested for the first time the duties and responsibilities of the Primate: “Generally speaking, the duties of the Primate will be, especially after the erection of a fixed See, to devote himself to the work of the Church in general, particularly in relation to domestic and foreign missions, social service and religious education. In so doing, he will take council with his fellow Metropolitans, and all five of them with the Diocesan Bishops, so that the Church may flourish more abundantly than she has ever done . . .”
13. The same Report considered, and rejected, the idea of fixed Metropolitan Sees.
14. The same Report mused on the possibility of the Primatial Election being open to any priest of more than ten years’ standing. This would itself require a fixed Primatial See since it was felt a Primate without a See would create confusion.
15. In 1930 a Committee of the National House of Bishops discussed the idea of a fixed vs. a moveable Primatial See. It was suggested that, if the See were to be moveable, the Diocese whose bishop was elected Primate would be absolutely separate from its ecclesiastical province during the term of the primacy. This again was to avoid the problem of Primate being subject to Metropolitans. Further, if the Church were to continue with the practice of a moveable Primatial See, the election would have to be restricted to bishops.
16. There was discussion in the 1930s of going back to two ecclesiastical provinces in Canada, East and West, and of having two Primate.
17. There was also discussion at this time of the Primate having no See, but a ministry extending across the country. Some felt this would be like the General Superintendent of the Methodist Church of Canada, and it was not supported.

18. The General Synod of 1934 approved a new Canon on the Primacy. It provided for the election of a Primate by the orders of Clergy and Laity of General Synod (Electoral College) upon nomination by the House of Bishops. All diocesan bishops were eligible for nomination and “two or more” names were to be submitted. If no election resulted, the “Lower House” could ask the “Upper House” for more names. If no election resulted after further nominations, the “Upper House” would elect the Primate. The person elected “shall be styled Primate of All Canada and if not already an Archbishop shall have the title and dignity of Archbishop of the See of which he may be bishop.” Further, “the Primate shall take precedence over all other bishops, Archbishops and Metropolitans of the Church of England in Canada.”
19. The 1934 Canon on the Primacy also contained an alternate provision (Part 2) for the election of a Primate by the General Synod from among the Orders of both Bishops and Clergy from anywhere in the Anglican Communion, and also for a small Primatial See to be created. The Primatial See was considered to be necessary in the event that a Priest became Primate without first being a diocesan bishop. This alternate provision in the Canon was held in abeyance until the Primatial See could be negotiated, but the issue proved too difficult over the next several years and it did not happen.
20. 1934 was the first year General Synod made any financial provision for the Primacy. Prior to this it was met by the diocese whose bishop had been elected. Several of these dioceses also had to elect Suffragan Bishops to do the work delegated by the diocesan. There were few dioceses in Canada able to accept such a cost. A Primacy Expense Fund had been raised privately in 1920 to cover travel expenses, but not stipend. In 1946 the General Synod resolved to provide financial assistance for a suffragan bishop in the Primate’s diocese, but it remained under-funded for decades.
21. A Committee of the House of Bishops met to study the situation in 1945. It noted that a Primatial See had not been created and that doubts had arisen about the value of the idea. It also reported dissatisfaction among the bishops that they had no voice in the election at General Synod other than to nominate. Criticism was reported from England that Canada had “violated a tradition” that the Primate should be elected from among the Metropolitans. Much concern was expressed about the responsibilities and duties placed upon the new Primate who at the same time was also expected to be a diocesan bishop. The Committee warned that the Primate was coming to be regarded as having “final authority in all sorts of questions that arise” and pronounced this papal-like development to be “alien to the principles of the Catholic church.” They cautioned against the centralizing of authority in the Primate. On the other hand, they felt that if the Primate were able “to devote his whole time to the Church as a whole his influence would be a cohesive and united one.” They recommended changes to Canon III removing reference to a Primatial See

(“impracticable and undesirable”) and giving the bishops more say in a Primatial election.

22. In 1948 a Fixed Primatial See Committee was established that reviewed three possible locations: Ottawa, Niagara, and Toronto. No recommendation was made.
23. The question of fixed sees was also a matter for the four Provincial Synods with respect to their Metropolitans. When the Province of Canada was created in 1860, Montreal was designated the Metropolitan See. When the Province of Rupert’s Land was created the Archbishop of Canterbury was designated its Metropolitan *ex officio* until 1875, when the Diocese of Rupert’s Land became the Metropolitan See. Both Provincial Synods later removed these designations, opening the election of Metropolitan to all diocesan bishops within their provinces. The Provinces of Ontario and British Columbia/Yukon never designated a Metropolitan See.
24. From 1908 when missionary work was undertaken in China and Japan, General Synod Canon XIII on Missionary Dioceses and Bishops required those bishops to swear obedience to the Primate as their Metropolitan, thus giving jurisdiction and authority to the Primate in these areas. After 1943, all these bishops either ceased to function or were replaced by local candidates and structures, and the jurisdiction lapsed.
25. In 1950 Archbishop Kingston (seventh Primate) wrote to the bishops calling for corrections to the anomalies in the Primacy. These were a) the lack of Metropolitan status in the office of Primate; and b) the intensity of demands made upon the Primate by frequent travel and voluminous correspondence. He suggested action could be taken on the first either by returning to the practice of electing from Metropolitans only, or by creating a fixed Primatial See “in northern Ontario.” And on the second, he suggested the role of Primate become recognized as a full time position that needed to be free of other responsibilities. He also felt the need to be in touch on a more regular basis with the staff of Church House in Toronto, with whom he was in infrequent contact. And finally, that the Primate be required to resign at the age of 65.
26. In a 1950 letter to the Archbishop of Canterbury, Archbishop Kingston noted that “rightly or wrongly, the first Canon on the Primacy and latterly, the Canon on Missionary Bishops, have been construed to mean that on any occasion other than a General Synod service . . . the Primate took precedence junior to the Metropolitan of a Province.” Archbishop Fisher of Canterbury wrote back “the Primate of All-Canada must obviously take precedence always and everywhere of the other Archbishops.” He also pointed out that it is not possible to have a Province consisting of one diocese, even for a Primate, but he recognized the difficulty of having a Primate as bishop of a diocese subject to the authority of a Metropolitan. He suggested the Primate should become automatically the

Metropolitan of Ontario, but without a diocese at all. This would give the Primate jurisdiction but without diocesan responsibilities. (He thought the Presiding Bishop of the US “is too detached from everything.”)

27. The General Synod of 1952 received the Report of the Committee on the Primacy and resolved “the formation of a small Primatial diocese to which the Primate on his election would be translated will provide the best means of reducing to a minimum the Primate’s diocesan duties.” This was felt to be “the most important issue facing the Canadian Church at this time.”
28. A Commission on a Fixed Primatial See was set up in 1952, and over the course of several years considered various sites, making a report to General Synod in 1959 with no recommendations.
29. In 1960, Archbishop Howard Clark (ninth Primate) spoke to the House of Bishops about the work of the Primate: “There is plenty to do as President of the General Synod and Chairman of the House of Bishops. But it is all appointing committees, attending committee meetings, writing letters, heading delegations. And this is all administrative. Now my conception of ministry is such that the idea of an administrative office, divorced from sacramental and pastoral responsibilities, fills me with grave disquiet. . . What bothers me about a Primate who is not a Metropolitan is that there may be no special sacramental or pastoral significance to such an office.” Further, Archbishop Clark said “any developments in the Primacy must safeguard the ancient function of the Metropolitan. That is why I should heartily and steadfastly oppose introducing the American system into Canada.” He went on to advocate a role for the Primate in the consecration of bishops and reflected on the role of the Primate as ‘bishop to Church House.’
30. A new Commission on a Fixed Primatial See was created in 1963. Archbishop Clark’s recommendations to them were: a) the Primate should be a diocesan bishop; b) the Primate should be a Metropolitan; c) the Primatial See should be in Ontario; d) the Primatial See should be a real diocese; e) Diocesan work could be managed by one or more suffragans; f) the Primatial Office should be in Toronto; g) the Primatial See should be neither Ottawa nor Toronto. Clark’s views were later called “the Canterbury System.”
31. In 1965 Archbishop Clark sent out a questionnaire to bishops and members of the several Commissions on a Fixed Primatial See. The resulting answers were a surprise. The most favoured solution was for a small diocese to be created around St. Paul’s Bloor Street. But there was growing support for the model of Presiding Bishop without a See.
32. The Commission on a Fixed Primatial See sent a Memo to General Synod in 1967. It asked whether the kind of Primacy which has actually developed is what we really need in Canada, whether the Primate should still be a diocesan

bishop, and whether the Primate should now be wholly freed from diocesan responsibilities. It noted the growing support across the country for the idea that having no diocesan responsibilities (and therefore no Primatial See) would allow the best use of the Primate's time "to serve as the visible locus of the unity and universality of the church." It noted that the creation of a Primatial See would be artificial and contrived. It also observed that the experience of the Episcopal Church in the United States "does not indicate of necessity the Presiding Bishop is withdrawn from pastoral activities." It went on to suggest that St. Paul's Bloor Street and Church House could become the Primate's area of jurisdiction, that the Province of Ontario accept the Primate as its Metropolitan, and that Christ Church Cathedral in Ottawa be named the National Cathedral with a seat for the Primate as well as the diocesan bishop. Finally, the Memo asked General Synod whether the current Primate should resign his See (Rupert's Land) and experiment with the Presiding Bishop model for the rest of his office.

33. The General Synod of 1967 received the questions, and broadened the Terms of Reference of the Commission on a Fixed Primatial See, which was now called the Commission on the Primacy. It also approved (following a Memorial from the Provincial Synod of Rupert's Land) the detachment in principle of the Primacy from "a conventional diocese" and asked the new Commission to develop a definition of the Primacy that involved some pastoral responsibility.
34. Negotiations were under way in 1967 with the United Church of Canada for union. The Commission felt the term "Presiding Bishop" to be better than Moderator. Various other titles were discussed - such as "Primate and Metropolitan of the Anglican Church of Canada." It was also suggested the Primate should retire at 70. The idea of the Primate becoming Metropolitan of Ontario was specifically rejected because "the office of Primate is national in scope, and the assumption of a Provincial office is unnecessarily narrow."
35. General Synod in 1969 made substantial revision to Canon III. This provided for the Primate to become the presiding bishop and Senior Metropolitan in Canada with the title of Archbishop. It confirmed the eligibility of all diocesan bishops in Canada for election (as per 1934). Upon election, the Primate must resign all diocesan and provincial responsibilities. Retirement age was set at 70. Duties included "a pastoral relationship to the whole Canadian Church" and "giving leadership in initiating and developing policy and strategy" and "implementing decisions of General Synod" and presiding over the Upper House, the General Synod and National Executive Council. He was to maintain on office in Toronto. This is the basic model we have in place today.
36. Later in 1969 the House of Bishops set up a committee to look into the "sacramental functions of the Primate." It came to several conclusions:
 - a) The new model envisages the Primate primarily as an administrator.
 - b) It is not possible to add sacramental functions to this model.

- c) The heavy workload precludes the addition of further responsibilities.
 - d) The creation of a small Primatial See would “lack both wisdom and a sense of reality.”
 - e) A ten year study of the new model should be undertaken.
 - f) The study should include investigation of a limited term of office (10 years).
 - g) Many duties could be carried out by the General Secretary but we need “to avoid setting up a powerful figure like the General Secretary of the United Church.”
 - h) Chairmanship of the House of Bishops could rotate among bishops.
 - i) The Primate could ask other bishops to represent him at international events.
 - j) Canadian members of the Anglican Consultative Council could do the same.
37. At the 1971 meeting of the House of Bishops the proposal from the Committee for a rotating chair other than the Primate was defeated. They approved instead a Deputy Chairman to be elected for three years.
38. Under Archbishop Scott (tenth Primate, and the first to be elected without diocesan attachments) a Position Description for the Primate was developed. The primary responsibilities were:
- a) Pastoral relationship with the whole church and particularly with the bishops.
 - b) Initiating and developing policy and strategy for the church and implementation.
 - c) CEO of the national staff.
 - d) Speaking in the name of the Church to the general public after consultation with the House of Bishops, NEC and/or General Synod.
39. A 1974 meeting of the House of Bishops requested the Organization Committee “to evaluate and reconsider the Canon on the Primacy, coming to grips especially with an evaluation of the present Canon as it relates to the future style of the Primacy. We would request that an in-depth study be made of the pastoral-episcopal privileges of the Primate.” Further work on this appears to have produced discussion but not resolution.
40. In 1984 the National Executive Council established a Task Force to Review Canon III. This Task Force sent out questionnaires to members of NEC, the national and provincial houses of bishops, the national staff, and the Primate. 31 responses were received. Again, the matter of a Primatial See was debated, pro and con, as was the question of a National Cathedral on which there was “a wide variety of opinion.” This was reported to NEC in 1985. No further revision to the Canon was proposed.
41. General Synod in 1998 amended Canon III to make provision for new nomination procedures in the House of Bishops. This required the bishops to nominate candidates for the Primacy no more than 120 days and no less than 30 days

before the Electoral College to provide opportunity for members of General Synod to inform their vote.

42. General Synod in 2007 mandated the creation of a new Task Force to review the roles and responsibilities of the Primate and to recommend changes, if any, to Canon III.

Bishop Michael Ingham
12 November 2008

Attachment C

Some Canons on The Primacy from Provinces of The Anglican Communion

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The Church of Australia

10. There shall be a Primate of this Church who shall be elected and hold office as may be prescribed by canon of the General Synod.

During any vacancy in the office or incapacity of the Primate or during his absence from Australia for a period exceeding thirty days, the authorities powers rights and duties of the Primate under this Constitution shall be exercised by the Senior Metropolitan at the time in Australia able and willing to act, or if there is no metropolitan able and willing to act, then by the senior diocesan bishop at the time in Australia able and willing to act, seniority in every case being determined by the date of consecration.

11. The members of the House of Bishops may apart from their meetings as a House of Bishops of the General Synod meet from time to time for the discharge of the functions assigned to a meeting of them under this Constitution.
12. Such a meeting of the said bishops shall be convened by the Primate on his own initiative or at the request in writing of not less than one-third of the bishops, and shall have power to regulate its own business.
13. The presence of at least one-half of the said bishops shall be necessary to constitute such a meeting of the bishops for the discharge of its functions under this Constitution.
14. A certificate signed by the Primate or metropolitan or bishop presiding in the absence of the Primate and purporting to state a decision of such a meeting of the bishops or the votes of individual bishops shall be evidence of the matters so stated.
20. The Primate or in his absence the Senior Metropolitan present, or if there is no metropolitan present, the senior diocesan bishop present shall be President of the House of Bishops and of General Synod, seniority in every case being determined by the date of consecration.

The President may take part in any discussion and vote on any question

The President of the House of Bishops and of General Synod may, at any time during a meeting of that house, or of General Synod, call upon a metropolitan, or if there is no metropolitan present, the senior diocesan bishop present to preside, temporarily, at the meeting, whether or not the President is present at the meeting.

Anglican Church in Aotearoa, New Zealand and Polynesia
CANON I

- 7.1.3 The Primate / te Pihopa Mātāmua shall Commission the Senior Bishop in each of the three Tikanga, or in the other two Tikanga as the case may be, who have been appointed by their respective Tikanga and who will be known as Co-Presiding Bishops / nga Pihopa Aporei, to act together with the Primate / te Pihopa Mātāmua in full partnership in carrying out the duties of the Primacy.
- 7.14 With the approval of General Synod / te Hinota Whānui by resolution, and subject to any limitations or qualifications it may impose, the Primate / te Pihopa Mātāmua and the Co-Presiding Bishops / nga Pihopa Aporei can each of them exercise all or any of the functions and powers conferred on the Primate / te Pihopa Mātāmua by the Canons. No person shall be concerned to enquire whether the Primate / te Pihopa Mātāmua or the other Co-Presiding Bishop / Pihopa Aporei or Bishops / nga Pihopa concur with or authorize that action.
- 7.1.5 Whenever in any Canon it is provided that the Primate / te Pihopa Mātāmua is a member ex officio of any Board, Committee, Commission or other body, the Primate / te Pihopa Mātāmua and the Co-Presiding Bishops / nga Pihopa Aporei may appoint one of their number or some other person to be an alternate in the ex officio membership of that body.

Term of office and financial provision

- 7.2 The bishop elected as the Primate / te Pihopa Mātāmua shall hold that office until death, resignation from that office, or expiry of the appointment by effluxion of time as hereafter provided, or removal from active episcopal ministry by reason of mental or physical infirmity or incapacity or other disability.
- 7.2.1 The Primate / te Pihopa Mātāmua for the time being may at any time, by writing addressed to the bishop who would be the Acting Primate / te Pihopa Aporei, resign the office of Primate, and such resignation shall take effect upon the receipt thereof by such bishop, or at a date fixed by such resignation, not later than the last day of the next ensuing session of the General Synod / te Hinota Whānui, or, if the Synod be then in session, not later than the last day of such session. PROVIDED THAT the Synod may by resolution request the Primate to continue in office until a later date.
- 7.2.2 The appointment of any bishop to be the Primate / te Pihopa Mātāmua shall be for a period expiring on the day fixed by the General Synod / te Hinota Whānui at the time of the Bishop's appointment. If no such date is fixed, the period expires on the last day of the third ordinary session of the General Synod / te Hinota Whānui following the session of the General Synod / te Hinota Whānui at which such bishop was appointed the Primate / te Pihopa Mātāmua.

7.2.3 The Standing Committee of the General Synod / te Hinota Whānui shall, in accordance with its budgeting procedures, determine the financial needs of the Primacy, and shall make such decisions for their provision as are necessary to give effect to this statute.

Election

7.3 When it is necessary to make an election to the office of Primate / te Pihopa Mātāmua any member of the Synod may without notice move that the General Synod / te Hinota Whānui, at the time stated in the motion proceed to such election.

7.3.1 At the time appointed the Synod shall by resolution, which may be without notice, request the bishops present and qualified to vote in the General Synod / te Hinota Whānui, to nominate to the General Synod / te Hinota Whānui, a bishop / pihopa whether then present or not, to fill the said office.

- 7.3.2
- 1) Voting members of the House of Bishops are encouraged to consult with each other and with members of the Houses of Clergy and Laity before and during the election process.
 - 2) The House of Bishops may determine its own procedure to the intent that it will deliver a nomination likely to be confirmed.

7.3.3 The bishops then present and so requested shall thereupon in camera by ballot make such a nomination, and the person nominated shall receive not less than two thirds (rounded up to the nearest whole number) of the votes of those bishops present and qualified to vote and voting.

7.3.4 The votes in the ballots shall be counted by the General Secretary.

7.3.5 Following the making of a nomination the clerical and lay members of the General Synod shall meet with one of the chairpersons of committee of the General Synod / te Hinota Whānui in the chair.

7.3.6 The General Secretary shall communicate to such chairperson the nomination made by the bishops, and the chairperson shall make the same known to the clerical and lay members of the General Synod / te Hinota Whānui.

7.3.7 Either the clerical or lay members or both may if they so request be given leave to withdraw to separate chambers for a reasonable time for purposes of discussion and consideration.

7.3.8 At a time appointed by the chairperson the clerical members and lay members shall vote upon the nomination made by the bishops, by secret ballot, and their votes shall then be counted by six scrutineers (being three from each order) appointed by the chairperson.

- 7.3.9 The scrutineers shall communicate the result of the ballot in each order to the chairperson, who shall notify the same to the General Secretary who shall convey the same to the President of the General Synod / te Hinota Whānui.
- 7.3.10 If it then be found that the nomination of the bishops for a person to be the Primate / te Pihopa Mātāmua has been confirmed by the clerical and lay members of the General Synod / te Hinota Whānui, the bishop nominated shall become the Primate / te Pihopa Mātāmua, and the senior bishop present other than the Primate / te Pihopa Mātāmua so elected shall announce the result of the election to the members of the General Synod / te Hinota Whānui.
- 7.3.11 If the nomination by the bishops be not so confirmed the procedure hereinbefore laid down shall be repeated.
- 7.3.12 If the second nomination be not confirmed the senior bishop shall inform the Synod that no election has been made, and thenceforward and for so long as the primacy shall be vacant, the Acting Primate / te Pihopa Aporei, as defined by Clause 13 of Part C of the Constitution / te Pouhere, shall perform the duties of the Primate / te Pihopa Mātāmua until the General Synod / te Hinota Whānui shall have elected a Primate / te Pihopa Mātāmua.
- 7.3.13 General Synod / te Hinota Whānui, at the time of the election and after consulting with the Primate / te Pihopa Mātāmua-elect, may by ordinary resolution require the Primate / te Pihopa Mātāmua to resign any Episcopal Office or offices held at that time, as soon as practicable following election. but in any case no later than ninety days after the date of election.

OF STANDARDS Interpretations

The following Interpretations apply for the whole of this Title D -

INTERPRETATIONS:

“Appeal Tribunal” shall mean the Tribunal constituted by Canon 1 Part E Clause 1;

“Bishop” shall mean persons who are ordained according to the Ordination Liturgy of Bishops in ‘A New Zealand Prayer Book He Karakia Mihinare o Aotearoa’ or consecrated according to the Form and Manner of Consecrating Bishops in the Book of Common Prayer 1662, or the 1980 Ordinal, or persons who have been ordained or consecrated Bishop in other Provinces of the Anglican Communion and who are exercising episcopal ministry within this Church;

“Episcopal Unit” shall include Diocese and Hui Amorangi and shall extend to mean the area or region for which a Bishop/Pihopa has primary episcopal responsibility and within which that Bishop's episcopal Ministry is exercised;

“Licensing Bishop” shall include Diocesan Bishops, Hui Amorangi Pihopa and Bishops with delegated episcopal responsibility for a region, and as necessary their successors in office; “Licensing Bishop” shall include the Vicar-General of an Episcopal Unit where the Bishop / Pihopa is absent from the Bishop’s jurisdiction or ministry or when not absent is unable to act or is prevented by conflict of interest or by illness or other cause from acting personally;

“Minister” shall mean where not inconsistent with the context persons in holy orders of deacon or priest in this Church, or a lay person who holds a licence from a Bishop / Pihopa, except for the purposes of Canon III of Maintenance of Standards of Trustees where “Minister” shall include any Trustee for this Church;

“Ministry” shall mean for the purposes of this Canon the exercise of the role of an ordained person or Office Bearer who holds a licence from a Bishop / Pihopa in this Church;

“Office Bearer” shall include all members of the Laity who have assented to the authority of General Synod / te Hinota Whānui and have accepted any charge, office or trust under the authority of the General Synod / te Hinota Whānui or any Diocesan Synod, te Runanganui and/or Hui Amorangi;

“Ordained Minister” shall mean persons who are ordained in the order of Priest or Deacon in this Church;

“Party” shall mean a complainant, and a respondent to any complaint, and this Church dealing with any complaint by a Tribunal;

“Primate / te Pihopa Mātāmua” shall mean the Primate / te Pihopa Mātāmua or the Acting Primate / te Pihopa Aporei.

“Religious” shall mean a member of a Religious Order;

“Senior Bishop” shall mean a Bishop designated within a Tikanga to hold that position in that Tikanga;

“Tribunal” where not inconsistent with the context shall mean a Tribunal established pursuant to Canon I Part D;

“Trustee” where not inconsistent with the context shall mean a trustee of a trust related to this Church who has assented to the authority of General Synod / te Hinota Whānui;

Singular terms shall where appropriate include the plural.

Church of England

C 17 Of archbishops

1. By virtue of their respective offices, the Archbishop of Canterbury is styled Primate of All England and Metropolitan, and the Archbishop of York Primate of England and Metropolitan.
2. The archbishop has throughout his province at all times metropolitanical jurisdiction, as superintendent of all ecclesiastical matters therein, to correct and supply the defects of other bishops, and. during the time of his metropolitanical visitation, jurisdiction as Ordinary, except in places and over persons exempt by law or custom.
3. Such jurisdiction is exercised by the archbishop himself, or by a vicar-general, official, or other commissary to whom authority in that behalf shall have been formally committed by the archbishop concerned.
4. The archbishop is, within his province, the principal minister, and to him belongs the right of confirming the election of every person to a bishopric, of being the chief consecrator at the consecration of every bishop, of receiving such appeals in his provincial court as may be provided by law, of holding metropolitanical visitations at times or places limited by law or custom, and of presiding in the Convocation of the province either in person or by such deputy as he may lawfully appoint. In the province of Canterbury, the Bishop of London or, in his absence, the Bishop of Winchester, has the right to be so appointed; and in their absence the archbishop shall appoint some other diocesan bishop of the province. The two archbishops are joint presidents of the General Synod.
5. By ancient custom, no Act is held to be an Act of the Convocation of the province unless it shall have received the assent of the archbishop.
6. By statute law it belongs to the archbishop to give permission to officiate within his province to any minister who has been ordained priest or deacon by an overseas bishop within the meaning of the Overseas and Other Clergy (Ministry and Ordination) Measure 1967, or a bishop in a Church not in communion with the Church of England whose orders are recognized or accepted by the Church of England, and thereupon such minister shall possess all such rights and advantages and be subject to all such duties and liabilities as he would have possessed and been subject to if he had been ordained by the bishop of a diocese in the province of Canterbury or York.
7. By the laws of this realm the Archbishop of Canterbury is empowered to grant such licences or dispensations as are therein set forth and provided, and such licences or dispensations, being confirmed by the authority of the Queen's Majesty, have force and authority not only within the province of Canterbury but throughout all England.

Anglican Church of Tanzania

In Tanzania, the Anglican Church is led by the Archbishop who is elected every five years by the Provincial Synod. He leads the church as *primus inter pares* (first among equals) and continues to be bishop of his Diocese.

The administration of the Province is the responsibility of the General Secretary, based at the Provincial Office in Dodoma, (500 km west of Dar es salaam)

The Church in Nigeria
CHAPTER V
THE ARCHBISHOP, METROPOLITAN & PRIMATE

PRESIDENT OF THE GENERAL SYNOD

- 27.1 The President of the General Synod shall be the Archbishop, Metropolitan and Primate of the Church of Nigeria who shall be elected and shall hold office under, and have privileges, powers, authority and duties as are defined by the Constitution, Canons and Regulations made by or under the authority of the General Synod and shall exercise all the rights and perform all the duties of the office of a Metropolitan.
- 27.2 The Primate shall summon and preside over meetings of the General Synod, Episcopal Synod, and the Standing Committee, and is the Principal Minister of the Church of Nigeria (Anglican Communion).

EX-OFFICIO MEMBERSHIP

- 28 The Primate shall be an ex-officio member of all Committees, Boards, Commissions and Councils appointed under any provision of this Constitution or of any Canon enacted by the General Synod or under any resolution of the General Synod or of its Standing Committee.

THE DEAN

- 29.1 During a vacancy in the Office of Primate or during the illness or other incapacity of the Primate, the Dean of the Church of Nigeria shall have authority to perform all the duties of the Primacy and shall be styled Acting Primate.
- 29.2 In the absence of the Primate from any meeting of General Synod or any Committee, Council, Board or Commission, constituted under the Constitution or any Canon of the synod, unless otherwise provided, the Dean or the Provincial Archbishop senior by presentation as Archbishop, or if none should be present, the Bishop senior by consecration, shall preside.

VACANCY IN PRIMACY

- 30 The office of the Primate shall become vacant when -
- 30.1 he dies;
- 30.2 he has held office for ten years from the date of his presentation or when he attains the age of seventy years, whichever first occurs;
- 30.3 having given notice of his intention to resign or retire, the Dean has in consultation with the Episcopal Synod accepted the resignation; or

- 30.4 upon representation made to the Dean by at least two Diocesan Bishops his appointment is terminated or he is required to retire by a resolution supported by a majority of two-thirds of the General Synod: Provided that he shall be given the fullest opportunity to defend himself against any charges that may have been brought against him.

OTHER FUNCTIONS OF THE ARCHBISHOP, METROPOLITAN AND PRIMATE

- 31 In addition to his functions as Diocesan Bishop, the Primate shall have the following functions
- 31.a to have a general authority and supervision over the whole of the Church of Nigeria in accordance with the provisions of this Constitution and the Canons of the Church.
 - 31.b to confirm the appointment of any person duly elected a Bishop in the Church of Nigeria and to arrange for his consecration if he be not already consecrated;
 - 31.c to preside when he is so required by Regulations pertaining thereto at the hearing of appeals in accordance with the provisions of this Constitution concerning the trial of Bishops, the Clergy, and the Laity and also on other occasions when the House of Bishops sits as a court.
 - 31.d to visit officially the Dioceses of the Church of Nigeria whether at the invitation of the Bishop of the Diocese or on his own initiative;
 - 31.e to represent the Church of Nigeria in its relationship with the rest of the Anglican Communion and other Churches in communion with it and on its behalf to correspond with other Metropolitans;
 - 31.f to perform such other functions prescribed by this Constitution or as may from time to time be entrusted to him by the General Synod or the Standing Committee.

Church of Ireland
Chapter VI - Archbishops & Bishops
Part I - EPISCOPAL ELECTIONS
Election to a vacant see

1. Throughout Part I of this Chapter the word “diocese” shall signify a single diocese or united dioceses under the jurisdiction of one bishop, and the word “synod” shall signify the synod of a single diocese or the joint synods of united dioceses.
2. On the occurrence of a vacancy in the see of Armagh the House of Bishops shall meet and shall by a majority of the votes of those present and voting elect one of its members to the Archbishopric of Armagh and Primacy of All Ireland. The House of Bishops shall determine the date, within a period of three months from the date of the election, upon which such translation shall take effect.
3. Whenever any see, other than the see of Armagh, shall become vacant, or shall be about to become vacant under the provisions of Part IV of this Chapter, an Episcopal Electoral College shall be constituted for the purpose of the election of an archbishop of Dublin or of a bishop, as the case may be.
4. An Episcopal Electoral College shall consist of:
 - (a) the President of the College, who shall be the archbishop of the province which includes the diocese of which the see is vacant or, if the archiepiscopal see be vacant or the archbishop thereof be unable to act, the bishop next in order of precedence in the province who may be able to act: Provided that for the purpose of the election of an archbishop of Dublin the President of the College shall be the Archbishop of Armagh or, if that Archbishop be unable to act, a bishop nominated by the House of Bishops;
 - (b) three members of the House of Bishops nominated by that House;
 - (c) twelve diocesan clerical and twelve diocesan lay episcopal electors from the diocese of which the see is vacant;
 - (d) (i) when the diocese of which the see is vacant is situated in the province of Armagh, and subject to paragraph (e) below, two diocesan clerical and two diocesan lay episcopal electors from each of the other dioceses in the province;
(ii) when the diocese of which the see is vacant is situated in the province of Dublin, three diocesan clerical and three diocesan lay episcopal electors from each of the other dioceses in the province;
 - (e) in the case of an election in either province to fill a vacancy in a see due to the archbishop or bishop thereof having been elected to the archbishopric of Armagh, six diocesan clerical and six diocesan lay episcopal electors from the diocese of Armagh.

The Church in Kenya
FUNCTIONS OF THE ARCHBISHOP

1. The Archbishop shall have the following functions:
 - a) To exercise spiritual leadership in the Anglican Church of Kenya and to have and hold such authority and rights of supervision as are committed to him in virtue of his office in accordance with the provisions of the ACK Constitution and the several Diocesan Constitutions.
 - b) To summon and to preside over the Provincial Synod or its Standing Committee and the House of Bishops and the Episcopal Synod.
 - c) To perform the duties assigned to him under Article XI on Election of Bishops and any Canon connected therewith.
 - d) To visit officially any Diocese of the Province as Metropolitan in accordance with any Canon in that behalf.
 - e) To represent the Province in its relation to the rest of the Anglican Communion and to other Churches, and on its behalf correspond with other metropolitans.
 - f) To be the spokesman of the Church in national and international issues and forums in consultation with the House of Bishops where necessary.
 - g) To perform such other duties as may be entrusted to him by the Provincial Synod.

2. The Archbishop may at any time invite the Bishops of the Province to meet with him for spiritual fellowship and counsel on the problems that arise in the exercise of their Episcopal office. But no resolution shall be passed at such meeting, and agreements reached between the Bishops shall be binding only by consent and shall have no legal force.

The Episcopal Church of the United States of America

- Sec. 4 (a) The Presiding Bishop shall be the Chief Pastor and Primate of the Church, and shall:
- (1) Be charged with responsibility for leadership in initiating and developing the policy and strategy in the Church and speaking for the Church as to the policies, strategies and programs authorized by the General Convention;
 - (2) Speak God's words to the Church and to the world, as the representative of this Church and its episcopate in its corporate capacity;
 - (3) In the event of an Episcopal vacancy within a Diocese, consult with the Ecclesiastical Authority to ensure that adequate interim Episcopal Services are provided;

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- (4) Take order for the consecration of Bishops, when duly elected; and, from time to time, assemble the Bishops of this Church to meet, either as the House of Bishops or as a Council of Bishops, and set the time and place of such meetings;
- (5) Preside over meetings of the House of Bishops; and, when the two Houses of the General Convention meet in Joint Session, have the right of presiding over such Session, of calling for such Joint Session, of recommending legislation to either House and, upon due notification, of appearing before and addressing the House of Deputies; and whenever addressing the General Convention upon the state of the Church, it shall be incumbent upon both Houses thereof to consider and act upon any recommendations contained in such address;
- (6) Visit every Diocese of this Church for the purpose of: (i) Holding pastoral consultations with the Bishop or Bishops thereof and, with their advice, with the Lay and Clerical leaders of the jurisdiction; (ii) Preaching the Word; and (iii) Celebrating the Holy Eucharist.
 - (b) The Presiding Bishop shall report annually to the Church, and may, from time to time, issue Pastoral Letters.
 - (c) The Presiding Bishop shall perform such other functions as shall be prescribed in these Canons; and, to be enabled better to perform such duties and responsibilities, the Presiding Bishop may appoint, to positions established by the Executive Council of General Convention, officers, responsible to the Presiding Bishop, who may delegate such authority as shall seem appropriate.

Sec. 5. The Presiding Bishop may appoint, as Chancellor to the Presiding Bishop, a confirmed adult communicant of the Church in good standing who is learned in both ecclesiastical and secular law, to serve so long as the Presiding Bishop may desire, as counselor in matters relating to the office and the discharge of the responsibilities of that office.

Sec. 6. The stipends of the Presiding Bishop and such personal assistants as may be necessary during the Presiding Bishop's term of office for the effective performance of the duties, and the necessary expenses of that office, shall be fixed by the General Convention and shall be provided for in the budget to be submitted by the Treasurer, as provided in the Canon entitled, "Of the General Convention."