



THE  
MANUAL  
2007

THE UNITED CHURCH OF CANADA  
L'ÉGLISE UNIE DU CANADA



UNITED CHURCH  
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## CONTENTS

	<b>section</b>	<b>page</b>
PREFACE.....		1
INTRODUCTION.....		3
HOW TO USE THE MANUAL.....		4
DECLARATIONS.....		7
THE FORMATION OF THE UNITED CHURCH OF CANADA.....		9
<b>THE BASIS OF UNION</b>		
General.....	1	14
Doctrine.....	2	14
Polity.....	3-16	18
I. The Church.....	4	18
II. The Pastoral Charge.....	5	19
III. The Presbytery.....	6	22
IV. The Conference.....	7	24
V. The General Council.....	8	25
The Order of Ministry.....	9-11	27
I. The Settlement Committee.....	9.4-9.7	27
II. The Transfer Committee.....	9.8-9.9	28
III. Training for the Order of Ministry.....	10	29
IV. Commissioning, Ordination, and Admission.....	11	29
Administration.....	12-16	30
I. Missions.....	12	30
II. Publishing Interests.....	13	31
III. Colleges.....	14	31
IV. Reorganization.....	15	31
V. The Pension Fund.....	16	32

## CONTENTS

---

	<b>section</b>	<b>page</b>
<b>BY-LAWS</b>		
Definitions .....	.001 .....	34
General Matters .....	002-005 .....	42
The Church .....	006-009 .....	43
Church Membership .....	010-015 .....	44
The Order of Ministry .....	020-035 .....	47
Remuneration of Ministry Personnel .....	036-038 .....	64
Continuing Education of Ministry Personnel.....	039-039.2 .....	71
The Pastoral Relationship .....	040-041.1 .....	72
Procedures within the Pastoral Charge .....	042-057 .....	73
Procedures by the Presbytery.....	058-063 .....	81
Procedures by the Conference .....	.064 .....	85
Resolution of Conflicts .....	065-077 .....	86
Records of Church Courts .....	090-094 .....	99
Communication among Church Courts .....	.099 .....	101
The Pastoral Charge .....	101-295 .....	103
Theological Preamble .....	101-103 .....	103
General.....	104-107 .....	103
The Congregation .....	110-117 .....	104
Meetings.....	110-112 .....	104
Membership .....	113 .....	105
Duties and Powers .....	114 .....	106
Organization.....	115-117 .....	106
Ministry Personnel .....	120-129 .....	106
Eldership.....	130-136 .....	108
Mission Strategy.....	137-138 .....	109
Organizational Models .....	139 .....	109
The Session .....	140-159 .....	109
General.....	140 .....	109
Meetings.....	141-144 .....	109
Membership .....	145-152 .....	110
Duties and Powers .....	153-155 .....	112

---

CONTENTS

---

	<b>section</b>	<b>page</b>
The Session (continued)		
Organization.....	156-157	113
Session Committees.....	158-159	114
The Committee of Stewards.....	160-171	114
General.....	160	114
Membership.....	161-164	114
Duties and Powers.....	165-167	115
Organization.....	168-170	116
Committee of Stewards Subcommittees.....	171	116
The Official Board.....	180-191	116
General.....	180	116
Meetings.....	181-182.1	117
Membership.....	183-183.1	117
Duties and Powers.....	184	118
Organization.....	185-187	119
Official Board Committees.....	188-191	120
The Church Board.....	200-213	120
General.....	200	120
Meetings.....	201	120
Membership.....	202-204	121
Duties.....	205-207	121
Organization.....	208	122
Church Board Committees.....	209-213	122
The Church Council.....	215-228	123
General.....	215-217	123
Meetings.....	218	123
Membership.....	219-220	123
Duties.....	221-223	124
Church Council Committees.....	224-228	125
Committees for All Models.....	242-245	125
Faith Formation and Christian Education.....	242	125
Manse Committee.....	243	126
Ministry and Personnel Committee.....	244	126
Stewardship Committee.....	245	127

CONTENTS

---

	<b>section</b>	<b>page</b>
The Board of Trustees .....	250-262	128
General.....	250	128
Meetings.....	251-254	129
Membership .....	255-258	130
Duties and Powers .....	259	131
Organization.....	260-262	131
Congregational Property.....	265-272	132
Other Organizational Matters.....	275-279	136
United Church Men’s Organizations within the Pastoral Charge .....	280-287	137
Women of The United Church of Canada within the Pastoral Charge .....	290-295	138
The Presbytery.....	300-393	140
Meetings.....	300-304	140
Membership .....	310-318	141
Duties and Powers .....	320-369	146
General .....	320-329	146
Oversight of Pastoral Charges.....	330-337	147
Appointment of Ministry Personnel; Candidates .....	340-348	152
Oversight of the Pastoral Relationship.....	350-357	162
Oversight of Ministry Personnel .....	360-369	163
Organization.....	370-376	170
Suggested Presbytery Standing Committees.....	380-393	172
The Conference .....	400-470	184
Meetings.....	400-403	184
Membership .....	410-412	184
Duties and Powers .....	420-429	185
Organization.....	430-439	193
Settlement Committee.....	440-454	196
Interview Board .....	455-458	198
Suggested Conference Standing Committees ....	460-470	200

## CONTENTS

---

	<b>section</b>	<b>page</b>
The General Council .....	500-549	210
Meetings.....	500	210
Membership .....	501-502	210
Procedures.....	503	211
Powers.....	505	211
Organization.....	510-515	214
Executive of the General Council.....	520-527	217
Committee on Archives and History.....	532-538	221
Judicial Committee .....	540-549	223
General Council Office .....	600-735	227
General Matters .....	600-605	227
Mission and Service Fund .....	630-633	228
Transfer Committee .....	710-713	229
Program of Study for Candidates for Ordination.....	720-729	231
Program of Study for Candidates for Commissioning.....	730-732	234
Program of Preparation for Designated Lay Ministers .....	733	235
Program of Study for Licensed Lay Worship Leaders.....	734-735	235
United Church Women .....	810-827	237
Presbyterial United Church Women .....	810-814	237
Conference United Church Women .....	820-824	238
National United Church Women.....	825-827	240
United Church Men's Organizations.....	830-845	242
The United Church Observer .....	850-858	243

CONTENTS

---

	<b>section</b>	<b>page</b>
<b>APPENDICES</b>		
I. The United Church of Canada Acts .....		246
II. Trusts of Model Deed .....		247
III. Rules of Debate and Order .....		254
IV. Sections in the By-Laws Dealing with the Pastoral Relationship .....		259
<b>INDEX.....</b>		<b>263</b>

## PREFACE

This thirty-fourth (2007) edition of *The Manual* of The United Church of Canada incorporates those changes consequent upon the remits dealing with designated lay ministry approved during the 2000-2003 triennium and enacted by the Thirty-Eighth General Council (2003) but the implementation of which was deferred, the remits approved during the 2003-2006 triennium and enacted by the Thirty-Ninth General Council (2006), and those changes approved by the Thirty-Ninth General Council (2006) and the General Council Executive.

Inasmuch as up-to-date forms are available on the United Church's website, [www.united-church.ca](http://www.united-church.ca), those forms are no longer listed in an appendix to this edition of *The Manual*.

Beginning with this edition, the year in which a change to a provision in the Basis of Union, the By-Laws, or an appendix was made (excepting in the case of some deletions of text) will be indicated in parentheses in the right hand margin at the end of the changed text.

Pursuant to the decision of the Thirty-Eighth General Council (2003), changes to *The Manual* are not to come into effect for a period of ninety (90) days following the publication of the Record of Proceedings of the General Council. Therefore, the changes incorporated into this edition of *The Manual* come into effect on 01 July 2007.

As the text of *The Manual* becomes available in a variety of different ways, including computer disk and website, as well as in translation, care must be taken, first that the most recent edition is being referred to, and second that there is no variation from the text of the most recent printed edition. Where a discrepancy appears, the most recent English language printed edition will govern.

In the printing and distribution of this edition, the General Council office is grateful to the Resource Production and Distribution Unit of the General Council office and to the staff of the United Church Publishing House.

Nora M. Sanders,  
General Secretary of the General Council  
Toronto, Ontario

John H. Young,  
Chairperson, Manual Committee  
Kingston, Ontario









## INTRODUCTION

The first edition of *The Manual* was issued in 1928, under the authority of the Second General Council (1926). Since then, *The Manual* has been an important and valuable resource for members and organized bodies of The United Church of Canada. Its purpose and use need to be clearly understood.

The necessity of the existence of such a document as *The Manual* is an acknowledgment of our human limitations, both individual and corporate, and of our desire to point to God's dominion in our interactions with others.

The purpose of law within the church is to order procedures and to provide for the consistent resolution of differences, and so to facilitate the achieving of order and justice. As an elaboration and extension of the Basis of Union, *The Manual* was intended to cover correct procedures for most foreseeable contingencies. The succeeding editions, which share this purpose, thus embody the wisdom of those who have gone before.

*The Manual* is a living, working document, and regularly is being amended. Members of the United Church share a common belief that God's will for the church is continually being revealed, and that the church must therefore be "always reformed." But this belief cannot always be translated promptly and adequately into changes in *The Manual*. Contingencies that were not foreseen now need to be addressed. Sometimes agreement cannot be achieved on the wisest way of dealing with a contingency. So *The Manual* continues to be a document of compromise. One ought not, therefore, to be surprised that ambiguities remain, some perhaps intentional.

*The Manual* is one of the means by which the United Church does its work and safeguards its members. It protects the minority, and provides the means by which any member may express convictions and seek justice, from the Congregation through to the General Council. *The Manual* likewise assists the majority in the making of necessary decisions and the carrying out of policies and plans.

It must always be remembered that, in a conciliar church such as ours, freedom and responsibility under law not only are part of our heritage but also place inescapable demands upon every member of the church.

## HOW TO USE THE MANUAL

The basic law of the United Church is contained in the Basis of Union, which came into force by virtue of *The United Church of Canada Act*. The Basis of Union can be changed by the General Council only with the consent of the Presbyteries. The numbered sections that comprise the By-Laws can be changed without notice by any General Council or by the General Council Executive pursuant to a change of policy made by the General Council. Therefore, in understanding the law and procedures of the United Church, one must give greater weight to the Basis of Union than to the By-Laws. It is the Basis of Union that assists in the interpretation of the By-Laws, and not the other way around.

Although the Basis of Union is the more authoritative document, the By-Laws are more detailed and are referred to more frequently. Hence it is useful to have some understanding of how those By-Laws are organized and where within them one might begin to look regarding a particular matter.

The first one hundred sections of the By-Laws (000s) are devoted to matters of general application, including: definitions, church membership, Ministry Personnel, the pastoral relationship, resolution of conflicts, records of church Courts, and communication among church Courts. After that, blocks of a hundred sections deal first with the Pastoral Charge or Congregation (100s and 200s), followed by the Presbytery (300s), the Conference (400s), and the General Council (500s). In each case, an attempt has been made to offer a consistent presentation, following the order of: meetings, membership, duties and powers, organization, and committees.

The table opposite illustrates this plan of organization, and indicates the sections where one might begin to look regarding a particular matter.

The sections of the By-Laws detailing the duties and powers of the Presbytery (320-369) being numerous and wide-ranging, those sections have been clustered as follows:

general .....	320-329
oversight of Pastoral Charges.....	330-337
appointment of Ministry Personnel; Candidates .....	340-348
oversight of the pastoral relationship .....	350-357
oversight of Ministry Personnel .....	360-369

	meetings	membership	duties and powers	organization	committees
Congregation	110-112	113	114	115-117	–
Session	141-144	145-152	153-155	156-157	158-159; 242
Stewards	–	161-164	165-167	168-170	171
Official Board	181-182.1	183-183.1	184	185-187	188-191; 243-245
Church Board	201	202-204	205-207	208	209-213; 242-245
Church Council	218	219-220	221-223	–	224-228; 242-245
Board of Trustees	251-254	255-258	259	260-262	–
Presbytery	300-304	310-318	320-369	370-376	380-393
Conference	400-403	410-412	420-429	430-439	440-470
General Council	500	501-502	505	510-527	532-549

TABLE 1  
Organization of By-Law Sections

## HOW TO USE THE MANUAL

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Assistance in interpreting *The Manual* is available from one's Conference Executive Secretary or from the staff of the General Council office.

*The Manual* is intended to be used within the context of Christian community. When we use *The Manual* carefully and respectfully, our pastoral care for one another is enhanced. Realizing its full value requires not only a knowledge of its provisions but also an undertaking that its provisions be applied with thoughtfulness and good will.

## DECLARATIONS

from the Basis of Union:

1. The name of the Church formed by the union of the Presbyterian, Methodist, and Congregational Churches in Canada shall be “The United Church of Canada.”
2. It shall be the policy of the United Church to foster the spirit of unity in the hope that this sentiment of unity may in due time, so far as Canada is concerned, take shape in a Church which may fittingly be described as national.

from *The United Church of Canada Act*, 14-15 George V, c. 100, s. 28:

3. Notwithstanding anything in this Act contained, it is hereby declared:

(a) That the said union of negotiating Churches (Preamble: The Presbyterian Church in Canada, The Methodist Church, and The Congregational Churches of Canada) has been formed by the free and independent action of the said Churches through their governing bodies and in accordance with their respective constitutions, and that this Act has been passed at the request of the said Churches in order to incorporate the United Church and to make necessary provision with respect to the property of the negotiating Churches and the other matters dealt with by this Act.

(b) That nothing in this Act contained shall be deemed to limit the independent and exclusive right and power of the United Church to legislate in all matters concerning its doctrine, worship, discipline and government, including therein the right and power from time to time to frame, adopt, alter, change, add to or modify its laws, subordinate standards and formulas, and to determine and declare the same or any of them, but subject to the conditions and safeguards in that behalf contained in the Basis of Union.

(c) That the United Church, by virtue of its independent and exclusive right and power to legislate in respect of the matters mentioned in the next preceding subsection, has the right to unite with any other Church or religious denomination without loss of its identity upon such terms as it may find to be consistent with the principles, doctrines and religious standards set forth in the Basis of Union, or any amendment thereof made by the General Council under the provisions of the Basis of Union.

## DECLARATIONS

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from the Declaration of Faith:

The following Declaration of Faith, based upon ten years' experience of the United Church, was adopted by the Executive and approved by the General Council: "On this its Tenth Anniversary, The United Church of Canada reaffirms before the world its faith in the ideals and principles which brought it into being. In the light of ten years' experience it has found these ideals to be eminently practicable in their out-working, and in the quest of them its members have found an enriched and deepened fellowship, human and divine. In a renewed conviction of the worth of inclusive Christian fellowship, The United Church of Canada enters its second decade, prepared, as the opportunity may offer and as God may direct, to seek with other Christian communions further development of its ideals, whether by increased co-operation, organic union, or otherwise, and so fulfill its purpose of being not merely a united, but a uniting Church."

This Declaration was reaffirmed in 1950, which marked the Twenty-Fifth Anniversary of Union.



## **THE FORMATION OF THE UNITED CHURCH OF CANADA**

The spirit of fellowship, which has always been distinctive of Canadian life, found expression in the political union of Canada in 1867, and in a succession of unions within various branches of the Christian church from 1817 to the early years of the twentieth century. The four sections of Presbyterianism then existing united in 1875, taking the name "The Presbyterian Church in Canada"; the four sections of Methodism united in 1884, forming "The Methodist Church"; and the various Congregational churches organized "The Congregational Union of Canada" in 1906. The desire for wider fellowship and closer church relationships was expressed in 1874 by the Quebec Diocese of the Church of England in the appointment of a committee to promote church union, and by The Congregational Union of Ontario and Quebec in a resolution in favour of union with other churches; in 1885 by the Ontario Provincial Synod of the Church of England inviting the Methodist and Presbyterian Churches to confer on church union, and arranging a conference the following year; in 1892 by the Presbyterian General Assembly approaching the Congregational Church, and in 1893 appointing a committee to confer with other churches on the general subject of church union; and in 1894 by the Methodist General Conference proposing a plan of federation of local congregations. These developments deepened the sense of Christian fellowship, revealed more clearly the hindrances to the Christian church through unnecessary overlapping in the work of its different branches, and prepared the way for various forms of co-operation.

The actual negotiations leading up to the consummation of Church Union on June 10th, 1925, began twenty-six years earlier, when the Presbyterian General Assembly, on the request of its Board of Home Missions, appointed a committee "to confer with representatives from other evangelical Churches, having power to enter into any arrangement with them that will tend to bring about a more satisfactory state of things in our Home Mission fields, so that the overlapping now complained of may be prevented." The General Board of Missions of The Methodist Church appointed a similar committee. After three joint meetings, an effective plan of co-operation was adopted.

The next step was taken by the Methodist General Conference in 1902, when it was declared that in its opinion the time was opportune for a definite movement, concentrating attention on, and aiming at, the organic union of The Presbyterian Church in Canada, The Congregational Churches of Canada, and The Methodist Church. It also resolved that it would regard with gratification a movement with this object in view, would facilitate the formulation of a Basis of Union, and would educate the people interested into that deeper spirit of unity and mutual concession on which the successful consummation of such movements ultimately depends. A committee on Church Union was appointed, "to confer with committees that

may be appointed by such Churches, and report to the next General Conference.”

Each of the Churches named appointed committees. The first meeting of the Joint Union Committee was held in Toronto, on April 21st, 1904. It reached the unanimous conclusion “that organic union is both desirable and practicable.” The experience of the Canadian Churches, which had united their own various branches, was vitally related to certain positive spiritual convictions. Among these was the belief, held by these Churches in common, that the church is the body of Christ; that Canada’s deepest need could be met only by Christ’s gospel, and that, being by their very constitution and history uniting churches, their task of preaching his gospel and building his kingdom throughout the Dominion would be more effectively accomplished through organic union than as separate religious bodies. The Committee further commended the whole subject to the sympathetic and favourable consideration of the chief assemblies of the Churches concerned, for such further action as they might deem wise and expedient. Following this meeting, a friendly letter was sent to the Church of England in Canada and the Baptist Churches in Canada, explaining the decisions already reached by the Joint Union Committee and extending cordial invitations to them to send delegates to participate in the further discussion of Church Union, should they consider it advisable to do so. These Churches replied in courteous terms, but did not appoint committees to participate in the negotiations.

The Joint Union Committee met year by year to consider the reports of its special Committees on Doctrine, Polity, the Ministry, Administration, and Law. In 1908 it agreed upon a Basis of Union. This was sent to the supreme courts of the three Churches with the recommendation that they submit it to their lower courts and to the membership of their respective Churches. The Basis as then prepared was approved in general by the supreme courts in 1909, 1910, and 1911, and referred to the lower courts and to the membership, according to the constitutional procedure of each Church.

Under this plan the vote was taken throughout these Churches. In the Presbyterian Church, 50 Presbyteries voted for approval and 20 Presbyteries non-approval (793 votes for and 496 against); in the Methodist Church, 11 Conferences voted for approval and 1 Conference non-approval (1,579 votes for and 270 against).

The vote of the elders, office bearers, and membership in the respective Churches was as follows. In the Congregational Church the vote was on the Basis, and, of 10,689 members, 2,933 voted for and 813 against. In the Presbyterian Church two questions were submitted, seeking the attitude first toward organic union and second toward the Basis. The vote on the first question was, of 9,675 elders, 6,245 voted for and 2,745 against; of 287,944 communicants, 106,755 voted for and 48,278 against; of adherents, 37,175 voted for and 14,174 against. The vote on the second question was 5,104 elders voted for and 2,197 against; 77,993 communicants voted for and 27,197 against; 27,756 adherents voted for and 10,316 against. In the

## FORMATION OF THE UNITED CHURCH OF CANADA

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Methodist Church the vote concerned the Basis only. The result of the vote was, of 29,820 officials, 23,475 voted for and 3,869 against; of 293,967 members 18 years of age and over, 150,841 voted for and 24,357 against; of 29,373 members under 18 years of age, 17,198 voted for and 2,615 against; of adherents, 42,115 voted for and 7,234 against.

Subsequent to these plebiscites, the supreme courts of the respective Churches adopted the following resolutions.

The Congregational Union, whose membership had voted some months previous to the vote in the other Churches, stated: "We consider the action already taken as sufficient and will now wait until the other negotiating bodies have had an opportunity of testing to a corresponding degree the feeling of their constituencies."

The Methodist General Conference Special Committee declared "that the Methodist Church is now prepared to proceed toward the Union of the three negotiating Churches on the Basis of Union heretofore agreed upon."

The Presbyterian General Assembly resolved "that in view of the extent of the minority, which is not yet convinced that organic union is the best method of expressing the unity sincerely desired by all, the Assembly deems it unwise to immediately proceed to consummate the union, but believes that by further conference and discussion practically unanimous action can be secured within a reasonable time."

The yearly meetings of the Joint Union Committee were continued. Progress towards consummation was continuously manifest. In 1914, acting upon suggestions from the negotiating Churches, the Basis was revised in some of its statements, and the name "The United Church of Canada," with the names of its courts, approved.

The Presbyterian General Assembly in 1915 approved the revised Basis of Union, and submitted it to the lower courts and membership with the following result: of 76 Presbyteries, 53 approved, 13 disapproved, 3 tied, 2 sent irrelevant returns, 1 rejected, and 4 did not reply; of pastoral charges, 1,331 approved and 494 disapproved; of elders, 7,066 approved and 3,822 disapproved; of communicants, 106,534 approved and 69,913 disapproved; of adherents, 36,942 approved and 20,004 disapproved. When this report was received, the General Assembly of 1916, by a vote of 406 for union and 90 against, resolved "that this General Assembly now resolves to unite with the Methodist Church, and the Congregational Churches of Canada, to constitute The United Church of Canada, on the Basis of Union approved by the General Assembly of 1915, and by the majority of Presbyteries since consulted under the Barrier Act; that a Committee be appointed to carry out the policy of the Assembly," and "report to the first Assembly following the end of the first year after the close of the War." In 1921 the General Assembly reached the decision "to take such steps as may be deemed best to

consummate Church Union with the above named Churches as expeditiously as possible.”

In the meantime, there came into existence in Western Canada a large number of local union churches, which formed “The General Council of Local Union Churches.” From 1921 representatives of this Council were welcomed to the yearly meetings of the Joint Union Committee. The negotiating Churches also, in anticipation of organic union, developed practical plans of co-operation, including delimitation of territory, local church union by affiliation with one or other of these Churches, and other methods. By the year 1924 there were in union in various forms, and with the approval of the parent Churches, more than 1,200 pastoral charges, including in them not less than 3,000 congregations or worshipping units.

Draft bills for Parliament and legislatures were prepared and carefully considered during the years 1921 to 1924. These were approved by the supreme courts of the Churches. The necessary legislation was enacted in 1924 by the Parliament of Canada, and in 1924 to 1926 by the legislatures of the various provinces. The dominion United Church of Canada Act recites that The Presbyterian Church in Canada, The Methodist Church, and the Congregational Churches of Canada had represented that they had the right to unite without loss of their identity, and declares that the said Churches, “by their free and independent action, through their governing bodies and in accordance with their respective constitutions,” had united to form The United Church of Canada. Congregations were given the right to decide by majority vote not to enter the Union. Those that voted non-concurrence retained their congregational property, and provision was made through the appointment of a dominion Commission by which they would receive their equitable share of the general property of the Church to which they formerly belonged. In certain provinces Commissions were appointed for the adjustment of cases of extreme hardship of minorities in relation to congregational property.

On June 10th, 1925, the union of the three Churches was solemnly consummated in the Mutual Street Arena, Toronto, in the presence of more than 8,000 members of the Church. The Basis of Union was formally signed by the chief officers of the supreme courts of the uniting Churches. This historic act was followed by prayer constituting the First General Council of The United Church of Canada (1925). This Council was composed of 350 Commissioners: the General Conference of The Methodist Church and the General Assembly of The Presbyterian Church in Canada each having appointed 150; The Congregational Union of Canada having appointed 40; and 10 having been appointed by The General Council of Local Union Churches. The Commissioners and the assembled Church members participated in the sacrament of the Lord’s Supper and in the service of hallowing and consummating the Union, as the three streams of Christian life flowed together and formed the United Church. The approximate strength of the United Church at the time of Union was 8,000 congregations, 600,000 members, and 3,800 ministers.

The concluding words of the final report of the Joint Union Committee are these: “We draw attention to the fact that the spirit of unity has characterized the Churches of Canada from the dawn of her history. Each of the Churches now uniting is itself a United Church. The present Union, now consummated, is but another step toward the wider union of Evangelical Churches, not only in Canada, but throughout the world.”

From 1855 until 1874, the Wesleyan Methodists of Bermuda were organized as a District of the Wesleyan Conference of Eastern British America and became part of the Nova Scotia Conference when the Methodist Church of Canada was formed in 1874. As such, they passed into the legal corporation known as The Methodist Church, Canada, Newfoundland and Bermuda, when that church was formed in 1884. In 1925 a foreign religious corporation could not hold property in Bermuda, and various factors led the Methodists there to decide not to become part of The United Church of Canada. An arrangement was approved by the Fourth General Council (1930) whereby the Synod of the Wesleyan Methodist Church of Bermuda affiliated with The United Church of Canada as a Presbytery of the Maritime Conference, without interference with the rights and powers conferred on the Synod by the Legislature of Bermuda.

A further significant step was indeed taken by the Twenty-Second General Council (1966) when it adopted unanimously the Plan of Union between the Canada Conference of the Evangelical United Brethren Church and The United Church of Canada. The Plan was the result of extensive discussion between the two bodies. Urgency had been given to it by the impending union in the United States of the Methodist Church and the Evangelical United Brethren to form the United Methodist Church. The Canadian negotiation was independent, but received encouragement and approval from the parent Evangelical United Brethren Church. The actual union took place at the beginning of January, 1968, and the service of inauguration took place in Zion (Evangelical United Brethren) Church, Kitchener, Ontario, on January 10th, 1968, although the Western Canadian Conference elected to stay out of the union, as did a very small number of ministers and congregations of the Canada Conference. The Canada Conference brought into the United Church 58 congregations, 9,898 members, and 40 ministers. Among the assets it brought to the United Church were two fine camp sites, at Silver Lake and Golden Lake.

## THE BASIS OF UNION

AS PREPARED BY THE JOINT COMMITTEE OF  
THE PRESBYTERIAN CHURCH IN CANADA,  
THE METHODIST CHURCH,  
AND THE CONGREGATIONAL CHURCHES OF CANADA,  
AND APPROVED BY THE SUPREME COURTS  
OF THESE CHURCHES,  
AS AMENDED BY THE UNITED CHURCH OF CANADA

### GENERAL

- 1.1 The name of the Church formed by the union of the Presbyterian, Methodist, and Congregational Churches in Canada shall be “The United Church of Canada.”
- 1.2 It shall be the policy of the United Church to foster the spirit of unity in the hope that this sentiment of unity may in due time, so far as Canada is concerned, take shape in a Church which may fittingly be described as national.

### DOCTRINE

- 2.0 We, the representatives of the Presbyterian, Methodist, and Congregational branches of the Church of Christ in Canada, do hereby set forth the substance of the Christian faith, as commonly held among us. In doing so, we build upon the foundation laid by the apostles and prophets, Jesus Christ Himself being the chief cornerstone. We affirm our belief in the Scriptures of the Old and New Testaments as the primary source and ultimate standard of Christian faith and life. We acknowledge the teaching of the great creeds of the ancient Church. We further maintain our allegiance to the evangelical doctrines of the Reformation, as set forth in common in the doctrinal standards adopted by The Presbyterian Church in Canada, by The Congregational Union of Ontario and Quebec, and by The Methodist Church. We present the accompanying statement as a brief summary of our common faith and commend it to the studious attention of the members and adherents of the negotiating Churches, as in substance agreeable to the teaching of the Holy Scriptures.
- 2.1 Article I. *Of God.* We believe in the one only living and true God, a Spirit, infinite, eternal, and unchangeable, in His being and perfections; the Lord Almighty, who is love, most just in all His ways, most glorious in holiness, unsearchable in wisdom, plenteous in mercy, full of compassion, and abundant in goodness and truth. We worship Him in the unity of the Godhead and the mystery of the Holy Trinity, the Father, the Son, and the Holy Spirit, three persons of the same substance, equal in power and glory.
- 2.2 Article II. *Of Revelation.* We believe that God has revealed Himself in nature, in history, and in the heart of man; that He has been graciously

pleased to make clearer revelation of Himself to men of God who spoke as they were moved by the Holy Spirit; and that in the fullness of time He has perfectly revealed Himself in Jesus Christ, the Word made flesh, who is the brightness of the Father's glory and the express image of His person. We receive the Holy Scriptures of the Old and New Testaments, given by inspiration of God, as containing the only infallible rule of faith and life, a faithful record of God's gracious revelations, and as the sure witness of Christ.

- 2.3 Article III. *Of the Divine Purpose.* We believe that the eternal, wise, holy, and loving purpose of God so embraces all events that, while the freedom of man is not taken away, nor is God the author of sin, yet in His providence He makes all things work together in the fulfilment of His sovereign design and the manifestation of His glory.
- 2.4 Article IV. *Of Creation and Providence.* We believe that God is the creator, upholder, and governor of all things; that He is above all His works and in them all; and that He made man in His own image, meet for fellowship with Him, free and able to choose between good and evil, and responsible to his Maker and Lord.
- 2.5 Article V. *Of the Sin of Man.* We believe that our first parents, being tempted, chose evil, and so fell away from God and came under the power of sin, the penalty of which is eternal death; and that, by reason of this disobedience, all men are born with a sinful nature, that we have broken God's law, and that no man can be saved but by His grace.
- 2.6 Article VI. *Of the Grace of God.* We believe that God, out of His great love for the world, has given His only begotten Son to be the Saviour of sinners, and in the Gospel freely offers His all-sufficient salvation to all men. We believe also that God, in His own good pleasure, gave to his son a people, an innumerable multitude, chosen in Christ unto holiness, service, and salvation.
- 2.7 Article VII. *Of the Lord Jesus Christ.* We believe in and confess the Lord Jesus Christ, the only Mediator between God and man, who, being the Eternal Son of God, for us men and for our salvation became truly man, being conceived of the Holy Spirit and born of the Virgin Mary, yet without sin. Unto us He has revealed the Father, by His word and Spirit, making known the perfect will of God. For our redemption, He fulfilled all righteousness, offered Himself a perfect sacrifice on the Cross, satisfied Divine justice, and made propitiation for the sins of the whole world. He rose from the dead and ascended into Heaven, where He ever intercedes for us. In the hearts of believers He abides forever as the indwelling Christ; above us and over us all He rules; wherefore, unto Him we render love, obedience, and adoration as our Prophet, Priest, and King.
- 2.8 Article VIII. *Of the Holy Spirit.* We believe in the Holy Spirit, the Lord and Giver of life, who proceeds from the Father and the Son, who moves upon the hearts of men to restrain them from evil and to incite them unto good, and whom the Father is ever willing to give unto all who ask Him. We believe that He has spoken by holy men of God in making known His truth to men for their salvation; that, through our exalted Saviour, He was sent forth in power to convict the world of sin, to enlighten men's minds in the knowledge of Christ, and to persuade and enable them to obey the call of

the Gospel; and that He abides with the Church, dwelling in every believer as the spirit of truth, of power, of holiness, of comfort, and of love.

- 2.9 Article IX. *Of Regeneration.* We believe in the necessity of regeneration, whereby we are made new creatures in Christ Jesus by the Spirit of God, who imparts spiritual life by the gracious and mysterious operation of His power, using as the ordinary means the truths of His word and the ordinances of divine appointment in ways agreeable to the nature of man.
- 2.10 Article X. *Of Faith and Repentance.* We believe that faith in Christ is a saving grace whereby we receive Him, trust in Him, and rest upon Him alone for salvation as He is offered to us in the Gospel, and that this saving faith is always accompanied by repentance, wherein we confess and forsake our sins with full purpose of and endeavour after a new obedience to God.
- 2.11 Article XI. *Of Justification and Sonship.* We believe that God, on the sole ground of the perfect obedience and sacrifice of Christ, pardons those who by faith receive Him as their Saviour and Lord, accepts them as righteous, and bestows upon them the adoption of sons, with a right to all privileges therein implied, including a conscious assurance of their sonship.
- 2.12 Article XII. *Of Sanctification.* We believe that those who are regenerated and justified grow in the likeness of Christ through fellowship with Him, the indwelling of the Holy Spirit, and obedience to the truth; that a holy life is the fruit and evidence of saving faith; and that the believer's hope of continuance in such a life is in the preserving grace of God. And we believe that in this growth in grace Christians may attain that maturity and full assurance of faith whereby the love of God is made perfect in us.
- 2.13 Article XIII. *Of Prayer.* We believe that we are encouraged to draw near to God, our Heavenly Father, in the name of His Son, Jesus Christ, and on our own behalf and that of others to pour out our hearts humbly yet freely before Him, as becomes His beloved children, giving Him the honour and praise due His holy name, asking Him to glorify Himself on earth as in Heaven, confessing unto Him our sins, and seeking of Him every gift needful for this life and for our everlasting salvation. We believe also that, inasmuch as all true prayer is prompted by His Spirit, He will in response thereto grant us every blessing according to His unsearchable wisdom and the riches of His grace in Jesus Christ.
- 2.14 Article XIV. *Of the Law of God.* We believe that the moral law of God, summarized in the Ten Commandments, testified to by the prophets, and unfolded in the life and teachings of Jesus Christ, stands for ever in truth and equity, and is not made void by faith, but on the contrary is established thereby. We believe that God requires of every man to do justly, to love mercy, and to walk humbly with God; and that only through this harmony with the will of God shall be fulfilled that brotherhood of man wherein the Kingdom of God is to be made manifest.
- 2.15 Article XV. *Of the Church.* We acknowledge one Holy Catholic Church, the innumerable company of saints of every age and nation, who being united by the Holy Spirit to Christ their Head are one body in Him and have communion with their Lord and with one another. Further, we receive it as the will of Christ that His Church on earth should exist as a visible and sacred brotherhood, consisting of those who profess faith in Jesus Christ and obedience to Him, together with their children and other baptized



children, and organized for the confession of His name, for the public worship of God, for the administration of the sacraments, for the upbuilding of the saints, and for the universal propagation of the Gospel; and we acknowledge as a part, more or less pure, of this universal brotherhood, every particular church throughout the world which professes this faith in Jesus Christ and obedience to Him as divine Lord and Saviour.

- 2.16 Article XVI. *Of the Sacraments.* We acknowledge two sacraments, Baptism and the Lord's Supper, which were instituted by Christ, to be of perpetual obligation as signs and seals of the covenant ratified in His precious blood, as a means of grace, by which, working in us, He doth not only quicken but also strengthen and comfort our faith in Him, and as ordinances through the observance of which His Church is to confess her Lord and be visibly distinguished from the rest of the world.
- 2.16.1 Baptism with water into the name of the Father and of the Son and of the Holy Spirit is the sacrament by which are signified and sealed our union to Christ and participation in the blessings of the new covenant. The proper subjects of baptism are believers and infants presented by their parents or guardians in the Christian faith. In the latter case the parents or guardians should train up their children in the nurture and admonition of the Lord and should expect that their children will, by the operation of the Holy Spirit, receive the benefits which the sacrament is designed and fitted to convey. The Church is under the most solemn obligation to provide for their Christian instruction.
- 2.16.2 The Lord's Supper is the sacrament of communion with Christ and with His people, in which bread and wine are given and received in thankful remembrance of Him and His sacrifice on the Cross; and they who in faith receive the same do, after a spiritual manner, partake of the body and blood of the Lord Jesus Christ to their comfort, nourishment, and growth in grace. All may be admitted to the Lord's Supper who make a credible profession of their faith in the Lord Jesus and of obedience to His law.
- 2.17 Article XVII. *Of the Ministry.* We believe that Jesus Christ, as the Supreme Head of the Church, has appointed therein an ordained ministry of Word, Sacrament, and Pastoral Care and a diaconal ministry of Education, Service, and Pastoral Care, and calls men and women to these ministries; and that the Church, under the guidance of the Holy Spirit, recognizes and chooses those whom He calls, and should thereupon duly ordain or commission them to the work of the ministry.
- 2.18 Article XVIII. *Of Church Order and Fellowship.* We believe that the Supreme and only Head of the Church is the Lord Jesus Christ; that its worship, teaching, discipline, and government should be administered according to His will by persons chosen for their fitness and duly set apart to their office; and that although the visible Church may contain unworthy members and is liable to err, yet believers ought not lightly to separate themselves from its communion, but are to live in fellowship with their brethren, which fellowship is to be extended, as God gives opportunity, to all who in every place call upon the name of the Lord Jesus.
- 2.19 Article XIX. *Of the Resurrection, the Last Judgement, and the Future Life.* We believe that there shall be a resurrection of the dead, both of the just and of the unjust, through the power of the Son of God, who shall come to judge

the living and the dead; that the finally impenitent shall go away into eternal punishment and the righteous into life eternal.

- 2.20 *Article XX. Of Christian Service and the Final Triumph.* We believe that it is our duty, as disciples and servants of Christ, to further the extension of His Kingdom, to do good unto all men, to maintain the public and private worship of God, to hallow the Lord's Day, to preserve the inviolability of marriage and the sanctity of the family, to uphold the just authority of the State, and so to live in all honesty, purity, and charity, that our lives shall testify of Christ. We joyfully receive the word of Christ, bidding His people go into all the world and make disciples of all nations, declaring unto them that God was in Christ reconciling the world unto Himself, and that He will have all men to be saved and come to the knowledge of the truth. We confidently believe that by His power and grace all His enemies shall finally be overcome, and the kingdoms of this world be made the Kingdom of our God and of His Christ.

### **POLITY**

- 3.0 The Joint Committee, after an examination of the forms of Church government of the negotiating Churches and the practical working thereof, is greatly gratified to find:
- 3.1 That while the officers and courts of the negotiating Churches may bear different names, there is a substantial degree of similarity in the duties and functions of these officers and courts.
- 3.2 That, engaged in the same work, with the same object in view, and earnestly endeavouring to meet the conditions confronting the Churches in Canada, the negotiating Churches have been steadily approximating more nearly to each other, both in forms of church government and in methods of administration.
- 3.3 That there are distinctive elements in each which would add to the efficiency of a united Church, and which can be preserved with great advantage in the form of polity to be adopted for the United Church.
- 3.4 That in this view it is possible to provide for substantial local freedom, and at the same time secure the benefits of a strong connexional tie and co-operative efficiency.

The following recommendations are submitted as setting forth the Polity proposed for The United Church of Canada.

#### **I. The Church**

- 4.1 The members of the United Church shall be the members of the negotiating Churches, and such others as may hereafter become members.
- 4.2 The unit of organization for the United Church shall be the Pastoral Charge. A Pastoral Charge may consist of more than one local church; a local church is a body of persons meeting for public worship in one place.

- 4.3 The governing bodies or courts of the Church, higher than those of the Pastoral Charge, shall be: the Presbytery; the Conference; the General Council.

## **II. The Pastoral Charge (Circuit or Congregation)**

### **A. Charges Existing Previous to the Union**

- 5.1 In the management of their local affairs, the various churches, charges, circuits, or congregations of the negotiating Churches shall be entitled to continue the organization and practices (including those practices relating to membership, church ordinances, Sunday schools, and young people's societies) enjoyed by them at the time of the Union, subject in general affairs to the legislation, principles, and discipline of the United Church. Their representatives in the next higher governing body or court shall be chosen as at present.
- 5.2 The plan of organization prescribed for Pastoral Charges to be formed subsequent to the Union may at any time be adopted by any church, charge, circuit, or congregation existing at the time of the Union.
- 5.3 Subject to the provisions of the next succeeding paragraph hereof, all property, real and personal, under the jurisdiction of the Parliament of Canada, held in trust for or to the use of a church, charge, circuit, or congregation of any of the negotiating Churches shall be held by trustees appointed by or on behalf of such church, charge, circuit, or congregation, upon trusts set forth and declared in a Model Trust Deed. This Model Trust Deed should be a schedule to the Act, and should contain, among others, a provision to the following effect: that the property is held for the church, charge, circuit, or congregation as a part of the United Church, and that no property so held shall be sold, exchanged, or in any manner encumbered, unless the Presbytery shall, at the instance of the church, charge, circuit, or congregation, have given its sanction, subject to an appeal, if desired, to the Conference.
- 5.4 Any property or funds owned by a church, charge, circuit, or congregation at the time of the Union solely for its own benefit, or vested in trustees for the sole benefit of such church, charge, circuit, or congregation, and not for the denomination of which the said church, charge, circuit, or congregation formed a part, shall not be affected by the legislation giving effect to the Union or by any legislation of the United Church without the consent of the church, charge, circuit, or congregation for which such property is held in trust.
- 5.5 Churches, charges, circuits, or congregations received subsequent to the Union, into the United Church, with the approval of Presbyteries, shall be entitled, if they so desire, to the privileges of sections 5.1, 5.2, and 5.4.

### **B. Charges to be Formed Subsequent to the Union**

- 5.6 The liberty of the Pastoral Charge shall be recognized to the fullest extent compatible with:

## BASIS OF UNION

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- 5.6.1 the oversight of the spiritual interests of the Pastoral Charge by the member(s) of the Order of Ministry settled in the Pastoral Charge, and a body of persons specially chosen and set apart or ordained for that work, who shall jointly constitute the Session;
- 5.6.2 the efficient co-operation of the representatives of the various departments of the work of the Pastoral Charge by means of a meeting to be held at least quarterly;
- 5.6.3 the hearty co-operation of the various Pastoral Charges in the general work of the Church; and
- 5.6.4 the exercise by the higher governing bodies or courts of their powers and functions, hereinafter set forth.
- 5.7 New Pastoral Charges or local churches shall be formed with the consent of a Presbytery by persons residing within its bounds who declare their adherence to the principles of the United Church, and their desire for the formation of such Pastoral Charge or local church. Missions may be organized as Pastoral Charges by Presbytery of its own motion, or on the suggestion of the Missionary Superintendent or the Minister, under such regulations as the General Council may pass. Before sanctioning the formation of a Pastoral Charge or local church, the Presbytery shall be required to hear and consider the representations of any Pastoral Charge that may be affected by the proposed action.
- 5.8.1 The members of the Church entitled to all church privileges are those who, on a profession of their faith in Jesus Christ and obedience to Him, have been received into full membership. The children of such persons and all baptized children are members of the Church, and it is their duty and privilege, when they reach the age of discretion, to enter into full membership. Admission to full membership and granting of certificates of transfer or removal shall be:
  - (1) by the action of the Session or by the action of those in full membership when desired by the Pastoral Charge; or
  - (2) by a Chaplain in the Canadian Forces, with the approval of, and in association with, two or more members in full communion with the United Church, for persons under that Chaplain's pastoral care.
- 5.8.2 The members of a local church who are entitled to vote at all meetings are persons in full membership, whose names are on the roll of that church. With the consent of these, adherents who contribute regularly to the support of the church may vote on temporal matters.
- 5.8.3 The members of a local church shall meet annually, and more frequently if they deem it advisable.
- 5.8.4 The Session shall have oversight of the spiritual interests of the Pastoral Charge. The management of its temporal and financial affairs shall be entrusted to a Committee of Stewards. The Official Board, consisting of the Session and Committee of Stewards, with representatives in full church membership of such other departments of church work as may be agreed upon by the General Council, shall meet quarterly, and more frequently if they deem it advisable, for the consideration of matters of joint interest.

## POLITY

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- 5.9 The members of the Session, other than the member(s) of the Order of Ministry settled in the Pastoral Charge, shall be chosen by those in full church membership, and shall hold office under regulations to be passed by the General Council.
- 5.10.1 It shall be the duty of the Session to have the oversight of:
- (1) the admission of persons into full membership, their removal, and the granting of certificates of transfer;
  - (2) the conduct of members, with power to exercise discipline;
  - (3) the administration of the sacraments;
  - (4) the religious training of the young, and the organization of meetings for Christian fellowship, instruction, and work;
  - (5) the order of public worship, including the service of praise and the use of the church edifice; and
  - (6) the care of the poor, and the visiting of the sick.
- 5.10.2 It shall also be its duty:
- (1) to receive and judge Proposals, appeals, etc., from members;
  - (2) to transmit Proposals, appeals, etc., to Presbytery;
  - (3) to recommend to Presbytery suitable lay members to be licensed as Lay Preachers;
  - (4) to recognize suitable lay members as Inquirers; and
  - (5) to recommend to Presbytery suitable Inquirers to be Candidates.
- 5.11 The Stewards shall be chosen by the local church, and, wherever practicable, should be persons in full membership. It shall be the duty of the Committee of Stewards to secure contributions for the purposes of the local church, and to disburse the monies received for these purposes.
- 5.12 It shall be the duty of the Official Board:
- 5.12.1 to secure contributions for missionary and other general objects of the Church;
- 5.12.2 to elect representatives, in full church membership, of the Pastoral Charge to the Presbytery;
- 5.12.3 to submit to the Pastoral Charge or local church for its consideration reports on life and work, including a full statement of receipts and expenditures, of indebtedness, and of estimates for the ensuing year;
- 5.12.4 to transmit from the Pastoral Charge to the Presbytery representations concerning the pastoral relationship; and
- 5.12.5 to attend to matters affecting the Pastoral Charge not assigned to any of the other bodies.
- 5.13 All lands, premises, and property acquired for the use of a local church or a Pastoral Charge of the United Church shall be held, used, and administered under the trusts of the above Model Trust Deed.

**III. The Presbytery**

- 6.0 The Presbytery shall consist of:
- 6.1 members of the Order of Ministry:
  - 6.1.1 who have been settled in Pastoral Charges, Missions, or Outreach Ministries within the bounds of the Presbytery;
  - 6.1.2 who have been appointed to special ministries or other Church appointments by General Council, or by a Conference, Presbytery, or institution of the United Church; (2007)
  - 6.1.3 who have been appointed by the Presbytery to serve a Pastoral Charge or Mission within the bounds of the Presbytery;
  - 6.1.4 who are retired;
  - 6.1.5 who at the time of ordination or commissioning have been granted leave for post-graduate studies, until subsequent action by the Transfer Committee;
  - 6.1.6 of another denomination whose credentials have been approved in accordance with the procedures established by the General Council and who have been appointed by Presbytery to a Pastoral Charge, Mission, or Outreach Ministry within its bounds; or (2007)
  - 6.1.7 who have been retained on the rolls of Presbytery and Conference by Decision of the Conference;
- 6.2 lay members of the United Church:
  - 6.2.1 appointed by the Presbytery as Designated Lay Ministers to serve a Pastoral Charge or other Presbytery Recognized Ministry within the bounds of the Presbytery; (2007)
  - 6.2.2 who are Candidates appointed by the Presbytery to serve a Pastoral Charge, Mission, or Outreach Ministry within the bounds of the Presbytery;
  - 6.2.3 receiving long-term disability benefits as a result of a disability that occurred at the time they were serving as Designated Lay Ministers within the bounds of the Presbytery; (2007)
  - 6.2.4 appointed to administrative or program staff positions by a court of the Church; (2007)
  - 6.2.5 appointed by Pastoral Charges and Missions of the United Church, whether or not the Pastoral Charge or Mission is served by a member of the Order of Ministry. Such representatives are to be appointed on the following basis for each Pastoral Charge or Mission:
    - (1) one representative from each Congregation with 100 or fewer resident members; (2007)
    - (2) two representatives from each Congregation with between 101 and 200 resident members; (2007)
    - (3) three representatives from each Congregation with between 201 and 300 resident members; (2007)
    - (4) four representatives from each Congregation with 301 or more resident members; (2007)
  - 6.2.6 appointed, on the same basis as those in section 6.2.5, by an inter-denominational congregation or mission, including Canadian Forces Bases,

## POLITY

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- in which the United Church is one of the participating denominations and which is recognized by Presbytery;
- 6.2.7 representing each of the following: the Presbyterial United Church Women, the Presbytery United Church Men, or those organizations which are their successors, one from each;
- 6.2.8 representing youth and young adults, selected as follows: at least one youth representative (age 13 to 18 years) and at least one young adult representative (age 18 to 30 years);
- 6.2.9 one representative from each Outreach Ministry within the bounds of the Presbytery; and
- 6.2.10 who are Past Moderators who reside within the bounds of the Presbytery.
- 6.2.11 Every Presbytery shall have the authority to appoint annually up to ten lay members at large.
- 6.3 The Presbytery shall include as corresponding members:
- 6.3.1 lay Overseas Personnel for whom it is their home Presbytery;
- 6.3.2 Candidates for the Order of Ministry sponsored by the Presbytery who are not appointed to a Pastoral Charge or Mission; and
- 6.3.3 one representative from the Board, or equivalent administrative body, for each camp or outdoor ministry programme within its bounds which is owned or operated by the United Church.
- 6.4 It shall be the duty of the Presbytery:
- 6.4.1 to have the oversight of the Pastoral Charges within its bounds, review their records, and form new Pastoral Charges or local churches;
- 6.4.2 to receive and dispose of Proposals and appeals from the lower governing bodies or courts;
- 6.4.3 to transmit Proposals and appeals to the higher governing bodies or courts;
- 6.4.4 to license as a Lay Preacher a member of the laity who has been recommended by a Session and who has successfully completed the course of study in accordance with the procedures established by the General Council and after examination is approved by the Presbytery; (2007)
- 6.4.5 to examine and where appropriate:
- (1) to receive an Inquirer who has been recommended by a Session (or its equivalent) as a Candidate for the Order of Ministry; and
- (2) to certify each Candidate to a United Church theological school;
- 6.4.6 to exercise faithful supervision of each Candidate; to enquire each year into the genuine call to ministry, personal character, motives, academic record, doctrinal beliefs, and general fitness for ministry of each Candidate; and to receive annual reports for each Candidate from the theological school;
- 6.4.7 to make a recommendation to the Conference regarding each Candidate for the Order of Ministry upon completion of the prescribed requirements for ordination or commissioning;
- 6.4.8 to provide an Act of Covenant through which a new relationship is established between an individual and a Pastoral Charge, the Presbytery itself, or a United Church related ministry accountable to the Presbytery;

## BASIS OF UNION

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- 6.4.9 to participate in any Act of Covenant provided for by another court (Presbytery, Conference, or General Council) through which a new ministry relationship is established between an individual member of the Presbytery and that other court (or one of its agencies);
- 6.4.10 to deal with matters sent down by the higher governing bodies or courts;
- 6.4.11 to adopt measures for promoting the religious life of the Pastoral Charges within its bounds;
- 6.4.12 to consult at the earliest possible date with a Pastoral Charge or the Official Board when the Minister dies, becomes disabled, or is unable to perform their duties due to an emergency. The Presbytery shall ensure that appropriate arrangements for pastoral care are made;
- 6.4.13 to elect lay members to the Conference, of whom at least a majority shall have been previously elected by a Pastoral Charge to represent them at Presbytery;
- 6.4.14 to appoint one member of the Order of Ministry and one lay member to the Conference Settlement Committee; and
- 6.4.15 to have the oversight of the conduct of members of the Order of Ministry on its roll.

### IV. The Conference

- 7.0 The Conference shall consist of:
  - 7.1.1 the members of the Order of Ministry who are on the roll of the Presbyteries within its bounds;
  - 7.1.2 the lay persons who are under appointment within its bounds as in sections 6.2.1, 6.2.2, and 6.2.4;
  - 7.2 lay members elected as provided for in section 6.4.13, at least equal in number to the members in sections 7.1.1 and 7.1.2; (2007)
  - 7.3 the Chairpersons of Conference Committees and the President of the Conference United Church Women, who are not members of any Presbytery but who, at the discretion of the Conference, may be added to its membership;
  - 7.4 persons who are corresponding members of Presbytery under sections 6.3.1, 6.3.2, and 6.3.3 shall be corresponding members of the Conference;
  - 7.5 representatives of lay organizations which may be recognized by the Conference from time to time, with the number of representatives to be determined by the Conference or its Executive.
  - 7.6 It shall be the duty of the Conference:
    - 7.6.1 (1) to meet at least every third year, or more frequently, as determined by the Conference, provided that the Conference shall meet in the same calendar year as, but prior to, a meeting of the General Council; (2007)
    - (2) to appoint an Executive;
    - 7.6.2 to determine the number and boundaries of the Presbyteries within its bounds, have oversight of them, and review their records;



POLITY

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- 7.6.3 to receive and dispose of appeals and Proposals, subject to the usual right to appeal;
- 7.6.4 to see that, as far as reasonably possible, every Pastoral Charge within its bounds shall have a pastorate without interruption, and that, as far as reasonably possible, every effective member of the Order of Ministry shall have a Pastoral Charge, and to effect this through a Settlement Committee;
- 7.6.5 to ordain or commission each Candidate for the Order of Ministry as examined and approved who has fulfilled the prescribed requirements and has been recommended by a Presbytery;
- 7.6.6 to admit to the Order of Ministry of the United Church a diaconal minister or the equivalent or an ordained minister from another denomination, subject to the regulations of the General Council;
- 7.6.7 to deal with matters referred to it by the General Council;
- 7.6.8 to elect to the General Council an equal number from each of two groups:
  - (1) members of the Order of Ministry and Designated Lay Ministers, with the proportion of each being determined by their numbers; and (2007)
  - (2) lay members other than Designated Lay Ministers; and (2007)
- 7.6.9 to have oversight of the religious life of the Church within its bounds, and to adopt such measures as may be judged necessary for its promotion.

**V. The General Council**

- 8.0 The General Council shall consist of:
  - 8.1 an equal number, elected by the Conference, from each of two groups:
    - 8.1.1 members of the Order of Ministry and Designated Lay Ministers, with the proportion of each being determined by their numbers; and (2007)
    - 8.1.2 lay members other than Designated Lay Ministers; (2007)
  - 8.2 the immediate Past Moderator, the retiring Moderator, and the General Secretary of the General Council, who shall be ex officio commissioners; and
  - 8.3 the Chairperson or alternate of each General Council Division, and three of the General Council Secretaries.
  - 8.4 Overseas Personnel who are appointed by the United Church shall not be eligible for election as commissioners to the General Council by a Conference, but Overseas Personnel who are members of the United Church shall be entitled to representation at each General Council on the basis of one commissioner for every eighteen such Overseas Personnel, but in any case at least three commissioners, chosen as follows: (2007)
    - 8.4.1 Normally one-half of such commissioners shall be members of the Order of Ministry and one-half shall be members of the laity, and at least one commissioner shall be from each of the major geographic areas of work; and (2007)
    - 8.4.2 Such commissioners shall be elected by ballot from the Overseas Personnel who will be on home assignment in Canada at the time of the meeting of the General Council.

BASIS OF UNION

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- 8.5 Its regular meeting shall be held every third year, except that the General Council or its Executive shall have the power, in circumstances that it deems exceptional, to defer the date of the regular meeting to the fourth year or to advance the date of the regular meeting to the second year. Its presiding officer shall be the chief executive officer of the Church, and for the term of office may be relieved of pastoral or other duties.
- 8.6 The General Council shall have full power:
- 8.6.1 to determine the number and boundaries of the Conferences, have oversight of them, and review their records;
- 8.6.2 (1) to legislate on matters respecting the doctrine, worship, membership, and government of the Church, subject to the following conditions:
- (a) First, that before any rule or law relative to these matters can become a permanent law, it must receive the approval of a majority of the Presbyteries, and, if advisable, Pastoral Charges also. It shall be considered advisable to obtain the approval of a majority of Pastoral Charges also only if the General Council has determined that the proposed rule or law involves a substantive change that, in the opinion of the General Council: (2007)
    - i. alters the nature of the courts of the Church; (2007)
    - ii. significantly changes the structures of the Church; (2007)
    - iii. redefines the Church's understanding of ministry; (2007)
    - iv. affects the articles of faith except for gender language applied to human beings; (2007)
    - v. changes the baptismal formula or vows made upon ordination or commissioning; (2007)
    - vi. moves a section from this Basis of Union to the By-Laws; or (2007)
    - vii. alters the Church's understanding of membership. (2007)
  - (b) Second, that no terms of admission to full membership shall be prescribed other than those laid down in the New Testament.
  - (c) And third, that the freedom of worship at present enjoyed in the negotiating Churches shall not be interfered with in the United Church;
- (2) to legislate on all matters respecting property, subject to the limitations elsewhere provided in the Basis of Union, and subject also to the approval of the Conference in which the property is situated;
- 8.6.3 to prescribe and regulate the courses of study for Candidates for the Order of Ministry and to regulate the admission of diaconal ministers (or their equivalent) and ordained ministers from other denominations;
- 8.6.4 to receive and dispose of Proposals;
- 8.6.5 to dispose of appeals;
- 8.6.6 to determine the missionary policy of the Church, and to provide for the conduct of its missions;
- 8.6.7 to have charge of the colleges of the Church, and to take what measures are deemed advisable for the promotion of Christian education;

- 8.6.8 to appoint committees and officers for the different departments of Church work, and to receive their reports and give them instruction and authority; (2007)
- 8.6.9 to correspond with other Churches; and
- 8.6.10 in general to enact such legislation and adopt such measures as may tend to promote true godliness, repress immorality, preserve the unity and well-being of the Church, and advance the Kingdom of Christ throughout the world.

### **THE ORDER OF MINISTRY**

- 9.0 The Order of Ministry shall be open to both men and women.
- 9.1 The pastoral relationship, when initiated by call and/or settlement, shall be without time limit.
- 9.2 The policy of the Church shall be that, as far as reasonably possible, every Pastoral Charge shall have a pastorate without interruption, and that, as far as reasonably possible, every effective member of the Order of Ministry shall have a Pastoral Charge.
- 9.3 Every member of the Order of Ministry duly settled in a Pastoral Charge shall have the right to conduct services in the church, churches, or other places of worship in connection with the Pastoral Charge; and the right of occupancy of the manse in connection with the Pastoral Charge, subject to the rules and regulations of the United Church.

#### **I. The Settlement Committee**

- 9.4 There shall be a Settlement Committee for each Conference. On this Committee each Presbytery within the bounds of Conference shall be represented by one member of the Order of Ministry and one lay member appointed by the Presbytery.
- 9.4.1 It shall be the duty of this Committee to consider all applications for settlement from members of the Order of Ministry or from Pastoral Charges, Presbytery Accountable Ministries, or Presbytery Recognized Ministries within the bounds of the Conference which are transmitted by Presbyteries. For this purpose the Committee shall meet at least annually.
- 9.4.2 A member of the Order of Ministry by his or her own action, and a Pastoral Charge through its constitutional representatives, may seek a change of pastoral relation by means of an application in writing to the Presbytery. If the Presbytery acts to declare a vacancy based on such a request, this will be reported promptly to the Settlement Committee. (2007)
- 9.4.3 While settlements shall ordinarily be made at the annual meeting, the Settlement Committee shall have authority, through its Executive, to effect settlements during the Pastoral Year.
- 9.5 A member of the Order of Ministry, a Pastoral Charge at a meeting properly called to consider the Pastoral Relationship, any other Presbytery Accountable Ministry, or any other Presbytery Recognized Ministry may

decide to apply through the Presbytery to be settled by the Settlement Committee. All such applications shall be in writing.

- 9.6 A member of the Order of Ministry shall have the right to appear before the Settlement Committee to represent their case in regard to their request for settlement. A Pastoral Charge, or Official Board when authorized by the Pastoral Charge, may appoint no more than two persons, who are members in good standing of that Pastoral Charge, to represent it before the Settlement Committee regarding a request for settlement. Such representatives shall be authorized at a meeting properly called to consider the pastoral relationship and such authorization shall be in writing. Any other Presbytery Accountable Ministry or Presbytery Recognized Ministry may appoint in writing no more than two persons to represent it before the Settlement Committee regarding a request for settlement.
- 9.6.1 A Pastoral Charge, where a vacancy has been declared by Presbytery, may extend a call to a member of the Order of Ministry who is eligible for call, but the right of settlement shall rest with the Settlement Committee, which shall report to the Conference for information only.
- 9.6.2 While the right of settlement shall rest with the Settlement Committee, it shall comply as far as possible with the expressed wishes of members of the Order of Ministry and of Pastoral Charges, other Presbytery Accountable Ministries, and other Presbytery Recognized Ministries.
- 9.7 When a Pastoral Charge, with a vacancy declared by Presbytery, fails to extend a call by the end of the Pastoral Year (June 30th), the Settlement Committee may make the settlement.
- 9.7.1 The Settlement Committee shall have authority to initiate communications with members of the Order of Ministry and with Pastoral Charges, other Presbytery Accountable Ministries, and other Presbytery Recognized Ministries, in order to effect settlements.
- 9.7.2 When a member of the Order of Ministry chosen by a Pastoral Charge, other Presbytery Accountable Ministry, or other Presbytery Recognized Ministry cannot be settled, the Pastoral Charge, or its Official Board if so authorized by the Pastoral Charge, Presbytery Accountable Ministry, or Presbytery Recognized Ministry may place another name before the Settlement Committee.

## **II. The Transfer Committee**

- 9.8 There shall be a Transfer Committee on which each Conference shall be represented.
- 9.8.1 The Transfer Committee shall have authority to transfer members of the Order of Ministry and Candidates for the Order of Ministry from one Conference to another, according to the Basis of Union.
- 9.9 The Transfer Committee shall have authority to transfer Candidates for the Order of Ministry recommended for ordination or commissioning to the Conference where, in the judgement of the Transfer Committee, their skills and gifts best match the needs and gifts of Presbytery Accountable Ministries.

This authority of the Transfer Committee will not apply to:

- (1) Diaconal Ministers who having served five years in full-time ministry are recommended for ordination; or
- (2) Ordained Ministers who having served five years in full-time ministry are recommended for commissioning.

### **III. Training for the Order of Ministry**

- 10.1 No person shall be received as a Candidate for the Order of Ministry unless first recommended by a Session, Official Board, or Pastoral Charge.
- 10.2 The duty of inquiry into the personal character, doctrinal beliefs, and general fitness for ministry of a Candidate for the Order of Ministry recommended by a Session, Official Board, or Pastoral Charge shall be laid upon the Presbytery, and such inquiry shall be repeated each year until a recommendation is made to the Conference for ordination or commissioning.
- 10.3 It shall be left to the General Council to determine, from time to time, the course of study leading to ordination and commissioning.
- 10.4 Provision shall be made, as far as possible, within the institutions of theological education for instruction in the courses of study in Theology as approved by the General Council.

### **IV. Commissioning, Ordination, and Admission**

- 11.1 The Conference shall make the final inquiry into the personal character, doctrinal beliefs, and general fitness for ministry of Candidates recommended for ordination or commissioning and of those recommended for admission to the Order of Ministry of the United Church.
- 11.2 The Conference shall examine each Candidate on the Statement of Doctrine of the United Church and shall, before ordination, commissioning, or admission, be satisfied that such Candidate is in essential agreement therewith, and as a member of the Order of Ministry of the United Church accepts the statement as being in substance agreeable to the teaching of the Holy Scriptures.
- 11.3 In the service to ordain, commission, or receive persons to the Order of Ministry, those presenting themselves shall, after hearing the following preamble, answer the questions which follow: (2007)  
“Jesus Christ came into the world to be the servant of God and all people. As servant Lord, Jesus calls his Church to a ministry of worship, witness, and reconciliation. In baptism we were received as members of his Church and at confirmation we committed ourselves to its ministry. In order that this ministry of the whole Church may be fulfilled, God has given the ordained ministry of Word, Sacrament, and Pastoral Care, and the diaconal ministry of Education, Service, and Pastoral Care. It is the responsibility of the Church to seek, train, and set apart those whom God calls so to serve.
  1. (to each Candidate) Do you believe in God: Father, Son, and Holy Spirit, and do you commit yourself anew to God?

## BASIS OF UNION

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2. (to each Candidate being ordained) Do you believe that God is calling you to the ordained ministry of Word, Sacrament, and Pastoral Care, and do you accept this call?  
(to each Candidate being commissioned) Do you believe that God is calling you to the diaconal ministry of Education, Service, and Pastoral Care, and do you accept this call?
3. (to each Candidate) Are you willing to exercise your ministry in accordance with the scriptures, in continuity with the faith of the Church, and subject to the oversight and discipline of The United Church of Canada?"

## ADMINISTRATION

### I. Missions

- 12.1 In the administration of the mission work of the United Church there shall be two departments: (a) Home, including all the mission work within the Dominion of Canada, Newfoundland, and the Bermudas; (b) Foreign, including the missions already established or that may be established in other countries.
- 12.2 For the oversight and administration of these two departments there shall be two Boards, to be known as the Board of Home Missions and the Board of Foreign Missions, to be elected in such a manner and endowed with such powers as the General Council may determine.
- 12.3 In recognition of the very valuable services rendered by the Women's Societies, the union, constitution, and lines of work of these societies shall be determined by the joint action of their Boards, subject to the approval of the General Council.
- 12.4 There shall be placed under the administration of the Home Mission Board of the United Church the monies now administered under the caption of the Sustentation Fund and Church and Parsonage Aid Fund of the Methodist Church; the Home Mission and Augmentation Funds, French Evangelization Fund, and Church and Manse Fund (except that under the Foreign Mission Board) of the Presbyterian Church; the Home Mission Fund of the Congregational Churches; and such portion of the Mission Fund now raised by the Methodist Church and the Foreign Mission Board of the Presbyterian Church, as is now expended in Canada, Newfoundland, and the Bermudas.
- 12.5 There shall be placed under the administration of the Foreign Mission Board of the United Church the Foreign Mission Fund of the Congregational Churches and that portion of the Mission Fund of the Methodist Church and of the Foreign Mission Fund of the Presbyterian Church now expended in other lands.
- 12.6 There shall be placed under the administration of the Board of Evangelism and Social Service and the Board of Sunday Schools and Young People's Societies of the United Church the funds now raised for the work of the

## POLITY

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Departments of Social Service and Evangelism and the Department of Sunday Schools and Young People's Societies of the negotiating Churches.

- 12.7 Inasmuch as certain expenses in connection with the various courts of the Church will have to be met, the ways and means of raising these funds shall be left to the General Council.

### II. Publishing Interests

- 13.0 It shall be left to the General Council of the United Church to determine how far the publications now issued by the negotiating Churches shall be amalgamated.

### III. Colleges

- 14.1 All the educational institutions connected with the three negotiating Churches shall, as far as possible, sustain the same relation to the United Church as, under their charter, they sustained to the respective Churches before Union, until the General Council shall determine otherwise and necessary legislation shall give effect to changes made thereby.
- 14.2 The policy of the Church shall be the maintenance of a limited number of thoroughly equipped theological schools, due regard being paid to the needs of different parts of the country. In furtherance of this policy amalgamation shall be effected as soon as possible in localities where two or more theological schools are doing the same type of work.
- 14.3 In addition to the Governing Boards of the several theological institutions, the General Council shall have general oversight of the educational interests of the Church. (2007)
- 14.4 The budget of the General Council shall include such funds as are needed to supplement the revenues of the several educational institutions; to assist students in their preparation for the ministry of the church, and for such other purposes and under such regulations as the General Council may from time to time determine. (2007)
- 14.5 The several educational institutions shall be encouraged to obtain permanent endowments for their maintenance, may receive contributions for this and other purposes at any time, and, with the consent of the General Council, may proceed to appeal for such funds. (2007)

### IV. Reorganization

- 15.0 The General Council is empowered to effect from time to time a reorganization of the Boards and Committees of the Church, whether by way of amalgamation, rearrangement, or otherwise howsoever, and to amend the same from time to time; to place under the administration of the Boards, Committees, and Departments established by it the funds appropriate thereto; and to declare that sections 12.1, 12.2, 12.4, 12.5, and 12.6 of the Administration Section of the Basis of Union under the heading Missions and sections 14.3, 14.4, and 14.5 under the heading Colleges be

repealed or amended as the case may be to conform with the constitution and powers of the new Boards and Departments so established; and that such repeal or amendment shall come into effect on the dates set by the General Council in such declaration, and thereupon the said paragraphs shall stand repealed or amended as set forth in such declaration.

### **V. The Pension Fund**

- 16.0 Whereas there exist, in some form, in all the negotiating Churches funds to aid aged and retired ministers, and widows and orphans of ministers, provision for similar purposes shall be made in the constitution of the United Church by such amalgamation or modification of existing methods as may be found practicable; and such provision shall embrace the following particulars.
- 16.1 The rights of present and prospective claimants on existing funds in any of the negotiating Churches shall be adequately protected. To this end:
- 16.1.1 the present capital investments of the various benevolent funds of the negotiating Churches, and the income now contributed to those funds by publishing interests shall be combined into a "common trust," if practicable. The rights of present claimants and of prospective claimants (the latter being computed as of the date of the Union) shall be a first charge on the revenue from this trust. If it be found that differences in the constitution and administration of the several funds are such as to necessitate separate trusts, instead of a common trust, this shall not be a bar to the carrying out of the general plan, because in that case their revenues shall be combined.
- 16.1.2 the General Council of the United Church shall provide for:
- (1) the assessing of each Minister who is a member of any of the existing funds at the date of the Union and of all members of the Order of Ministry received into, ordained, or commissioned in the United Church after the Union, on the basis of stipend or age, or both stipend and age, as the General Council may determine; and
  - (2) the collecting of contributions, which shall be obligatory upon all local churches, based upon an equitable allocation or assessment under the rules to be formulated by the General Council, the minimum of such allocation or assessment being the amount which, together with the revenue from said trust or trusts and the foregoing assessment upon members of the Order of Ministry, is requisite to make good the claims of claimants upon the Superannuation Fund to be instituted by the General Council.
- 16.2 Claimants on the proposed Fund shall include the following:
- 16.2.1 all Ministers who, at the time of the Union, are beneficiaries of existing funds;
- 16.2.2 all Ministers who, at the time of the Union, are regular contributors to existing funds on the scale provided by their respective denominations;
- 16.2.3 all Ministers' widows and orphans who are now, or may hereafter become, entitled to participate in the proposed Fund;



## POLITY

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- 16.2.4 all Ministers, not members of or contributors to existing funds, who may signify their desire to become members of and contributors to the proposed Fund, on the basis of payments sanctioned by the General Council of the United Church. Provision shall be made whereby Ministers so applying may, by a certain scale of payments, be entitled to have their claim upon the proposed Fund date from the time of their reception into the ministry of any of the negotiating Churches instead of from the date of the Union;
- 16.2.5 all members of the Order of Ministry received into, ordained, or commissioned in the Church after the Union inasmuch as they shall be required at the time of their reception, ordination, or commissioning to become members of and contributors to the proposed Fund;
- 16.2.6 lay missionaries appointed by the Board of Overseas Missions and such persons employed by the General Council, the Divisions, or Departments, as the General Council may designate; and
- 16.2.7 Diaconal Ministers, i.e., those members of the Order of Ministry who have been commissioned or formerly designated or set apart as Deaconesses and Certified Churchmen.
- 16.3 The sources of revenue of the proposed Fund shall be the following:
  - 16.3.1 contributions of Ministers who are members of said Fund at its inception, and those who afterward become members, on a scale to be adopted by the General Council of the Church;
  - 16.3.2 offerings in all local churches based upon an equitable allocation to be made by the Board of Management of said Fund, under regulations sanctioned by the General Council;
  - 16.3.3 legacies and donations given for the purpose;
  - 16.3.4 such grants from the profits of the publishing interests of the Church as may from time to time be determined under regulations to be framed by the General Council; and
  - 16.3.5 proceeds of any investments that may be made in the interests of the said Fund.
- 16.4 The General Council shall have power to use such part of the Pension Fund of the United Church as it may deem necessary for the purchase of annuities from the Dominion of Canada for such beneficiaries of the said Fund as the General Council may deem expedient.

## BY-LAWS

In the following sections bold-faced type is used to indicate a verbatim quotation from the Basis of Union.

### DEFINITIONS

001 In these By-Laws:

**“Adherent”** means a person who is attached to a Congregation and who contributes regularly to its life and work while not being a member thereof.

**“Appeal”** means a formal request for reconsideration of a Decision made by a Court or a Court-appointed Formal Hearing, and includes the process leading to that request.

**“Appointment”** See “Presbytery Appointment.”

**“Audit”** means an independent examination of financial records, to determine the accuracy of financial statements, to determine whether financial transactions have been properly recorded, and to identify potential weaknesses in the accounting systems. Such an examination may be conducted by a public accountant as an audit or a review engagement, or by an individual who is familiar with bookkeeping and who understands the purpose of an independent examination of financial records. For Pastoral Charges or Congregations, these procedures include: (2007)

(a) ensuring that there is segregation of duties among two (2) or more people who are at arm’s length; (2007)

(b) examining the minute book of the Committee of Stewards or equivalent; (2007)

(c) examining for accuracy the books of record, by reviewing cash receipts, cash disbursements, payroll, and general ledger transactions; (2007)

(d) ensuring proper authorization of transactions; (2007)

(e) reviewing bank reconciliations for the year; (2007)

(f) ensuring that all donated monies designated for the Mission and Service Fund have been forwarded to the United Church on a monthly basis; (2007)

(g) reviewing the procedures used in the record-keeping of the Pastoral Charge or Congregation, and ensuring that the chance of error or fraud is minimized; (2007)

(h) verifying cash receipts against charitable donation receipts issued; and (2007)

(i) ensuring that the annual information return was completed and submitted not later than six (6) months after the previous fiscal year-end. (2007)

**“Bereavement Leave”** means the leave with pay provided upon the death of a member of the Immediate Family or other Significant Person, or when the person serving as Ministry Personnel is responsible for funeral arrangements of a person who is not a member of the Immediate Family.

**“Candidate”** means a person who, having been an Inquirer, has been recommended by a Session or Church Board or Church Council and received by the Presbytery as being qualified to prepare for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, by the United Church. (2007)

**“Candidate Supply”** means a Candidate who has successfully completed the educational requirements for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, but who has not yet been commissioned to the diaconal ministry of education, service, and pastoral care, or ordained, and who is appointed by the Presbytery to a Pastoral Charge, usually full-time. (2007)

**“Charge”** means a ministry, recognized as a valid expression of the enabling ministry by, and accountable to, the responsible Courts of the United Church.

**“Commission”** means a member or members of the United Church appointed by a Court or its Executive and given power to do a specific task and to make a Decision or Decisions.

**“Commissioner”** means a lay member or a member of the Order of Ministry who is elected to serve as a member of the General Council.

**“Committee”** means a number of persons to whom a task or tasks have been assigned. The Committee shall exist either for a specified time or until the completion of the tasks assigned, or the Committee may be asked to serve on a continuing basis. A Committee may only recommend and only to the body that appointed the Committee, unless its duties, powers, and responsibilities are otherwise defined in the Basis of Union or these By-Laws for any specific body. A Committee may be known by other titles or modified by the adjectives “ad hoc” or “standing.”

**“Compassionate Leave”** means the leave with pay granted to a person serving as Ministry Personnel to deal with circumstances that affect the ability of that person to fulfil required pastoral responsibilities and that are not covered by any other policy.

**“Congregation”** means a body of persons that is a part of the United Church and that meets for public worship and is constituted by a Presbytery. In matters of property, “Congregation” may also mean any of “church,” “charge,” “circuit,” or “preaching station,” as understood prior to 1925.

**“Congregational Designated Minister”** means a lay member of the United Church appointed by an Official Board or Church Board or Church Council of a Pastoral Charge to serve in paid accountable ministry in the Pastoral Charge, in a position designated by the Presbytery as accountable to the Official Board or Church Board or Church Council of the Pastoral Charge. A Congregational Designated Minister may be recognized as such by the Presbytery when they have completed a period of intentional discernment, to the satisfaction of the Presbytery. This category does not include persons serving as Candidate Supply, Intern Supply, Student Intern, or Student Supply. (2007)

**“Corresponding Member”** means a person to whom any one or more of the following privileges may be extended, and varied from time to time, by a Court or other body, its Executive, or a Committee:

- (a) receiving notice of a meeting;
- (b) attending a meeting;
- (c) taking part in some or all of the deliberations of such body; or (2007)
- (d) receiving minutes of a meeting.

In no event shall such privileges include the right to move or to second a motion or the right to vote. Corresponding Members shall not be counted in determining the number of members of the body; nor shall they be counted in determining whether a Quorum be present. (2007)

**“Court”** means a body established by *The United Church of Canada Act*, the Basis of Union, or the General Council, which body has both deliberative and decision-making powers, subject to the appeal provisions set out herein. The Courts of the United Church are: the Session and the Official Board, or the Church Board, or the Church Council, which are the Courts of the Pastoral Charge; the Presbytery; the Conference; and the General Council.

**“Decision”** means any disposition of a matter by a Court, or by a body authorized to act on behalf of the Court. (2007)

**“Designated Lay Minister”** means a lay member of the United Church appointed by a Presbytery to serve in paid accountable ministry in a Pastoral Charge or other Presbytery Accountable Ministry, in a position designated by the Presbytery as accountable to the Presbytery. A Designated Lay Minister may be recognized as such by the Conference when they have completed an appropriate educational program, including educational supervision during the program, to the satisfaction of the Presbytery and the Conference. Once recognized by a Conference, a Designated Lay Minister may be appointed by any Presbytery to serve in paid accountable ministry in a Pastoral Charge or other Presbytery Accountable Ministry. This category does not include persons serving as Candidate Supply, Intern Supply, Student Intern, or Student Supply. (2007)

**“Diaconal Minister”** means a member of the Order of Ministry who has been commissioned to the diaconal ministry of education, service, and pastoral care, and includes those who were formerly designated or set apart as deaconesses or certified churchmen.

**“Diaconal Supply”** means a diaconal minister, or equivalent, of another denomination whose credentials have been approved by the appropriate General Council working unit and who has been appointed by a Presbytery to a Pastoral Charge, Mission, or Outreach Ministry.

**“Disability”** See “Total and Permanent Disability.”

**“Discontinued Lay Ministry Appointment List”** means the record of those former lay pastoral ministers, lay pastoral ministers-in-training, staff associates, Congregational Designated Ministers, and Designated Lay Ministers whose appointments have been terminated as an act of discipline by a Presbytery and whose names have been forwarded to the appropriate General Council working unit by the Presbytery following a Decision to do so. Such persons shall not be eligible for service in paid accountable ministry within the United Church. (2007)

**“Discontinued Service List (Disciplinary)”** means the record of those former members of the Order of Ministry whose names have been removed from the rolls of Presbytery and Conference by action of the Conference as a result of a disciplinary process. Persons whose names have been so removed shall not be recognized as Ministry Personnel of the United Church, nor shall they perform the functions of its diaconal or ordained ministry.

**“Discontinued Service List (Voluntary)”** means the record of those former members of the Order of Ministry whose names have been removed from the rolls of Presbytery and Conference by action of the Conference at the member’s initiative and not as a result of a disciplinary process or an impending disciplinary process. Persons whose names have been so removed shall not be recognized as Ministry Personnel of the United Church, nor shall they perform the functions of its diaconal or ordained ministry unless specifically stipulated otherwise by the Conference.

**“District”** A reference to a Presbytery also constitutes a reference to a District.

**“Ecumenical Shared Ministry”** means a Pastoral Charge or Outreach Ministry that is shared by the United Church with one or more other denominations, that may be being served by a member of the order of ministry of another denomination, and that is recognized as such by the Presbytery and under its oversight.

**“Educational Supervisor”** means a person who is appointed to assist a Designated Lay Minister, an Intern Supply, a Student Intern, or a Diaconal Supply or Ordained Supply who is seeking admission to the Order of Ministry, to reflect on and to learn from the experience of the practice of ministry.

(2007)

**“Ex Officio Membership”** means full membership by virtue of office for all purposes unless otherwise specifically restricted.

**“Extra Appeal”** means any solicitation of funds of a new or extraordinary nature for a specific purpose that is consistent with the priorities and mission of the United Church, that has been reviewed by the appropriate Committee dealing with extra appeals, and that cannot be met through the regular Mission and Service Fund budgeting procedures.

**“Furnished”** manse means that the Conference has approved that furniture will be provided in accordance with the established guidelines contained on the manse information form.

**“Immediate Family”** means persons such as a spouse or life partner, a child, a step-child, a parent, a step-parent, an adoptive parent, a mother-in-law or father-in-law, a sibling, a step-sibling, a grandparent, or a fiancé.

**“Inquirer”** means a person who has completed secondary school or is of mature years, who has been recognized by a Session or Church Board or Church Council and by the Presbytery as such for the purpose of discerning appropriate fitness for and call to ministry.

**“Interim Minister”** means a member of the Order of Ministry or a Designated Lay Minister who, based on appropriate training and experience, has been appointed by the Presbytery to an Interim Ministry.

(2007)

**“Interim Ministry”** means an intentional, time-limited ministry established by the Presbytery, the purpose of which is to work toward specific goals identified by the Presbytery and the Pastoral Charge.

**“Intern”** See “Student Intern.”

**“Intern Supply”** means a Candidate who has obtained the Testamur and is fulfilling in a Presbytery Appointment the requirement of the appropriate General Council working unit for supervised experience in preaching and pastoral work.

**“Lay Presbyter”** means a lay member of the United Church who is elected to a Presbytery, either by the Official Board or Church Board or Church Council of a Pastoral Charge, or by the Presbytery itself as one of up to ten (10) lay members at large.

**“Licensed Lay Worship Leader”** means a member of the laity recommended by a Session or Church Board or Church Council who has successfully completed the course of study required by the appropriate General Council working unit and is licensed by the Presbytery.

**“Ministry Personnel”** means those persons who are members of the Order of Ministry, those lay persons under appointment as a Designated Lay Minister, Candidate Supply, Intern Supply, or Student Supply, and those persons from other denominations under appointment as a Diaconal Supply or Ordained Supply. It does not include persons serving as Congregational Designated Ministers.

(2007)

**“Mission”** means one (1) or more groups of people that are a part of the United Church and that meet for public worship, but not fully constituted as a Pastoral Charge or a Congregation by the Presbytery.

**“Multiple Staff”** means two (2) or more persons settled in, or appointed to, a Pastoral Charge, Mission, or Outreach Ministry.

**“Non-Resident Member”** means a member in good standing who has moved such a distance from the Congregation that the Session or Church Board or Church Council does not expect that member’s regular attendance at public ordinances.

**“Ordained Minister”** means a member of the Order of Ministry who has been ordained to the ministry of word, sacrament, and pastoral care.

**“Ordained Supply”** means an ordained minister of another denomination whose credentials have been approved by the appropriate General Council working unit and who has been appointed by a Presbytery to a Pastoral Charge, Mission, or Outreach Ministry.

**“Order of Ministry”** means the diaconal and ordained ministers of the United Church.

**“Outreach Ministry”** means a ministry other than a Pastoral Charge or Mission, that is recognized by the Presbytery or the Conference in which it is located or by a General Council working unit as a valid expression of enabling ministry and that receives financial assistance or supervision from a Presbytery, a Conference, or a General Council working unit. Examples of Outreach Ministries are: hospitals, homes, social service centres, community projects, chaplaincies, and Presbytery or area ministries.

**“Overseas Personnel”** means those lay persons or members of the Order of Ministry appointed by the appropriate General Council working unit to work with partner churches or agencies at their request.

**“Party”** means:

- (a) in the case of a Formal Hearing arising from a complaint: the complainant(s) and the respondent(s);
- (b) in the case of a Formal Hearing not arising from a complaint: those individuals and Courts identified by the Formal Hearing Committee;
- (c) in the case of an Appeal against a ruling: the appellant and the General Secretary of the General Council;
- (d) in the case of an Appeal of a Decision of a Formal Hearing Committee: the appellant, the Court the Decision of which is being appealed, and the other Parties to the Formal Hearing; and
- (e) in the case of an Appeal of a Decision other than a Decision of a Formal Hearing Committee: the appellant and the Court the Decision of which is being appealed.

**“Pastoral Charge”** means one or more Congregations constituted by a Presbytery into a pastoral unit according to the Polity of the United Church.

**“Pastoral Charge Supervisor”** means a member of the Presbytery appointed by the Presbytery to provide supervision and support, both to a Pastoral Charge that is without a settled or appointed member of the Order of Ministry or an appointed Designated Lay Minister who has been recognized by the Conference, and to the person appointed to serve the Pastoral Charge.

(2007)

**“Pastoral Year”** means the period in the life and work of the church between July 1st of one year and June 30th of the year following.

**“Personal Property”** means all property other than Real Property. Personal Property includes, without limitation, money, investments, furniture, and equipment.

**“Polity”** means the form of organization and government, which in the United Church is conciliar.

(2007)

**“Presbytery”** A reference to a Presbytery also constitutes a reference to a District.

**“Presbytery Accountable Ministry”** means any ministry within the jurisdiction of the Presbytery for which the Presbytery has the responsibility for oversight.

**“Presbytery Appointment”** means a person appointed by Presbytery to a specific ministry for a specified term.

**“Presbytery Recognized Ministry”** means a Pastoral Charge or any other ministry recognized by a Presbytery as a valid exercise of Christian ministry, in accordance with criteria developed from time to time by the appropriate General Council working unit.

**“Presiding Officer”** means any person appointed or elected to preside over any meeting. “Presiding Officer” is the generic term which includes all such terms as Moderator, President, Chairperson, or Convenor.

**“Proposal”** means a formal request for specific action within the jurisdiction of the Court to which it is directed.

**“Quorum”** Except where a higher number or a specific composition is provided in these By-Laws, “Quorum” means:

- (a) in any meeting of a Pastoral Charge, Congregation, Session, Committee of Stewards, Official Board, Church Board or Church Council, of those entitled to vote, the lesser of twenty (20) persons and one-third (1/3); (2007)
- (b) in any meeting of a Presbytery, not less than one-third (1/3) of the settled, retained, or appointed members of the Order of Ministry and appointed Designated Lay Ministers on the roll of Presbytery, and not less than one-third (1/3) of the lay members on the roll of Presbytery except those appointed as Designated Lay Ministers; (2007)
- (c) in any meeting of a Conference, or the General Council, not less than one-fifth (1/5) of those entitled to vote, of whom at least one-third (1/3) shall be members of the Order of Ministry or Designated Lay Ministers, and at least one-third (1/3) shall be lay persons except those appointed as Designated Lay Ministers; and (2007)
- (d) in any other meeting, including a meeting of the Executive or the Sub-Executive of a Presbytery, a Conference, or the General Council, of those entitled to vote, the lesser of twenty (20) persons and one-third (1/3).

Corresponding Members shall not be counted in determining whether a Quorum be present.

**“Real Property”** means land, buildings, and anything else affixed to or growing on land or buildings, and rights relating to these.

**“Remit”** means a referral sent pursuant to section 8.6.2(1) of the Basis of Union by the General Council, either to Presbyteries or to Presbyteries and Pastoral Charges, requesting their response in respect of any proposed change to the Basis of Union.

**“Resignation”** means resignation from the Order of Ministry. The name of a person who so resigns shall not be kept on the roll of any Presbytery or Conference but shall be placed, by action of the Conference, on the Discontinued Service List (Voluntary) kept by the appropriate General Council working unit.

**“Sabbatical Leave”** is a period of time intentionally set aside for Ministry Personnel in pastoral relationships as an occasion for reflection, re-creation, and revitalization, unencumbered by their usual and customary responsibilities, and yet still receiving remuneration and benefits. (2007)

**“Sacraments Elder”** means a lay member of the United Church who has been licensed by the Conference to preside at the sacraments of Baptism and Communion, within a Pastoral Charge, a Congregation of which they are a member. (2007)

**“Settlement”** means the action required by the Settlement Committee of the Conference: in response to requests for settlement from members of the Order of Ministry or from Pastoral Charges, other Presbytery Accountable Ministries, or other Presbytery Recognized Ministries; in response to recommendations from Presbyteries regarding calls issued by Pastoral



Charges within its jurisdiction or to members of the Order of Ministry on its roll; in response to requests from members of the Order of Ministry for a change of membership from one Presbytery to another; and in placing commissionands to the diaconal ministry of education, service, and pastoral care, and ordinands, assigned to the Conference in Pastoral Charges, other Presbytery Accountable Ministries, or other Presbytery Recognized Ministries. (2007)

**“Sexual Abuse”** means demeaning, exploitive behaviour of a sexual nature, ranging from jokes, to unwanted touching, to forced sexual activities or threats of such behaviour, and includes: (2007)

(a) sexual harassment, which is any attempt or exercise of power to coerce an unwilling person into a sexual relationship, or to subject a person to unwanted sexual attention, or to punish a refusal to comply, or to reward compliance. Sexual harassment may be a single incident or a series of incidents involving a wide range of behaviours such as verbal innuendo, subtle suggestions, overt demands, or inappropriate conduct of a sexual nature. It is behaviour of a sexual nature that is known or ought to be known to be unwanted or unwelcome. It includes actions that contribute to an environment that is poisoned by persistent comments about sex, gender, appearance, marital status, sexual orientation, or pornographic pictures or cartoons; (2007)

(b) pastoral sexual misconduct, which is any sexual activity or conduct whereby a person who is Ministry Personnel takes advantage of the vulnerability of an individual under the pastoral care of the Ministry Personnel, and includes consensual actions initiated by an individual who is under the pastoral care of the Ministry Personnel, but does not include an act of Sexual Assault perpetrated against the Ministry Personnel by an individual who is under the pastoral care of the Ministry Personnel; and (2007)

(c) sexual assault as defined in the *Criminal Code* of Canada. (2007)

**“Significant Person”** means a person such as a close friend (such as a roommate) or relative (such as a cousin) who played a strong parenting or other important role in the life of the person serving as Ministry Personnel, as determined by the person serving as Ministry Personnel and the Ministry and Personnel Committee.

**“Student Intern”** means a Candidate currently studying at a theological school who is fulfilling the requirement of the appropriate General Council working unit for supervised experience in preaching and pastoral work.

**“Student Supply”** means a Candidate currently studying at a university or theological school who is appointed by a Presbytery to a Pastoral Charge, Mission, or Outreach Ministry.

**“Supervisor”** See “Educational Supervisor” and “Pastoral Charge Supervisor.”

**“Supply”** See “Presbytery Appointment.”

**“Task Group”** means a number of persons to whom a specific task has been assigned. A Task Group shall have a specified time in which to make a final report. It may only recommend and only to the body that appointed it.

**“Temporal Matters”** mean those transitory and secular affairs that pertain to the life, work, and finances of the Congregation. Without limiting the generality of the foregoing, Temporal Matters do not include: the calling of a member of the Order of Ministry; a request to a Presbytery for an appointment; the election of an Elder or a Trustee; the order of worship; the discipline of the United Church; the amalgamation of Pastoral Charges or Congregations; the disbanding of Pastoral Charges or Congregations; and property matters requiring the consent of the Presbytery. (2007)

**“Testamur”** means the certificate issued upon satisfactory completion of the course of study required for Candidates by the General Council.

**“Total and Permanent Disability”** means such a state of incapacity resulting from bodily injury or disease as continuously and wholly prevents a member of the pension and group insurance plans from engaging in any occupation and from performing any work for remuneration or profit.

**“Unfurnished”** manse means that the manse shall be provided with basic appliances, adequate fire extinguishers and smoke detectors, drapes, and rugs. The occupant of the manse is responsible for the purchase, repair, and replacement of other household furniture.

**“United Church”** means The United Church of Canada.

**“United Supply”** means a member of the Order of Ministry appointed by Presbytery to a Pastoral Charge, Mission, or Outreach Ministry.

**“Vacancy”** means the condition existing when a Pastoral Charge has received the permission of the Presbytery to seek to fill a full- or part-time ministry position as of a specific date. Such a position may be filled by the issuance of a call or through the request of the Pastoral Charge for Settlement or Presbytery Appointment.

**“Verbatim Record”** means a word-for-word record of proceedings by an appropriate method, such as manual, mechanical, electronic, shorthand, tape, film, video, or other device.

## GENERAL MATTERS

### 002 Text.

- (a) **Headings.** In these By-Laws, the headings to sections and subsections have been inserted for convenience of reference only, and have no force of law.
- (b) **Singular and Plural.** In these By-Laws, words importing the singular number include more persons, parties, or things of the same kind than one, and the converse, unless the context otherwise requires.
- (c) **Equivalent or Successor Bodies.** In these By-Laws, provisions concerning a body with a particular name apply to bodies with other names, where such other bodies have been duly authorized and are discharging duties or exercising powers assigned to the named body, unless the context otherwise requires.

003 Notice. Any notice or other communication that any person or Court may desire or be required to give to any other person or Court shall be in writing and may be given either by personal service on such person or an officer of such Court, or by assured delivery (registered mail) or facsimile transmission addressed to the last address for such person or Court as such address appears in the records of the appropriate Court. Unless otherwise specified in *The Manual*, such notice shall be deemed to have been received:

- (a) if given by personal service, on the day upon which it was personally served;
- (b) if given by assured delivery (registered mail), on the tenth (10th) day after the day upon which it was so sent; or
- (c) if given by facsimile transmission, on the day upon which it was so sent, unless that day is a non-business day (a Saturday, Sunday, or statutory holiday) at the place of receipt, or its receipt occurs after 4:30 p.m. at the place of receipt, in which case such notice shall be deemed to have been received on the next following business day.

When the time period for giving or receiving notice is seven (7) days or less, then in calculating such time period a day shall not include Saturdays, Sundays, statutory holidays, and the period between December 25th and January 1st.

003.1 Conference Call. Unless otherwise stipulated by the appropriate Court, a meeting that is held for any purpose other than the conducting of a hearing may be held in a manner that allows all of the persons participating to communicate with one another simultaneously and instantaneously. A member participating in such a meeting by such means is deemed to be present at that meeting.

004 Members of Courts. The members of a Court function as members of that Court in their own responsibility, and not as delegates in a narrow sense. They make decisions on the basis of an understanding of Scripture and of the ethos of the United Church, in the light of Christian experience, and under the guidance of the Holy Spirit at work in the meeting of such Court. They are not required to vote according to the prior decision or direction of the body that appointed them.

005 Members of Committees. The composition of all Committees, Executives, Commissions, Task Groups, or other bodies of or related to the United Church shall be as widely representative as appropriate and practicable, having regard also to the experience and skills required.

## THE CHURCH

006 Of the Church. **We acknowledge one Holy Catholic Church, the innumerable company of saints of every age and nation, who being united by the Holy Spirit to Christ their Head are one body in Him and**

have communion with their Lord and with one another. Further, we receive it as the will of Christ that His Church on earth should exist as a visible and sacred brotherhood, consisting of those who profess faith in Jesus Christ and obedience to Him, together with their children and other baptized children, and organized for the confession of His name, for the public worship of God, for the administration of the sacraments, for the upbuilding of the saints, and for the universal propagation of the Gospel; and we acknowledge as a part, more or less pure, of this universal brotherhood, every particular church throughout the world which professes this faith in Jesus Christ and obedience to Him as divine Lord and Saviour. (Basis 2.15)

- 007 Name. **The name of the Church formed by the union of the Presbyterian, Methodist, and Congregational Churches in Canada shall be “The United Church of Canada.”** (Basis 1.1)
- 008 Pastoral Charge. **The basic unit of organization for the United Church shall be the Pastoral Charge. A Pastoral Charge may consist of more than one** (1) Congregation. (Basis 4.2)
- 009 Higher Courts. **The governing bodies or Courts of the United Church, higher than those of the Pastoral Charge, shall be: the Presbytery; the Conference; the General Council.** (Basis 4.3)

#### CHURCH MEMBERSHIP

- 010 Lay Members.
- (a) **The members of the Church entitled to all church privileges are those who, on a profession of their faith in Jesus Christ and obedience to Him, have been received into full membership. The children of such persons and all baptized children are members of the Church, and it is their duty and privilege, when they reach the age of discretion, to enter into full membership.** (Basis 5.8.1)
- (b) The Sacrament of Baptism, in the case of children, shall normally be administered with the consent of the Session or Church Board or Church Council, or by a Chaplain in the Canadian Forces, to those children whose parents or guardians, one (1) or both, have been baptized and confirmed and are members in good standing. Exceptions to this rule of procedure may be made only with the consent of the Session or Church Board or Church Council, which should share with the parents the responsibility for the Christian upbringing of the child, should require a sponsor to be provided who has been baptized and confirmed and is a member in good standing, and should seek through the means of grace to bring the parents into full, active communion with the United Church. Where it is not possible to secure the prior consent of the Session or Church Board or Church Council, the person administering the Sacrament of Baptism shall report such emergency

decisions as may have been made in particular cases to the next meeting of the Session or Church Board or Church Council, for ratification. The Clerk of Session or the Secretary of the Church Board or the Secretary of the Church Council shall keep an accurate record of baptisms.

011 Members of the Order of Ministry.

- (a) A member of the Order of Ministry who has been settled in or appointed to a Pastoral Charge is not a member of any Congregation. All members of the Order of Ministry are members of a Presbytery.
- (b) Any other member of the Order of Ministry shall have the right to be placed on the roll of a Congregation by submitting a request in writing to the Clerk of Session or the Secretary of the Church Board or the Secretary of the Church Council, and shall enjoy all the rights and privileges of a member of that Congregation. In matters of discipline, a member of the Order of Ministry shall be under the oversight and discipline of the Presbytery.

012 Admission to Membership.

- (a) **Admission to full membership and granting of certificates of transfer or removal shall be:**
  - i. **by action of the Session or Church Board or Church Council, or by the action of those in full membership when desired by the Pastoral Charge; or**
  - ii. **by a Chaplain in the Canadian Forces, with the approval of, and in association with, two (2) or more members in full communion with the United Church, for persons under that Chaplain's pastoral care.** (Basis 5.8.1)
- (b) Persons are admitted to full membership either by baptism, or by baptism and confirmation, or by certificate of transfer of membership in good standing from other United Church Congregations or other communions, or by reaffirmation of Christian faith. The names of persons received into full membership shall be entered in the minutes of the Session or Church Board or Church Council. The Session or Church Board or Church Council shall be responsible for the roll of the Congregation.
- (c) For those received into full membership on profession of faith, the accepted order of initiation into the United Church shall be by Baptism, confirmation, and first Communion. The Session or Church Board or Church Council should assure itself that candidates for confirmation have been baptized and have received sufficient instruction in the Christian faith and in the Polity of the United Church to enable them to make their profession and commitment with understanding. If they have not been baptized, admission to the membership of the United Church shall be by baptism.
- (d) Persons may be admitted to full membership on presentation of certificates of transfer of membership in good standing from other United Church Congregations. If a certificate has been issued more than twelve (12) months previously, the Session or Church Board or Church

Council shall enquire into the standing of such person. If the certificate has been issued more than three (3) years previously, it should not be accepted as proof of membership in good standing unless adequate reason can be given concerning this lapsed period. When membership in good standing is not thus certified, the applicant should be received by reaffirmation of faith.

- (e) Persons may be admitted to full membership on presentation of a certificate of transfer of membership in good standing from another church. They shall be received on the same basis and with the same requirements as are contained in subsection 012(d). Persons who may not be able to obtain certificates of transfer of membership may be received from other churches upon the clear assurance that they have been baptized and confirmed or otherwise received into the full communion of their respective churches subsequent to their having made a profession of Christian faith, that they are of good Christian character, and that their wish for transfer into the United Church is based upon reasons that are valid and such as to commend them to the United Church. Further, the Session or Church Board or Church Council must be assured that such persons have been instructed in the practice and doctrine of the United Church. The instruction given shall take into consideration such practices and doctrine of the United Church as distinguish it from the former church of the applicants, so that they may come to a sound understanding of the statement of faith contained in the Basis of Union.

013 Transfer of Membership. Certificates of transfer of membership are granted by the Session or Church Board or Church Council. Any person in full membership in the United Church who applies for a certificate of transfer of membership is entitled to it unless under discipline or unless the Session or Church Board or Church Council is of the opinion that the conduct of such member calls for enquiry. In the latter case such member has a right to demand that the enquiry be made without unnecessary delay.

014 Transfer of Membership. Members leaving the Congregation should be furnished by the Session or Church Board or Church Council with certificates of transfer of membership and thereupon the Session or Church Board or Church Council shall remove their names from the roll of church membership. A letter should also be forwarded to the minister of the congregation with which they wish to connect themselves, commending them to its fellowship. The Session or Church Board or Church Council may empower the settled member of the Order of Ministry and the Clerk of Session or Secretary of the Church Board or Secretary of the Church Council, between meetings of the Session or Church Board or Church Council, to grant such certificates to members in good standing, upon request, which action, with the names of the members so removed, they shall report to the Session or Church Board or Church Council at its next regular meeting, for insertion in the records. This power may be withdrawn by the Session or Church Board or Church Council at any time, without notice.

- 015 Revision of Roll. The Session or Church Board or Church Council shall revise the roll of church membership annually. It shall remove from the roll of church membership the names of all members, who, in its opinion, without reasonable excuse, have absented themselves for three (3) years, or such other period as may be fixed by the Session or Church Board or Church Council, from the public ordinances in the Congregation of which they are members. The minutes of the Session or Church Board or Church Council shall record such action, including the entering of the names of the persons so removed. When members move to a residence too distant for them to attend public ordinances in the Congregation of which they are members, the Session or Church Board or Church Council should make every effort to have them become members of a Congregation in their vicinity. Persons who have been disciplined or had their names removed from the roll by the action of the Session or Church Board or Church Council and who wish to be restored into full communion with the United Church may be asked to reaffirm their faith.

(next section: 020)

### THE ORDER OF MINISTRY

- 020 Of the Ministry. **We believe that Jesus Christ, as the Supreme Head of the Church, has appointed therein an ordained ministry of Word, Sacrament, and Pastoral Care and a diaconal ministry of Education, Service, and Pastoral Care, and calls men and women to these ministries; and that the Church, under the guidance of the Holy Spirit, recognizes and chooses those whom He calls, and should thereupon duly ordain or commission them to the work of the ministry.** (Basis 2.17)
- 021 Vocation in Ministry. That there may be an adequate supply of Candidates called and gifted for the work of the ordered ministry, it is incumbent upon the members of the Order of Ministry and members of the United Church to encourage members of the church to consider a vocation in Christian ministry. It is the particular duty of Sessions, Official Boards, Church Boards, Church Councils, and Congregations to seek out persons who by their personal character, faith, and witness would seem to have a call to Christian ministry, and to nurture and to celebrate that vocation in ministry.
- 022 Inquirer.
- (a) Application. A person whose belief is that they have a call to ministry shall approach the Clerk of Session or Secretary of the Church Board or Secretary of the Church Council of the Congregation of which they are a member and ask to be recognized as an Inquirer.
  - (b) Requirements. To be an Inquirer, a person must:
    - i. have been a member of the United Church and active in a Congregation of the United Church, for at least twenty-four (24)

- months. The question of what constitutes requisite activity in a Congregation for a given person is to be considered and determined by the Session or Church Board or Church Council;
- ii. be currently in close association with a Congregation of the United Church;
  - iii. be willing to meet periodically for at least one (1) year with a Discernment Committee of the Congregation and the Presbytery and be willing to have their call to ministry tested by the church; and
  - iv. be recognized as an Inquirer by the Session or Church Board or Church Council and by the Presbytery.
- (c) Session Action. The Session or Church Board or Church Council, upon receiving the request from a member of the Congregation to be recognized as an Inquirer, shall make a Decision regarding the request. The Clerk of Session or Secretary of the Church Board or Secretary of the Church Council shall forward this application, with the Decision of the Session or Church Board or Church Council, to the Secretary of the Presbytery.
- (d) Formation of Discernment Committee. In the case of a positive Decision, the Session or Church Board or Church Council shall proceed to form a Discernment Committee according to the guidelines set out by the appropriate General Council working unit. The Session or Church Board or Church Council shall appoint two (2) members of the Congregation, one (1) of whom shall be a member of the Session or Church Board or Church Council, to the Discernment Committee, and shall invite the Inquirer to appoint one (1) member of the Congregation to the Discernment Committee.
- (e) Presbytery Participation. The Presbytery, through its Education and Students Committee, upon receiving the notice of the Decision of the Session or Church Board or Church Council to recognize an Inquirer, shall appoint one (1) or two (2) members of the Presbytery to the Discernment Committee, who shall call its first meeting, and shall ensure that appropriate education and preparation of the Committee members is completed prior to meeting with the Inquirer.
- (f) Work of Discernment Committee. The Discernment Committee shall meet periodically over a period of at least twelve (12) months with the Inquirer for the purpose of exploring and determining suitability for ministry by considering the Inquirer's genuine call to ministry, personal character, motives, faith, and general fitness for ministry in the United Church.
- (g) Presbytery Oversight. The Presbytery shall exercise oversight of the discernment process and shall hear regular reports about the work of the Discernment Committee through its representatives.
- (h) Report to Conference. The Presbytery shall report annually to the Conference Education and Students Committee concerning each Inquirer under its care.
- (i) Session Recommendation. When the Discernment Committee is ready to make a recommendation about the Inquirer's suitability for ministry,



## GENERAL

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it shall report to the Session or Church Board or Church Council. The Session or Church Board or Church Council shall make a Decision whether or not to recommend to the Presbytery that the Inquirer be made a Candidate. The Session or Church Board or Church Council shall forward its Decision and the report of the Discernment Committee to the Presbytery according to the guidelines set out by the appropriate General Council working unit.

- (j) Conference Interview Board. The Presbytery Education and Students Committee, upon receiving an application from an Inquirer to be a Candidate and the reports of the Discernment Committee and the Session or Church Board or Church Council, shall arrange for the Inquirer to meet with the Conference Interview Board.
- (k) Presbytery Education and Students Committee. The Presbytery Education and Students Committee, upon receiving the report of the Conference Interview Board, shall consider the application from the Inquirer to be a Candidate, along with the reports from the Discernment Committee, the Session or Church Board or Church Council, and the Conference Interview Board. The Inquirer, at their own expense, shall provide the Presbytery Education and Students Committee with a current vulnerable sector (level 2) police records check as part of the application. The Presbytery Education and Students Committee shall interview the Inquirer to determine suitability for ministry by considering the Inquirer's genuine call to ministry, personal character, motives, faith, and general fitness for ministry in the United Church, and shall make its recommendation to the Presbytery. The Presbytery Education and Students Committee shall invite a representative of the sponsoring Congregation to be present for the interview. Whenever possible, this should be a member of the Discernment Committee. (2007)
- (l) Requirements. The Presbytery shall inform each applicant that, upon commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, they must become a member of and contribute to the pension plan and the group insurance plan of the United Church. The Presbytery shall also inform applicants of the requirements of transfer and settlement, and shall secure assurance that they will conform to these requirements. (2007)
- (m) Presbytery Decision. When all of the above conditions have been met, the Presbytery shall make a Decision to receive or not to receive the applicant as a Candidate. This Decision shall be communicated in writing to the applicant, the sponsoring Congregation, and the appropriate General Council working unit, stating a brief summary of the interview and reasons for the Decision.
- (n) Act of Covenant. When the Presbytery has made a Decision to receive an Inquirer as a Candidate, the Presbytery shall receive the Candidate at a service of covenanting at public worship in the Candidate's sponsoring Congregation. The Discernment Committee shall be thanked and dissolved at this service of covenanting.

**023** Candidacy of Diaconal Ministers and Ordained Ministers.

- (a) Diaconal Minister. In cases where a Diaconal Minister seeks candidacy for ordination, the application shall be made to the Presbytery in which that member of the Order of Ministry holds membership. The Presbytery shall determine, in consultation with the appropriate General Council working unit, what educational and other steps if any must be undertaken to qualify for ordination.
- (b) Ordained Minister. In cases where an Ordained Minister seeks candidacy for commissioning to the diaconal ministry of education, service, and pastoral care, the application shall be made to the Presbytery in which that member of the Order of Ministry holds membership. The Presbytery shall determine, in consultation with the appropriate General Council working unit, what educational and other steps if any must be undertaken to qualify for commissioning to the diaconal ministry of education, service, and pastoral care. (2007)

**024** Candidate.

- (a) Presbytery Supervision. The Presbytery shall exercise faithful supervision of each Candidate. Each year, it shall receive a written report from the Candidate and shall conduct an interview regarding their genuine call to ministry, personal character, motives, academic record, doctrinal beliefs, and general fitness for ministry, including reviewing the report from the theological school and any internships. It is recommended that the Candidate, at their own expense, provide the Presbytery Education and Students Committee with a current vulnerable sector (level 2) police records check, every sixth year during the candidacy process. At each interview, the Presbytery Education and Students Committee shall invite a representative of the sponsoring Congregation to be present for the interview. Whenever possible, this should be a member of the former Discernment Committee. Each year, the Presbytery Education and Students Committee shall recommend to the Presbytery concerning the continuance of each Candidate. (2007)
- (b) Interview by Another Presbytery. When circumstances make it impractical for a Candidate to appear annually in person, the Presbytery Education and Students Committee, on its own behalf, shall request, in writing, the Presbytery within the jurisdiction of which the Candidate resides to conduct the interview. The Presbytery making this request must decide what authority is being delegated: authority to interview and report, authority to interview and recommend, or authority to interview and make a Decision. The Presbytery within the jurisdiction of which the Candidate resides must communicate, in writing, its Decision regarding acceptance of the request. The Presbytery making the request shall forward all the necessary documents, which shall be returned when the report or recommendations are submitted.
- (c) Theological School. The supervising Presbytery shall certify each Candidate to a United Church theological school, before they are admitted to the school as a Candidate and each year thereafter. If the Candidate intends to study at a theological school not associated with the United Church, the provisions of section 727 apply. The theological

school shall report annually to the Candidate and to the Presbytery, soon after the end of the school year, concerning the Candidate's academic standing and involvement in the life of the school community, and expressing the judgement of the school faculty as to whether the Candidate should be continued as a Candidate. The Presbytery Education and Students Committee shall review the annual reports from the theological school and contact the Candidate's faculty advisor on an annual basis. At the end of a Candidate's course of theological studies, the theological school shall report to the Presbytery and the Conference regarding the Testamur, in accordance with subsection 026(b).

- (d) Internship. A Candidate may apply through the Presbytery Education and Students Committee to the appropriate General Council working unit for an internship. The Presbytery Education and Students Committee shall receive, assess, and make a Decision regarding each application from a Candidate for an internship. Upon completion of the internship, the Presbytery Education and Students Committee shall receive an internship evaluation report and may contact the internship supervisor and the Congregation's lay committee to clarify the internship report and to determine if the internship requirements have been met satisfactorily.
- (e) Appointments. When a Presbytery seeks to appoint a Candidate to a Vacancy, the Presbytery making the appointment shall request a report from the Candidate's Presbytery regarding the Candidate's academic standing and readiness for ministry, before making the appointment. The Presbytery making the appointment shall send annually to the Candidate's Presbytery a report concerning the conduct and service of the Candidate, with a copy to the theological school where the Candidate is enrolled.
- (f) Report to Conference. The Presbytery shall report annually to the Conference Education and Students Committee concerning each Candidate under its care.
- (g) Transfer of Candidacy. When a Candidate desires to transfer their candidacy to another Presbytery, the change may be effected by the mutual consent of the Presbyteries concerned. If two Conferences are involved, the proposed change shall be communicated to the Education and Students Committee of the appropriate Conferences and referred to the Transfer Committee.
- (h) Resignation or Removal. When a Presbytery has made a Decision to accept a Candidate's resignation, or to remove the name of a Candidate, the Secretary of the Presbytery shall at once notify, in writing, the former Candidate, the former Candidate's sponsoring Congregation, the theological school if applicable, and the appropriate General Council working unit. No other Presbytery shall receive such applicant as a Candidate until due consideration has been given to all the facts obtained from the Presbytery that formerly dealt with the case and consultation with the appropriate General Council working unit has taken place.

- 025 Course of Study. Each Candidate shall follow the course of study prescribed by the General Council. Presbyteries and Conferences shall accept a theological degree or certificate only from United Church theological schools or from institutions approved by the appropriate General Council working unit. In the event that a time-limited experimental program for theological education is undertaken, suitable arrangements for granting the Testamur shall be made by the General Council with recommendations from the appropriate General Council working unit, for the duration of the experimental program.
- 026 Commissioning and Ordination.
- (a) Application. When a Candidate nears completion of the requirements for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, in the United Church, such Candidate may submit to the Presbytery Education and Students Committee an application to be commissioned to the diaconal ministry of education, service, and pastoral care, or ordained, a personal statement of faith and theology, and notification from the theological school that the prescribed course of study for fulfilment of the Testamur requirements will be completed prior to the anticipated date of commissioning to the diaconal ministry of education, service, and pastoral care, or ordination. The Candidate, at their own expense, shall provide the Presbytery Education and Students Committee with a current vulnerable sector (level 2) police records check as part of the application to be commissioned to the diaconal ministry of education, service, and pastoral care, or ordained. If the Candidate has already provided the Presbytery Education and Students Committee with a vulnerable sector (level 2) police records check within the previous twelve (12) months in order to fulfil the requirement of subsection 024(a), then a second police records check is not required. (2007)
  - (b) Theological School Recommendation. The theological school shall report to the Presbytery and the Conference at the end of a Candidate's course of theological studies regarding the Testamur and expressing the judgement of the school faculty as to whether the Candidate is ready for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination. In cases where the school does not recommend positively, the Conference Education and Students Committee shall not recommend the Candidate for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, except in consultation with the Presbytery Education and Students Committee, the theological school, and the appropriate General Council working unit. (2007)
  - (c) Presbytery Recommendation. The Presbytery shall determine the Candidate's readiness for ministry by examining their genuine sense of call to ministry, personal character, motives, academic records, doctrinal beliefs, and general fitness for ministry, and shall satisfy itself that the Candidate is in essential agreement with the statement of doctrine and will abide by the Polity of the United Church, and, if satisfied, shall recommend the Candidate to the Conference for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination. (2007)

- (d) Conference Action. It shall be the duty of the Conference to have final enquiry in determining the readiness for ministry of each Candidate for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, by examining their genuine call to ministry, personal character, motives, academic records, doctrinal beliefs, and general fitness for ministry. Each Candidate recommended to be commissioned to the diaconal ministry of education, service, and pastoral care, or ordained, shall be examined on the statement of doctrine of the United Church, and shall, before commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, satisfy the Conference Education and Students Committee that they are in essential agreement therewith, and that as a member of the Order of Ministry of the United Church they will accept the statement as being in substance agreeable to the teaching of the Holy Scriptures. The Conference shall be assured that the Candidate is in essential agreement with the statement of doctrine, that the Candidate will agree to be subject to transfer and settlement in the United Church, and that the Candidate will abide by the Polity of the United Church. (2007)
- (e) Requirements. A Candidate may be commissioned to the diaconal ministry of education, service, and pastoral care, or ordained: (2007)
- i. when the minimum of at least twenty-four (24) months of membership and activity in a Congregation of the United Church plus at least twelve (12) months as an Inquirer and at least twelve (12) months as a Candidate have been completed;
  - ii. when notified by the theological school that the Candidate has completed the requirements of the Testamur; and
  - iii. either when assurance of transfer and settlement into a full- or part-time position by the beginning of the next Conference year has been received by the Candidate's home Conference, or when the Candidate is pursuing post-graduate studies acceptable to and approved by the Presbytery and the Conference in consultation with the appropriate General Council working unit.
- (f) Commissioning or Ordination by Another Conference. When circumstances make it desirable, one Conference may request another Conference to commission a Candidate for the Order of Ministry to the diaconal ministry of education, service, and pastoral care, or to ordain a Candidate for the Order of Ministry. Should this request include the final examination of the Candidate, all the necessary documents and records shall be sent with the request, and shall be returned with the record of the action in each case. A Candidate so commissioned to the diaconal ministry of education, service, and pastoral care, or ordained, shall be entered as a member of the Order of Ministry on the roll of the Conference making the request. (2007)
- (g) Commissioning or Ordination by Another Conference. If a Candidate desires to be commissioned to the diaconal ministry of education, service, and pastoral care, or ordained, by a Conference other than that to which that Candidate belongs, such may be arranged on the concurrence of the Presidents of the Conferences concerned. (2007)

- (h) Bible and Parchment. The Conference that commissions the Candidate to the diaconal ministry of education, service, and pastoral care, or ordains the Candidate, shall pay the cost of the presentation Bible and parchment. (2007)

(next section: 028)

- 028 Service of Ordination, Commissioning, and Reception. **In the service to ordain, commission, or receive persons into the Order of Ministry, those presenting themselves shall, after hearing the following preamble, answer the questions that follow:** (2007)

**“Jesus Christ came into the world to be the servant of God and all people. As servant Lord, Jesus calls his Church to a ministry of worship, witness, and reconciliation. In baptism we were received as members of his Church and at confirmation we committed ourselves to its ministry. In order that this ministry of the whole Church may be fulfilled, God has given the ordained ministry of Word, Sacrament, and Pastoral Care, and the diaconal ministry of Education, Service, and Pastoral Care. It is the responsibility of the Church to seek, train, and set apart those whom God calls so to serve.**

1. **(to each Candidate) Do you believe in God: Father, Son, and Holy Spirit, and do you commit yourself anew to God?**
2. **(to each Candidate being ordained) Do you believe that God is calling you to the ordained ministry of Word, Sacrament, and Pastoral Care, and do you accept this call?**  
**(to each Candidate being commissioned) Do you believe that God is calling you to the diaconal ministry of Education, Service, and Pastoral Care, and do you accept this call?**
3. **(to each Candidate) Are you willing to exercise your ministry in accordance with the scriptures, in continuity with the faith of the Church, and subject to the oversight and discipline of The United Church of Canada?” (Basis 11.3)**

- 029 Transfer.

- (a) Ministry of the United Church. Every Candidate for the Order of Ministry is a Candidate for the ministry of the United Church, and not merely for the ministry of any particular Conference.
- (b) Report to Transfer Committee. On or before April 1st in the year of commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, the names of all Candidates for the Order of Ministry shall be reported by the Conference Executive Secretaries to the Transfer Committee for consideration at its annual meeting. (2007)
- (c) Information to Transfer Committee. The Education and Students Committee of the home Conference of the Candidate shall forward all pertinent personal and academic information for each Candidate, from the Conference, the Presbytery, and the theological institution attended, to the Transfer Committee prior to its annual meeting.

- (d) Interview. Each Candidate shall be interviewed by a member or appointee of the Transfer Committee prior to its annual meeting.
- (e) Ministry Positions. Requests from Pastoral Charges for settlement must be for ministry positions of a minimum of eight (8) hours per week, and must be approved by the Presbytery prior to the annual placement meeting.
- (f) Authority. **The Transfer Committee shall have the authority to transfer each Candidate for the Order of Ministry recommended for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, and each member of the Order of Ministry who, upon commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, was approved to pursue further study, upon completion of that study, to the Conference where, in the judgement of the Transfer Committee, their skills and gifts best match the needs and gifts of Presbytery Accountable Ministries, (Basis 9.9) and to such special ministries as have been authorized by the General Council and which the Transfer and Settlement Committees concerned determine to fill. Experience in the pastorate shall normally be considered a prerequisite for appointment to a special ministry.** (2007)
- (g) Candidates shall not normally be placed into Pastoral Charges or other ministry settings where they have served a Candidate Supply or Student Supply appointment, field placement, or internship. Placements shall not be arranged or assumed prior to the annual placement meeting.
- (h) Normally there shall be no services of commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, between annual celebrations of ministries of Conferences. (2007)
- (i) Requests from members of the Order of Ministry for transfer and settlement shall be a part of each round of matching on an equal basis as Candidates seeking their first placement.
- (j) Exceptions. **This authority of the Transfer Committee will not apply to:**
  - i. **Diaconal Ministers who having served five (5) years in full-time ministry are recommended for ordination; or**
  - ii. **Ordained Ministers who having served five (5) years in full-time ministry are recommended for commissioning to the diaconal ministry of education, service, and pastoral care. (Basis 9.9)** (2007)

Such persons are free to accept a call.
- (k) Information to Settlement Committee. The Transfer Committee shall forward all pertinent personal and academic information for each Candidate, from the Conference, the Presbytery, and the theological institution attended, to the Settlement Committee of the Conference to which the Candidate is assigned.

**030** Moving Expenses.

- (a) Amount. The moving expenses of Candidates assigned to a Conference under the provisions of subsection 029(f), including travelling expenses

and a reasonable amount for expenses connected with the moving of personal effects, shall be provided by the appropriate General Council working unit. The moving expenses of the Immediate Family of a Candidate or minister shall be included if the family goes with the Candidate or minister or within a year of the appointment. Travelling expenses shall cover the cost of travel from the college centre from which the Candidate graduates to the Pastoral Charge where the Candidate is settled.

- (b) Contribution. The appropriate General Council working unit shall communicate with the Executive Secretary of the Conference, who shall arrange for the appropriate Conference staff person to consult with the Presbytery and the Pastoral Charge concerned to request a contribution towards the moving expenses, to be based on what the Pastoral Charge would normally pay as a general average of the moving expenses of a minister from within the jurisdiction of the Conference.
- (c) Payment. The payments shall be provided by the appropriate General Council working unit, and the lead staff of that working unit shall cooperate in every way possible with those so transferred so that there may be no delay in the payment of moving expenses.

031 Admission from Other Denominations. (2007)

- (a) Initial Process. A minister seeking admission to the Order of Ministry of the United Church from another denomination shall first contact the appropriate General Council working unit. The appropriate General Council working unit shall provide the applicant with the policies and procedures for admission to the Order of Ministry of the United Church, a preliminary evaluation of the acceptability of the applicant's commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, and an application form. (2007)
- (b) Application. The appropriate General Council working unit shall receive the necessary documentation, including proof of commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, official academic transcripts, current letters of standing from the applicant's current denomination, letters of reference, and a completed application form. Should the applicant be refused a letter of standing from the applicant's current denomination based solely on criteria that would not prevent the applicant from being a member of the Order of Ministry of the United Church, the appropriate General Council working unit may dispense with this requirement once it is assured that there is no other reason for the refusal of the applicant's current denomination to provide a letter of standing. The applicant, at their own expense, shall also provide to the appropriate General Council working unit a current vulnerable sector (level 2) police records check, as part of the application for admission. (2007)
- (c) Evaluation. When all of the initial documentation is received, the appropriate General Council working unit shall evaluate the acceptability to the United Church of the applicant's commissioning to the diaconal ministry of education, service, and pastoral care, or



ordination, and shall indicate what academic standards must be met before admission. (2007)

(d) Acceptability of Commissioning or Ordination. Normally the commissionings to the diaconal ministry of education, service, and pastoral care, or ordinations, to be recognized shall be those performed by churches holding memberships in the World Council of Churches or in a national Council of Churches. Applicants who have not been presbyterially commissioned to the diaconal ministry of education, service, and pastoral care, or ordained, by presbyters orderly assembled for this purpose shall also be required to produce satisfactory evidence to the appropriate General Council working unit that: (2007)

i. their commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, was intended to be within and to the ministry of the holy Catholic Church; (2007)

ii. their commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, was performed by the authority charged with the exercise of this specific church power within the commissioning or ordaining communion; (2007)

iii. their commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, was accompanied by prayer and the laying on of hands; and (2007)

iv. their understanding of commissioning to the diaconal ministry of education, service, and pastoral care, and ordination, is consistent and compatible with the understanding and ordering in the United Church. (2007)

If the applicant seeking admission is unable to fulfil these requirements, the applicant shall be advised to enter the candidacy stream to seek commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, according to the usages of the United Church. (2007)

(e) Agreement with Doctrine and Polity. Applicants shall also be required satisfactorily to answer the following questions:

i. What are the applicant's reasons for applying for admission to the Order of Ministry of the United Church, and what has led to any change of views?

ii. Is the applicant in essential agreement with the doctrine of the United Church? and

iii. Is the applicant willing to conform to the government and Polity of the United Church?

(f) Academic Requirements. The educational qualifications required of an applicant seeking admission to the Order of Ministry of the United Church shall conform to the educational standards set by the General Council and required for membership in the Order of Ministry of the United Church, the minimum educational standing acceptable being that of the Shorter Course or its equivalent. All applicants in the admission process shall be required satisfactorily to complete a minimum of five (5) courses for credit, one (1) in each of: United Church Polity,

theology, Christian education, worship and sacraments in a United Church context, and history of the United Church. The appropriate General Council working unit or the Presbytery may require the applicant satisfactorily to complete additional courses. Courses may be completed at a United Church theological school or by correspondence or directed study from a United Church theological school.

- (g) Presbytery Initial Interview. Once an applicant has been approved by the appropriate General Council working unit, the applicant may contact a Presbytery seeking recognition as a person eligible for appointment as Diaconal Supply or Ordained Supply. The Presbytery shall request copies of all relevant documentation from the appropriate General Council working unit, including the current vulnerable sector (level 2) police records check for the applicant. The Presbytery Education and Students Committee shall interview the applicant. Expenses related to all interviews are the responsibility of the applicant. If the Committee is satisfied with the documentation and the interview, the Committee shall request that the Conference Interview Board interview the applicant.
- (h) Overseas Applicant. When the applicant resides outside Canada or the United States, the appropriate General Council working units shall work together to arrange for an initial interview to take place in the applicant's country of residence, if practicable.
- (i) Conference Initial Interview. The Conference Interview Board shall interview the applicant and forward its recommendation regarding the suitability of the applicant for ministry in the United Church to the Presbytery for its consideration.
- (j) Overseas Applicant. When the applicant resides outside Canada or the United States, the interview arranged by the appropriate General Council working units may take the place of the interview by the Conference Interview Board. The recommendation regarding the suitability of the applicant for ministry in the United Church received by the appropriate General Council working units shall be forwarded to the Presbytery for its consideration.
- (k) Initial Appointment. Having satisfied itself as to the suitability of the applicant for ministry in the United Church, the Presbytery may appoint the applicant as Diaconal Supply or Ordained Supply to a Pastoral Charge, Mission, or Outreach Ministry of the United Church, for a term of twelve (12) months. The Presbytery shall consult with the appropriate General Council working unit prior to making the appointment, and shall notify the appropriate General Council working unit of the appointment once made. If the Presbytery making the appointment is not the Presbytery that initially interviewed the applicant, the Presbytery making the appointment shall obtain the applicant's complete file from the Presbytery that initially interviewed the applicant, prior to making the appointment. The appointment shall also be subject to all other policies and procedures governing Presbytery Appointments.
- (l) Overseas Applicant. When the appointment is of an applicant whose initial interview was arranged by the appropriate General Council

(2007)

working units, the applicant must be interviewed by the Presbytery Education and Students Committee and by the Conference Interview Board within the first six (6) months of the appointment. The Presbytery shall have the right to terminate the appointment if it is not satisfied with the interview by its Education and Students Committee or if the Conference Interview Board does not recommend the applicant.

- (m) Appointment Advisory Committee. The applicant shall meet periodically during the term of the initial appointment, with an Appointment Advisory Committee comprising members of the Pastoral Charge chosen for that purpose upon the request of the Presbytery Education and Students Committee, the Pastoral Charge Supervisor, and one (1) other presbyter appointed by the Presbytery Education and Students Committee. The Appointment Advisory Committee shall formulate recommendations regarding the suitability of the applicant to enter into the admission process and the suitability of the applicant for ministry in the United Church.
- (n) Early Termination. The process of admission to the Order of Ministry of the United Church is intended to be a time of discernment and decision-making for both the applicant and the United Church. Should either party decide to terminate the appointment, the appropriate procedures shall be applied.
- (o) Presbytery Decision. Before the completion of the term of the initial appointment, the Presbytery Education and Students Committee shall review the recommendations of the Appointment Advisory Committee, interview the applicant, and make a recommendation to the Presbytery as to whether the applicant should proceed to the admission process. Unless the Presbytery has made a Decision to permit the applicant to proceed to the admission process, the appointment shall not be renewed and the applicant shall not be eligible for any other appointment within the United Church.
- (p) Admission Process. If the Decision of the Presbytery is to permit the applicant to proceed to the admission process, the applicant shall be eligible to serve as Diaconal Supply or Ordained Supply to a Pastoral Charge, Mission, or Outreach Ministry of the United Church, in a Presbytery Appointment, preferably the same as the initial twelve (12) month appointment, for at least eighteen (18) consecutive months prior to the date of admission, but not more than forty-two (42) consecutive months prior to the date of admission.
- (q) Exceptions: Extended Initial Appointment. Unless the Presbytery has made a Decision to permit the applicant to proceed to the admission process, the applicant may not continue beyond the initial twelve (12) month appointment, except while the applicant is serving in: a Mutuality in Mission position, a ministerial exchange, or an Interim Ministry, or in other exceptional circumstances as determined by the appropriate General Council working unit. Applicants who have served or are serving in such ministry positions are not otherwise exempted from the requirements of this section.
- (r) Exceptions: No Initial Appointment. An applicant serving as a hospital chaplain, a prison chaplain, a professor at a United Church theological

(2007)

school, a Conference staff person, or a General Council staff person, or in another such ministry recognized by both the appropriate General Council working unit and the Presbytery, may be permitted by the Presbytery to proceed to the admission process without first having served an initial twelve (12) month Presbytery Appointment and without then continuing to serve in a Presbytery Appointment, provided that the applicant satisfies all other requirements of this section and in addition has completed at least three (3) years of satisfactory service in a congregational setting within the applicant's own denomination, has been a member of a United Church Congregation for at least the preceding twelve (12) months, and has been taking an active role in that Congregation for at least the preceding twelve (12) months.

- (s) Postponement of Admission Process. When the Presbytery has made a Decision to permit the applicant to proceed to the admission process, the applicant may postpone proceeding to the admission process for up to three (3) years. During the period of such postponement, the applicant is not eligible for appointment.
- (t) Educational Supervisory Team. If the applicant proceeds to the admission process, the Presbytery shall continue its supervision of the applicant through the appointment by the Presbytery Education and Students Committee of an Educational Supervisory Team comprising at least two (2) lay representatives and at least two (2) members of the Order of Ministry. A primary responsibility of the Educational Supervisory Team shall be to determine the suitability of the applicant to engage in any ministry of Education, Service, and Pastoral Care or Word, Sacrament, and Pastoral Care in the United Church. The applicant shall meet periodically during the admission process, with the Educational Supervisory Team. The Educational Supervisory Team shall conduct progress evaluations of the applicant at six (6) month intervals.
- (u) Presbytery Final Interview. When:
  - i. the applicant has proceeded to the admission process and has then completed at least eighteen (18) consecutive months in the admission process;
  - ii. the applicant has those educational qualifications and satisfactorily has completed those courses required under subsection (f); and
  - iii. the Educational Supervisory Team has made a recommendation regarding the suitability of the applicant for ministry in the United Church;

the Presbytery Education and Students Committee shall review the recommendation of the Educational Supervisory Team, interview the applicant, and make a recommendation to the Presbytery.
- (v) Presbytery Recommendation. If the Presbytery does not recommend that the applicant be admitted to the Order of Ministry of the United Church, any Presbytery Appointment in which the applicant is serving shall be terminated and the applicant shall not be eligible for any other appointment within the United Church. If the Presbytery recommends that the applicant be admitted to the Order of Ministry of the United

Church, the Presbytery shall request a final interview of the applicant by the Conference Education and Students Committee and shall request that the appropriate General Council working unit circulate the name of the applicant to each of the Presbyteries of the United Church.

- (w) Circulation of Name. The appropriate General Council working unit shall then circulate the name of the applicant and the name of the Presbytery through which the application is being made, to each of the Presbyteries of the United Church. The name of the applicant shall be read at a regular meeting of each Presbytery and included in the minutes of that meeting. Any Presbytery wishing to raise an objection shall present the objection to the Presbytery through which the application is being made. The objection shall be in writing and shall be accompanied by all supporting documentation. Notice that an objection has been raised shall be sent, by the Secretary of the Presbytery raising the objection, to the appropriate General Council working unit. The Secretary of the Presbytery through which the application is being made shall acknowledge, in writing, the receipt of the material. The Presbytery shall establish a Commission to consider the objection and to meet with the applicant to discuss the objection. The Presbytery shall decide how the matter will be dealt with and shall send a report to the Presbytery raising the objection and to the appropriate General Council working unit.
- (x) Conference Final Interview. The Conference Education and Students Committee shall conduct a final interview of the applicant and make a recommendation to the Conference concerning the suitability of the applicant to be received into the Order of Ministry of the United Church. Each applicant to be admitted shall be examined on the statement of doctrine of the United Church; the Conference shall be assured that they are in essential agreement with the statement of doctrine, and that as a member of the Order of Ministry of the United Church they will accept the statement as being in substance agreeable to the teaching of the Holy Scriptures. The Conference shall be assured that the applicant will agree to abide by the Polity of the United Church.
- (y) Conference Decision. The Conference shall decide whether the applicant should be admitted to the Order of Ministry of the United Church, and shall notify the applicant, the Presbytery, and the appropriate General Council working unit of its Decision. The applicant shall not be admitted unless assured of call, settlement, or appointment. Reception shall occur during the service of ordination, commissioning, and reception.
- (z) Report to General Council Executive. The appropriate General Council working unit shall report annually to the Executive of the General Council the name of each person who has been admitted to the Order of Ministry of the United Church from another denomination.

## 032 Re-Admission.

- (a) Application. A person whose name has been placed on the Discontinued Service List (Disciplinary) or the Discontinued Service List (Voluntary), and who meanwhile has not been received as a minister of

another communion, and who desires to be re-admitted, shall make application to the Conference through the Presbytery of which the applicant was last a member. The applicant must clearly indicate to the Presbytery the reasons for requesting re-admission. The application shall include a reaffirmation of the applicant's willingness to conform to the government and usages of the United Church, and a reaffirmation of the applicant's essential agreement with the doctrine and Polity of the United Church. The applicant, at their own expense, shall also provide to the Conference a current vulnerable sector (level 2) police records check, as part of the application for re-admission.

(2007)

- (b) **Presbytery Consideration.** When an application for re-admission has been received, the Presbytery shall inform and consult with both the Conference and the appropriate General Council working unit concerning the reasons why the applicant's name was placed on the Discontinued Service List (Disciplinary) or the Discontinued Service List (Voluntary).
- (c) **Conference Interview Board.** Upon notification from the Presbytery of the application to be re-admitted, the Conference shall arrange for the applicant to meet with the Conference Interview Board, which shall report to the Presbytery its findings regarding the applicant's personal, social, and psychological suitability for ministry. A medical and/or psychological examination of the applicant may be required as to their fitness for ministry.
- (d) **Presbytery Action.** Where the person's name was placed on the Discontinued Service List (Disciplinary), the Presbytery shall examine the applicant's faith and theological stance before deciding on its recommendation to forward to the Conference. Where the person's name was placed on the Discontinued Service List (Voluntary), the Presbytery shall, if it determines it to be appropriate, examine the applicant's faith and theological stance before deciding on its recommendation to forward to the Conference.
- (e) **Presbytery Appointment.** The Presbytery or the Conference may require the applicant to serve a probationary period in a Presbytery Appointment to a recognized ministry of the United Church, but not that of Diaconal Supply or Ordained Supply. While working in such appointment, the applicant shall be under the close supervision of a member of the Presbytery appointed by the Presbytery. During the period of supervision, the requirements of sections 033 and 318 shall be suspended.
- (f) **Presbytery Recommendation.** Having completed the above steps, the Presbytery shall forward the application with documentation and the Presbytery recommendation to the Conference. If the recommendation of the Presbytery forwarding the application is negative, the applicant shall be informed by the Presbytery in writing by assured delivery (registered mail) and in a personal interview. The purpose of the interview is to inform the applicant of the reasons for recommending to the Conference that the application for re-admission be denied.
- (g) **Circulation of Name.** The appropriate General Council working unit shall circulate the name of any applicant whose name has been placed

on the Discontinued Service List (Disciplinary) and may circulate the name of any applicant whose name has been placed on the Discontinued Service List (Voluntary), together with the name of the Presbytery through which the application is being made, to each of the Presbyteries of the United Church. The name of the applicant shall be read at a regular meeting of each Presbytery and included in the minutes of that meeting. Any Presbytery wishing to raise an objection shall present the objection to the Presbytery through which the application is being made. The objection shall be in writing and shall be accompanied by all supporting documentation. Notice that an objection has been raised shall be sent, by the Secretary of the Presbytery raising the objection, to the appropriate General Council working unit. The Secretary of the Presbytery through which the application is being made shall acknowledge, in writing, the receipt of the material. The Presbytery shall immediately establish a Commission to consider the objection and to meet with the applicant to discuss the objection. The Presbytery shall decide how the matter will be dealt with and shall send a report to the Presbytery raising the objection and to the appropriate General Council working unit.

- (h) Conference Decision. The Conference shall make a Decision regarding the application for re-admission and shall notify the applicant, the Presbytery, and the appropriate General Council working unit of its Decision. The Conference shall communicate its Decision to the applicant and the Presbytery by assured delivery (registered mail) and shall inform both parties of the right of appeal.
- (i) Subsequent Application. When an application for re-admission is denied, a subsequent application for re-admission from that person shall not be considered for a period of three (3) years following the Decision of the Conference.
- (j) Costs of Application. Costs of an initial application for re-admission to the Order of Ministry shall normally be shared equally by the applicant, the Presbytery, the Conference, and the appropriate General Council working unit, but may be assessed otherwise at the discretion of the Conference. The appropriate General Council working unit shall be responsible for procedures to ensure this cost sharing, in consultation with the Conference. If the first application is rejected, normally the costs of any subsequent application shall be borne entirely by the applicant unless assessed otherwise by the Conference. Such costs shall be assessed by the Conference and deposited with the Conference by the applicant before procedures are begun. Partial reimbursement of costs to the applicant may be made by the Conference following the Decision.
- (k) Conference Responsibility. As in the case of commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, the final Decision regarding re-admission shall be the responsibility of the Conference.
- (l) Report to General Council Executive. The appropriate General Council working unit shall report annually to the Executive of the General

(2007)

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Council the name of each person who has been re-admitted to the Order of Ministry.



- 033 Discontinued Service List.
- (a) A person whose name has been placed on the Discontinued Service List (Disciplinary) by Decision of the Conference shall not be recognized as Ministry Personnel of the United Church, nor shall they perform the functions of its diaconal or ordained ministry.
  - (b) A person whose name has been placed on the Discontinued Service List (Voluntary) by Decision of the Conference shall not be recognized as Ministry Personnel of the United Church, nor shall they perform the functions of its diaconal or ordained ministry unless specifically stipulated otherwise by the Conference.
  - (c) A person whose name has been placed on either the Discontinued Service List (Disciplinary) or the Discontinued Service List (Voluntary) shall not be appointed to a Pastoral Charge, Mission, or Outreach Ministry unless such appointment is required by the Presbytery or the Conference within the process of re-admission.
- 034 Criminal Charges. Concerning provisions applicable when a member serving as Ministry Personnel is charged with a criminal offence, see section 364.
- 035 Voting by Ballot. In all actions of Courts regarding the membership or standing of a member of the Order of Ministry requiring voting procedure, the vote shall be taken by ballot unless waived by unanimous consent; that is, on motion to waive, no dissenting vote is cast. This shall apply to all motions recommending that a person be commissioned to the diaconal ministry of education, service, and pastoral care, ordained, admitted, or re-admitted, and to motions to accept a Resignation from the Order of Ministry or to place a name on either the Discontinued Service List (Disciplinary) or the Discontinued Service List (Voluntary). (2007)

#### **REMUNERATION OF MINISTRY PERSONNEL**

- 036 Salary, Allowances, and Benefits.
- (a) Adequacy. A Pastoral Charge or other employing agency shall review annually the remuneration (salary, allowances, and benefits) paid to its members of the Order of Ministry and other Ministry Personnel. It is expected that adequate remuneration will be paid in accordance with the service required, the circumstances of the Pastoral Charge, and the cost of living in the area. Each year the General Council shall determine the minimum remuneration to be paid to members of the Order of Ministry and other Ministry Personnel. The appropriate General Council working unit shall put this standard into effect, and the Presbytery shall visit any Pastoral Charge that pays less than the authorized minimum and shall take appropriate action.

- (b) Part-time Ministry. The person settled in or appointed to a part-time ministry position shall be paid the appropriate percentage of full-time salary and benefits as required by the General Council. Calculations of salary and benefits for part-time ministry shall be based on a forty (40) hour work week.
- (c) Multiple Staff. Ministry Personnel in a Multiple Staff shall receive remuneration (salary, benefits, housing allowance, travel allowance, and all other remuneration such as continuing education) in accordance with subsection (a).
- (d) Payable Monthly. The salary for all Ministry Personnel shall be paid at least monthly.
- (e) Secretarial Assistance. Provision shall be made for adequate secretarial assistance.
- (f) Manse or Housing Allowance. The minister shall be provided with either a manse or an equivalent housing allowance, and with a telephone.
  - i. A minister provided with a manse shall be obligated to take reasonable care of it. A manse provided to a minister by a Pastoral Charge shall be Unfurnished unless, in exceptional circumstances, it is designated as Furnished by action of the Conference on the recommendation of the Presbytery. When a Decision has been made that a manse is to become Unfurnished, the actual transfer, sale, or removal of furniture from the Furnished manse shall be done at a date acceptable to the minister and the Pastoral Charge under the oversight of the Presbytery.
  - ii. The Pastoral Charge may offer the minister the option of living in the manse or of accepting a housing allowance subject to the approval of the Presbytery. Where a Pastoral Charge provides a housing allowance instead of a manse, the allowance shall take into account the cost of providing heavy appliances, drapes, and rugs, and shall be based on the fair rental value of suitable accommodation comparable to that which would have been provided as a manse in the area. Fair rental value shall be supported by data, shall be approved by the Presbytery at the time of the call or appointment, and shall be reviewed by the Presbytery at least once every three (3) years.
- (g) Cost of Heating. Where the cost of heating a manse exceeds the amount set from time to time by the General Council, the Pastoral Charge shall provide the extra amount. This is not to be provided in addition to a housing allowance.
- (h) Travel Allowance. Where the work of a Pastoral Charge requires a Ministry Personnel to use a car, such Pastoral Charge shall, in addition to other remuneration, contribute to the cost of upkeep and travel. In no case shall the amount contributed be less than the minimum travel scale (rate per kilometre) set for the year by the General Council.
- (i) Vacation. Provision shall be made for a vacation of at least one (1) month within each Pastoral Year, with dates determined in consultation

with the Session or Church Board or Church Council, the Official Board, or the Ministry and Personnel Committee.

- (j) When a member of the Order of Ministry moves between July 1st and August 31st, the Pastoral Charge to which that minister goes shall be responsible for the ensuing year's vacation pay. When a call with an effective date between September 1st and June 30th of the next year is approved, the two (2) Pastoral Charges involved shall share the cost of the vacation pay on a pro-rated basis, the Pastoral Charge from which the minister moves being responsible for an amount proportionate to the percentage of the Pastoral Year spent in the service of that particular Pastoral Charge, and the Pastoral Charge to which the minister moves being responsible for the remainder of that year's vacation pay.
- (k) Moving Expenses. The Pastoral Charge that calls a member of the Order of Ministry, or has appointed to it Ministry Personnel, shall pay the moving expenses, which shall include reasonable travel costs of the Ministry Personnel and the Immediate Family of the Ministry Personnel.
- (l) Assistance with Moving Expenses. Assistance with moving costs is available once every three (3) years to Pastoral Charges that receive Mission Support grants or to Pastoral Charges that demonstrate a need for such assistance. Such assistance shall be approved by the Presbytery after consultation with the appropriate Conference staff person and subject to the regulations of the appropriate General Council working unit.
- (m) Moving Expenses for Candidates. Moving expenses for Candidates for the Order of Ministry who are transferred under section 029 from the college where they graduated to the Pastoral Charge where they are settled shall be shared by the Pastoral Charge and the appropriate General Council working unit under provisions as set out from time to time by that working unit.
- (n) Reimbursement of Moving Expenses. It is the expectation of the United Church that a pastoral relationship established by call or settlement shall normally be at least three (3) years in length. When the Presbytery approves a request for a change in the pastoral relationship initiated by the minister before the end of the third year, the Presbytery shall require that the moving expenses to that Pastoral Charge be reimbursed by the minister to the parties who paid them on a pro rata basis. This requirement shall include those members of the Order of Ministry who have been newly commissioned to the diaconal ministry of education, service, and pastoral care, or ordained, and settled. This requirement shall not normally be waived. If in an exceptional circumstance, the Presbytery wishes to consider waiving this requirement, it may not do so until after having consulted with the Pastoral Charge in respect of members of the Order of Ministry who have been settled in the Pastoral Charge, and also with the appropriate General Council unit in respect of members of the Order of Ministry who have been newly commissioned to the diaconal ministry of education, service, and pastoral care, or newly ordained, and settled. In the case of an appointment of Ministry Personnel, the Presbytery shall specify what obligation if any there shall

be on the part of the appointee to reimburse all or part of the moving expenses in the event of an early termination of the appointment initiated by the appointee.

(2007)

- (o) Maternity/Parental Leave. Ministry Personnel may request maternity/parental leave according to the policies determined from time to time by the General Council. Such policies shall at no time reflect rights that are less than those provided by federal or provincial or territorial employment statutes.
- (p) Bereavement Leave. Bereavement Leave with pay shall be provided, upon required notification, to full- and part-time Ministry Personnel upon the death of a member of the Immediate Family or a Significant Person. Ministry Personnel are entitled to a minimum of four (4) days of paid Bereavement Leave plus travel time for each allowable circumstance. In each instance the individual is required to notify the Ministry and Personnel Committee in consultation with the Presbytery Pastoral Relations Committee.
- (q) Compassionate Leave. Compassionate Leave with pay shall be provided to Ministry Personnel, to be determined in consultation with the Ministry and Personnel Committee and the Presbytery Pastoral Relations Committee or its designated representative. Compassionate Leave shall normally be fourteen (14) days or less and shall be granted for situations in which the minister is the only person appropriate to respond to the circumstances, or when the minister is unable to carry out pastoral responsibilities because of the circumstances. In some circumstances, as determined in consultation with the minister, the Ministry and Personnel Committee, and the Presbytery Pastoral Relations Committee or its designated representative, Compassionate Leave may be combined with Bereavement Leave. In the case of the death of the minister's life partner or child, Compassionate Leave may be extended to a period of time more appropriate to the circumstances, normally one (1) month.

### 037 Disability.

- (a) Under Care. Disabled Ministry Personnel shall remain under the care of the Pastoral Charge, the Presbytery, and the United Church for the duration of the disability or a period of six (6) months from the date of the disability (last day worked), whichever is the shorter, providing:
  - i. they are serving in a Pastoral Charge, Mission, or Outreach Ministry, or on maternity leave or parental leave from same;
  - ii. they are members of the group insurance plan;
  - iii. they are not in receipt of a United Church pension; and
  - iv. their disability is certified by a medical record and confirmed by the Presbytery after consultation with the appropriate Conference staff person.
- (b) Entitlement. During this period the disabled person shall be entitled to:
  - i. the salary and allowances being paid by the Pastoral Charge at the time of the disability; and

- ii. the use of the manse or housing allowance. When Total and Permanent Disability has been certified by medical record, consultation about special circumstances or needs related to alternative accommodation shall take place among the person experiencing the disability, the Pastoral Charge, the Presbytery, and the appropriate Conference staff person. The person serving as Ministry Personnel is responsible for suitable alternative accommodation. When moving costs are incurred in conjunction with arranging suitable alternative accommodation, reasonable moving costs shall normally be borne by the Pastoral Charge.
- (c) **Obligation on Appointment.** In the light of the provisions in this section, each Presbytery, Conference, General Council working unit, or other United Church related body involved in the appointment, nomination, or approval of appointment of Ministry Personnel to outreach ministries or charges, whether related directly or indirectly to the United Church, shall inform in writing the persons appointed and the employing agencies concerning the regulations of the United Church with respect to the benefits in the case of disability. Where the employing agency refuses to accept the responsibility outlined in this section, it shall be the responsibility of the Presbytery, the Conference, the General Council working unit, or the other United Church related body to indicate in writing to the persons involved and to the appropriate General Council working unit how the above-mentioned obligations will be fulfilled.
- (d) **Presbytery Action.** When disability occurs, the Presbytery shall immediately consult with the parties concerned, to establish the date from which the above provisions shall apply and to ensure that appropriate arrangements are made.
- (e) **Assistance.** Where the Pastoral Charge finds itself unable to fulfil the above-mentioned obligations, it shall so report to the Presbytery, which shall make further investigation in consultation with the appropriate Conference staff person and shall make recommendations to the appropriate General Council working unit, which working unit shall decide the extent of assistance to the Pastoral Charge.
- (f) **Recurrent Disability.** If the period of disability referred to in subsection (a) ends before the passage of six (6) months and, within ninety (90) days thereafter, a further period of disability commences because of the same reason, the Ministry Personnel shall be entitled to receive the benefits set out in subsection (b) only for a period equal to the lesser of: the duration of the new period of disability and six (6) months less the duration of the original period of disability.
- (g) **Long-Term Disability.** A member of the pension and group insurance plans is eligible for long-term disability benefits under the plan. Should a disability appear to be total or permanent, subsections (a) and (b) apply for the first six (6) months, during which time application for long-term disability benefits should be made.
- (h) **Return.** A person for whom disability has been certified may initiate a return to work by:

- i. providing a medical certificate certifying their readiness to return to work;
  - ii. meeting with the Presbytery Pastoral Relations Committee for authorization to return to work; and
  - iii. consulting with the appropriate General Council working unit regarding rehabilitation programme options.
- (i) Change of Pastoral Relationship. Disability, in and of itself, does not constitute an end to the pastoral relationship. Nor does leave taken by Ministry Personnel on grounds of disability constitute a change of pastoral relationship or grounds for a change of pastoral relationship. Entitlement to leave for disability is a term of every pastoral relationship, and discrimination on grounds of disability is prohibited. Any request for a change of pastoral relationship shall be initiated either by the person experiencing the disability or by the Pastoral Charge in consultation with the Presbytery, and shall be dealt with in accordance with the procedures for effecting a change of the pastoral relationship. Normally, such a request would not be initiated by the Pastoral Charge before long-term disability benefits for the person have been approved. The Presbytery may approve a change of pastoral relationship only after having consulted with the Ministry Personnel, the Pastoral Charge, or their representatives, regarding the incapacity of Ministry Personnel. The Presbytery shall initiate needs assessment prior to or following any such change of pastoral relationship.
- (j) Application. The following are entitled to disability benefits in accordance with this section:
- i. Ministry Personnel;
  - ii others appointed as Presbytery staff, Conference staff, or General Council staff;
  - iii. professional staff of Outreach Ministries; and
  - iv. any others in the service of the General Council or who in accordance with the policies of the General Council are eligible.

## 038 Death.

- (a) Financial Provision. The spouse of deceased Ministry Personnel, or dependent children if there is no spouse, shall continue to be provided for financially by the Pastoral Charge, the Presbytery, and the United Church for a period of six (6) months following the end of the month in which the death takes place, providing:
- i. the deceased person was serving as Ministry Personnel in a Pastoral Charge, or on maternity leave or parental leave from same;
  - ii. the deceased person was a member of the group insurance plan; and
  - iii. the deceased person was not in receipt of a United Church pension;
- and with the exception that, where a period of disability precedes death, the combined benefit payable herewith and that payable under subsection 037(b) shall not exceed six (6) consecutive months. In calculating the period for which disability benefits have been paid under

subsection 037(b), only those months immediately preceding the death shall be counted.

- (b) Entitlement. Entitlements from the end of the month in which the death takes place are to:
  - i. the salary being paid by the Pastoral Charge at the time of the disability or death; and
  - ii. the use of the manse, or housing allowance if such is being paid in lieu of a manse, or alternative accommodation. Consultation about special circumstances or needs related to alternative accommodation shall take place among the eligible survivors of the deceased Ministry Personnel, the Pastoral Charge, the Presbytery, and the appropriate Conference staff person. When moving costs are incurred in conjunction with arranging suitable alternative accommodation, reasonable moving costs of the eligible survivors of the deceased Ministry Personnel shall normally be borne by the Pastoral Charge.
- (c) Obligation on Appointment. In the light of the provisions in this section, each Presbytery, Conference, General Council working unit, or other United Church related body involved in the appointment, nomination, or approval of appointment of Ministry Personnel to outreach ministries or charges, whether related directly or indirectly to the United Church, shall inform in writing the persons appointed and the employing agencies concerning the regulations of the United Church with respect to the benefits in the case of death. Where the employing agency refuses to accept the responsibility outlined in this section, it shall be the responsibility of the Presbytery, the Conference, the General Council working unit, or the other United Church related body to indicate in writing to the persons involved and to the appropriate General Council working unit how the above-mentioned obligations will be fulfilled.
- (d) Presbytery Action. When death occurs, the Presbytery shall immediately consult with the parties concerned, to establish the date from which the above provisions shall apply and to ensure that appropriate arrangements are made.
- (e) Assistance. Where the Pastoral Charge finds itself unable to fulfil the above-mentioned obligations, it shall so report to the Presbytery, which shall make further investigation in consultation with the appropriate Conference staff person and shall make recommendations to the appropriate General Council working unit, which working unit shall decide the extent of assistance to the Pastoral Charge.
- (f) Ending of Pastoral Relationship. Notice of the death of Ministry Personnel, given by a representative of Ministry Personnel or by the Pastoral Charge to the Presbytery, ends a pastoral relationship. Upon receipt of such notice, the Presbytery shall confirm that obligations of each Court of the United Church to the estate and to the family and survivors of the Ministry Personnel are met, and shall initiate needs assessment in the Pastoral Charge.
- (g) Application. The following are entitled to death benefits in accordance with this section:

- i. Ministry Personnel;
- ii others appointed as Presbytery staff, Conference staff, or General Council staff;
- iii. professional staff of Outreach Ministries; and
- iv. any others in the service of the General Council or who in accordance with the policies of the General Council are eligible.

**CONTINUING EDUCATION OF MINISTRY PERSONNEL**

039 Study Leave. Ministry Personnel and others in Presbytery Accountable Ministries are entitled to and are expected to take advantage of three (3) weeks study leave per year. This study time is to be arranged in consultation with the Ministry and Personnel Committee of the Official Board or Church Board or Church Council and the appropriate Presbytery and Conference. Funding for such leave shall be a shared responsibility of the Pastoral Charge or employer and the individual. Funding for continuing education shall be included in the terms of each call, settlement, or appointment of Ministry Personnel. (2007)

039.1 Sabbatical Leave. All full- or part-time Ministry Personnel settled in or appointed to a Pastoral Charge, other than those appointed as an Interim Minister, are entitled to and are encouraged to take advantage of Sabbatical Leave. (2007)

(a) Provision for Sabbatical Leave shall be included in the terms of each call, settlement, or appointment of Ministry Personnel, other than those appointed as an Interim Minister. (2007)

(b) Sabbatical Leave is in addition to vacation and study leave, and may be taken in conjunction with vacation, study leave, and additional unpaid leave of absence, in consultation with the Ministry and Personnel Committee of the Official Board or Church Board or Church Council. (2007)

(c) Each Ministry Personnel taking a Sabbatical Leave shall have a detailed plan of study, which must be related to the practice of ministry. (2007)

(d) Sabbatical Leave shall commence not earlier than after the fifth anniversary of the commencement of continuous service to the Pastoral Charge. (2007)

(e) Sabbatical Leave shall commence not earlier than twelve (12) months after the Ministry Personnel has notified the Ministry and Personnel Committee of their desire to take a Sabbatical Leave. (2007)

(f) Sabbatical Leave shall be not less than three (3) consecutive months in duration. (2007)

(g) The nature of the study or experience being proposed and the outcomes anticipated, the date of commencement, the duration, and other specifics of the Sabbatical Leave shall require the approval of the Ministry and Personnel Committee not later than six (6) months before the proposed date of commencement of the Sabbatical Leave. The



Ministry and Personnel Committee shall report the nature of the study or experience being proposed and the outcomes anticipated, and other specifics of the Sabbatical Leave, to the Official Board or Church Board or Church Council. The date of commencement and the duration of the Sabbatical Leave shall require the approval of the Official Board or Church Board or Church Council not later than six (6) months before the proposed date of commencement of the Sabbatical Leave. (2007)

(h) Not later than six (6) months before the proposed date of commencement of the Sabbatical Leave, the Pastoral Charge shall notify the Presbytery of the date of commencement and the duration of the Sabbatical Leave. The Presbytery may decide to appoint a Pastoral Charge Supervisor to the Pastoral Charge for the duration of the Sabbatical Leave. (2007)

(i) During the Sabbatical Leave, the Ministry Personnel shall be entitled to the salary and allowances being paid by the Pastoral Charge at the time of the commencement of the Sabbatical Leave. (2007)

(j) After the Sabbatical Leave has concluded, the Ministry Personnel shall provide brief written and oral reports to both the Ministry and Personnel Committee and the Official Board or Church Board or Church Council. (2007)

(k) Normally, neither the Pastoral Charge nor the Ministry Personnel shall request a change in pastoral relationship with an effective date earlier than twelve (12) months after the conclusion of the Sabbatical Leave. (2007)

039.2 Sabbatical Leave for Theological Professors. Provision shall be made for regular sabbatical leave for theological professors. The requirements shall include not only further research within the fields of their own specialties but also regular study of current teaching methods through colleges of education and exposure to the practical situation of the United Church.

### THE PASTORAL RELATIONSHIP

040 Without Time Limit. **The pastoral relationship, when initiated by call and/or settlement, shall be without time limit.** (Basis 9.1)

041 Pastorate Without Interruption. **The policy of the United Church shall be that, as far as reasonably possible, every Pastoral Charge shall have a pastorate without interruption, and that, as far as reasonably possible, every effective member of the Order of Ministry shall have a Pastoral Charge.** (Basis 9.2) It is the expectation of the United Church that a pastoral relationship established by call or settlement shall normally be at least three (3) years in length. (2007)

041.1 Ministry Positions. No Pastoral Charge, Mission, or Outreach Ministry shall create a full- or part-time paid accountable ministry position, without the approval of the Presbytery. (2007)

- (a) Normally a paid accountable ministry position will be created by the declaration of a Vacancy by the Presbytery in response to the report and recommendations of a Joint Needs Assessment Committee. In exceptional circumstances a Pastoral Charge may be able to identify to the satisfaction of the Presbytery a need for a paid accountable ministry position as a result of some other form of assessment. (2007)
- (b) The Pastoral Charge shall satisfy the Presbytery that the position description is adequate, and meets the fair employment standards of the United Church, including those relating to salary, allowances, benefits, and hours of work. The Presbytery shall determine the minimum qualifications required to fill the position. (2007)
- (c) Where accountability to the wider church is warranted, the Presbytery may designate the position as one to be filled by a member of the Order of Ministry or a Designated Lay Minister. If the Presbytery declares a Vacancy, that Vacancy shall be filled either by a member of the Order of Ministry or by a Designated Lay Minister, through a Joint Search Committee process. (2007)
- (d) Where circumstances indicate, the Presbytery shall have the authority, when not declaring a Vacancy or when acting to meet an unfilled Vacancy, to appoint for a specified term one of the following: a Designated Lay Minister; a Candidate Supply, Intern Supply, or Student Supply; a Diaconal Supply or Ordained Supply; or a retired or other United Supply. The term of such an appointment shall not extend beyond June 30th of each year without the prior consent of the Conference Settlement Committee. (2007)
- (e) Where supervision, oversight, and support by the Pastoral Charge is appropriate, where the proposed length of service and other contextual considerations are not such as to warrant a lengthy discernment process or significant additional education or training, and where the desired competencies are available from local lay members, the Presbytery may designate the position as one to be filled by a member of the Order of Ministry or a Congregational Designated Minister. The position shall be filled through a search process to be determined by the Official Board or Church Board or Church Council. That person shall be appropriately qualified according to the policies approved by the General Council or its Executive. (2007)

**Procedures within the Pastoral Charge**

042 Consultation with Presbytery. The Presbytery Pastoral Relations Committee shall be available to members of the Pastoral Charge and to Ministry Personnel for consultation and advice regarding the pastoral relationship. Such consultations shall be considered confidential and the matters discussed shall not be disclosed unless permission is granted by the persons providing such information, except in such cases where the safety or well-being of individuals would be jeopardized, when the matter shall be taken to the Presbytery.

- 043 Application for Settlement. **A member of the Order of Ministry, a Pastoral Charge at a meeting properly called to consider the pastoral relationship, any other Presbytery Accountable Ministry, or any other Presbytery Recognized Ministry may decide to apply through the Presbytery to be settled by the Settlement Committee. All such applications shall be in writing.** (Basis 9.5)
- 044 Co-operation during Change. In any case of a proposed change in the pastoral relationship, it is recommended that the Pastoral Charge and the Ministry Personnel co-operate in the effort to secure reasonable provision for the future of both the Pastoral Charge and the Ministry Personnel.
- 045 Change of Pastoral Relationship for Cause. Where it is asserted that there is cause for a change of pastoral relationship, the appropriate oversight, discipline, and conflict resolution processes must be followed to seek a change of pastoral relationship. Only the Presbytery is competent to change a pastoral relationship for cause, and it may do so only at the conclusion of due processes of oversight, discipline, and conflict resolution.
- 046 Notice of Request by Ministry Personnel for Change of Pastoral Relationship. Ministry Personnel may, by written notice both to the Secretary of the Official Board or Church Board or Church Council and to the Secretary of the Presbytery, request a change of pastoral relationship in order: to end the relationship to be available for call, settlement, or appointment; to be retained on the roll; to retire; or to resign from the Order of Ministry. The notice shall propose an effective date at least ninety (90) days following the date on which such notice is deemed to have been received in accordance with section 003. The notice may request an earlier effective date, subject to the approval both of the Pastoral Charge and of the Presbytery.
- 046.1 Pastoral Charge Decision to Request Ending of Pastoral Relationship Without Cause. A Pastoral Charge may, by Decision of a meeting of the Pastoral Charge, request ending of a pastoral relationship without cause. The meeting shall be called and convened in accordance with sections 047, 048, and 049. The Decision shall be made by a majority vote of those in full membership who are present and voting. The Decision shall propose an effective date at least ninety (90) days following the date of the meeting. The Decision may propose an earlier effective date, subject to the approval of the Presbytery. The secretary of the meeting shall immediately give notice of the Decision to: each Ministry Personnel in pastoral relationship with the Pastoral Charge; all employees of the Pastoral Charge; and the Secretary of the Presbytery.
- 047 Notice of Meeting. Notice shall be given for every meeting called to consider the pastoral relationship. The notice for any such meeting shall specify the object of the meeting.

- (a) When the object of the meeting is:
- i. to consider making a Decision whereby the Pastoral Charge or Congregation requests ending of a pastoral relationship without cause; or
  - ii. to consider any other matter dealing with the pastoral relationship and not specified in subsection (b);

(2007)

notice of the meeting shall be read during public worship and may also be inserted in the printed order of worship of the Pastoral Charge or Congregation, on each of the two (2) preceding Sundays on which public worship is held. For greater clarity, the earliest time at which the meeting may take place is on the day immediately following the second Sunday at which the notice of meeting was read during public worship. Before notice of such meeting is made public, written notice shall be given to the Secretary of the Presbytery and the Ministry Personnel settled in or appointed to that Pastoral Charge. The Secretary of the Presbytery shall promptly inform the Presbytery Pastoral Relations Committee.

- (b) When the object of the meeting is:
- i. to appoint representatives of the Pastoral Charge to a Joint Needs Assessment Committee;
  - ii. to appoint representatives in full membership of the Pastoral Charge to a Joint Search Committee; or
  - iii. to receive and to act upon a report of the Joint Search Committee;

notice of the meeting shall be read during public worship and may also be inserted in the printed order of worship of the Pastoral Charge or Congregation, on each of two (2) successive Sundays on which public worship is held before the meeting. For greater clarity, the earliest time at which the meeting may take place is immediately following the public worship at which the notice of meeting was read for the second time. Before notice of such meeting is made public, written notice shall be given to the Secretary of the Presbytery and the Ministry Personnel settled in or appointed to that Pastoral Charge. The Secretary of the Presbytery shall promptly inform the Presbytery Pastoral Relations Committee.

048 Chairperson. A meeting of the Pastoral Charge called to consider the pastoral relationship shall be chaired by the Convenor of the Presbytery Pastoral Relations Committee or their appointee.

049 Opportunity to Respond. Ministry Personnel settled in or appointed to a Pastoral Charge shall be given an opportunity to answer any questions, complaints, or objections, and to speak to the pastoral relationship(s), at a meeting of the Pastoral Charge or Official Board or Church Board or Church Council, before any vote is taken regarding the advisability of requesting a change in the pastoral relationship.

- 050 Needs Assessment Initiation. The Presbytery is authorized to initiate needs assessment by a Joint Needs Assessment Committee in response to:
- (a) discipline or oversight of Ministry Personnel, of Pastoral Charges, or of their pastoral relationships;
  - (b) a request by Ministry Personnel for a change of pastoral relationship in order: to end the relationship to be available for call, settlement, or appointment; to be retained on the roll; to retire; or to resign from the Order of Ministry;
  - (c) a Decision by a Pastoral Charge to request ending of a pastoral relationship without cause;
  - (d) recognition by the Presbytery either of incapacity of Ministry Personnel through disability or of the death of Ministry Personnel, requiring a change of pastoral relationship;
  - (e) a request for needs assessment either by a Pastoral Charge or its Official Board or Church Board or Church Council or by Ministry Personnel in pastoral relationship with the Pastoral Charge; or
  - (f) a Pastoral Charge considering a reduction or increase in the number of Ministry Personnel positions and/or a change in the percentage of time specified in the terms of any existing call, settlement, or appointment.

- 050.1 Request to Review Ministry Personnel Needs. Review of Ministry Personnel needs through Presbytery initiation of needs assessment may be requested by written notice to the Secretary of the Presbytery by:

- (a) a meeting of a Pastoral Charge called to consider the pastoral relationship;
- (b) any regular meeting of a Pastoral Charge or its Official Board or Church Board or Church Council; or
- (c) Ministry Personnel in pastoral relationship with the Pastoral Charge.

Notice of the request shall be given, by the person forwarding the request, to the Secretary of the Official Board or Church Board or Church Council of the Pastoral Charge, to each Ministry Personnel in pastoral relationship with the Pastoral Charge, and to each employee of the Pastoral Charge.

- 051 Limitation on Changing Terms of Pastoral Relationship. Neither a Pastoral Charge or its Official Board or Church Board or Church Council nor Ministry Personnel in pastoral relationship with the Pastoral Charge may change the terms of a pastoral relationship to the apparent detriment either of the Pastoral Charge or of the Ministry Personnel in pastoral relationship with the Pastoral Charge, except upon the recommendation of a Joint Needs Assessment Committee and with the approval of the Presbytery.

- 051.1 Limitation on Declaration of Vacancy. A Vacancy may be declared only after a needs assessment has been completed to the satisfaction of the Presbytery.

## 052 Joint Needs Assessment Committee.

- (a) Membership. The Joint Needs Assessment Committee shall include:
  - i. two (2) representatives of the Presbytery appointed by the Presbytery Pastoral Relations Committee; and
  - ii. representatives of the Pastoral Charge, appointed by the membership of the Pastoral Charge or by the Official Board or Church Board or Church Council of the Pastoral Charge.
- (b) Committee Process. The first meeting of the Joint Needs Assessment Committee shall be convened by a Presbytery representative, and shall fix its own quorum, which shall in no case be lower than two (2), including representatives of both the Presbytery and the Pastoral Charge. The Committee shall determine its own process and may delegate tasks beyond its membership.
- (c) Mandate. The mandate of the Joint Needs Assessment Committee is to study and to report on the Ministry Personnel needs of the Pastoral Charge, through an open and participatory process of information gathering and analysis, concluding with adoption and presentation to the Official Board or Church Board or Church Council of the Pastoral Charge of a report including summary statements of:
  - i. the community of the Pastoral Charge;
  - ii. the ministry of the Pastoral Charge;
  - iii. the resources of the Pastoral Charge, including manse report;
  - iv. the position descriptions addressed by any recommendations;
  - v. the skills and knowledge required of Ministry Personnel; and
  - vi. the terms that may be offered to implement any recommendations.
- (d) Recommendations. The Joint Needs Assessment Committee shall make recommendations to the Official Board or Church Board or Church Council of the Pastoral Charge. Recommendations may include:
  - i. that the Presbytery be requested to approve changes in the terms of existing pastoral relationships;
  - ii. that the Presbytery be requested to declare a Vacancy;
  - iii. that the Presbytery be requested to appoint an Interim Minister;
  - iv. that the Presbytery be requested to appoint a Supply for up to one (1) year; and
  - v. that no change be made to existing pastoral relationships.
- (e) Circulation. The written report and recommendations of the Joint Needs Assessment Committee, together with notice of the meeting of the Official Board or Church Board or Church Council of the Pastoral Charge at which the report and recommendations will be presented, shall be circulated to all Ministry Personnel in pastoral relationship with the Pastoral Charge and to all members of the Official Board or Church Board or Church Council of the Pastoral Charge.
- (f) Official Board Meeting. The meeting of the Official Board or Church Board or Church Council at which the report and recommendations of the Joint Needs Assessment Committee are to be presented shall take

place not sooner than two (2) days after the report and recommendations are deemed in accordance with section 003 to have been received by all Ministry Personnel in pastoral relationship with the Pastoral Charge and all members of the Official Board or Church Board or Church Council of the Pastoral Charge.

- (g) Presentation of Report and Recommendation. The Joint Needs Assessment Committee shall present its report and recommendations to the Official Board or Church Board or Church Council of the Pastoral Charge.

**053** Official Board Action in Response to Needs Assessment. Where a Joint Needs Assessment Committee presents a report under subsection 052(g), the Official Board or Church Board or Church Council of the Pastoral Charge shall:

- (a) make a decision:
  - i. to adopt the recommendations;
  - ii. to amend the recommendations;
  - iii. to make alternative recommendations;
  - iv. to refer the report back to the Joint Needs Assessment Committee for clarification; or
  - v. to recommend that no action be taken by the Pastoral Charge;
- (b) immediately notify all Ministry Personnel in pastoral relationship with the Pastoral Charge of its decision; and
- (c) present its decision, together with a summary of the report and recommendations of the Joint Needs Assessment Committee, to a meeting of the Pastoral Charge called and convened in accordance with sections 047, 048, and 049. Copies of the full report and recommendations of the Joint Needs Assessment Committee shall be made available when requested.

**053.1** Pastoral Charge Action in Response to Needs Assessment. Where an Official Board or Church Board or Church Council of a Pastoral Charge has made a decision in response to a Joint Needs Assessment Committee report and recommendations, and has presented its decision to a meeting of the Pastoral Charge called and convened in accordance with sections 047, 048, and 049, the meeting shall:

- (a) make a decision:
  - i. to adopt the recommendations;
  - ii. to amend the recommendations;
  - iii. to make alternative recommendations;
  - iv. to refer the decision back for clarification; or
  - v. to recommend that no action be taken by the Pastoral Charge;
- (b) immediately notify the Presbytery Pastoral Relations Committee and all Ministry Personnel in pastoral relationship with the Pastoral Charge of its decision;

- (c) where the decision recommends that the Presbytery be requested to approve changes in the terms of existing pastoral relationships, authorize one (1) or more representatives to confirm terms upon approval of both the Presbytery and the Ministry Personnel in the pastoral relationships within which changed terms are proposed;
- (d) where the decision recommends:
  - i. that the Presbytery be requested to declare a Vacancy; or
  - ii. that the Presbytery be requested to appoint a Supply for up to one (1) year;  
either name its representatives to any proposed Joint Search Committee or authorize the Official Board or Church Board or Church Council to do so; and
- (e) where the decision recommends that the Presbytery be requested to appoint an Interim Minister, either name its representatives to any proposed Interim Ministry Transition Committee or authorize the Official Board or Church Board or Church Council to do so.

#### 054 Joint Search Committee.

- (a) Membership. The Joint Search Committee shall include:
  - i. two (2) representatives of the Presbytery appointed by the Presbytery Pastoral Relations Committee; and
  - ii. representatives in full membership of the Pastoral Charge, appointed by the membership of the Pastoral Charge or by the Official Board or Church Board or Church Council of the Pastoral Charge.
- (b) Committee Process. The first meeting of the Joint Search Committee shall be convened by a Presbytery representative, and shall fix its own quorum, which shall in no case be lower than two (2), including representatives of both the Presbytery and the Pastoral Charge. The Committee shall determine its own process. Its proceedings shall be confidential.
- (c) Mandate. The mandate of the Joint Search Committee is determined by the Decisions of the Presbytery authorizing Ministry Personnel search and selection based upon a needs assessment report and recommendations and Pastoral Charge decisions.
- (d) Recommendations. Before making any recommendation of a person to the Pastoral Charge, the Joint Search Committee shall receive from that person, at that person's expense, a current vulnerable sector (level 2) police records check. The Joint Search Committee shall recommend terms of covenant with one (1) person for each Vacancy. Where the appointment of a Supply for up to one (1) year is recommended, the recommendation may be presented either to the Official Board or Church Board or Church Council for approval on behalf of the Pastoral Charge or to a meeting of the Pastoral Charge called and convened in accordance with sections 047, 048, and 049. Other recommendations of a Joint Search Committee shall be presented to a meeting of the Pastoral Charge called and convened in accordance with sections 047, 048, and



049. The name of only one (1) eligible person may be recommended at any one time for each authorized pastoral relationship. (2007)

**054.1** Interim Ministry Transition Committee.

- (a) Membership. The Interim Ministry Transition Committee shall include:
  - i. one (1) or two (2) representatives of the Presbytery appointed by the Presbytery Pastoral Relations Committee; and
  - ii. five (5) to seven (7) representatives in full membership of the Pastoral Charge, appointed by the membership of the Pastoral Charge or by the Official Board or Church Board or Church Council of the Pastoral Charge.
- (b) Committee Process. The first meeting of the Interim Ministry Transition Committee shall be convened by a Presbytery representative, and shall fix its own quorum, which shall in no case be lower than four (4), including at least one (1) representative of the Presbytery and at least three (3) representatives of the Pastoral Charge. The Committee shall determine its own process.
- (c) Review and Evaluation. During the period of the Interim Ministry, the Interim Ministry Transition Committee shall:
  - i. review and develop the goals of the Interim Ministry, and monitor and evaluate activities that enable the Pastoral Charge to work on those goals;
  - ii. be represented on the Official Board or Church Board or Church Council for purposes of liaison and reporting, including progress reports;
  - iii. participate in the evaluation of the Interim Ministry at its conclusion; and
  - iv. participate in the evaluation of the work of the Interim Minister at the conclusion of the Interim Ministry.

The Interim Ministry Transition Committee does not replace the Ministry and Personnel Committee of the Official Board or Church Board or Church Council. (2007)

**055** Extension of Call. A Pastoral Charge, with a Vacancy declared by a Decision of the Presbytery, may extend a call to any eligible member of the Order of Ministry.

- (a) Ineligibility. Those not eligible to receive a call are:
  - i. Candidates for the Order of Ministry;
  - ii. members of the order of ministry of another denomination;
  - iii. members of the Order of Ministry who have retired; and
  - iv. a commissionand to the diaconal ministry of education, service, and pastoral care, or an ordinand, who shall be under the authority of the Transfer Committee and the Settlement Committees for the first placement following commissioning to the diaconal ministry of

education, service, and pastoral care, or ordination, unless exempted under subsection 029(j). (2007)

- (b) Eligibility of Retiree. A retired member of the Order of Ministry may apply to the Conference through the Presbytery for active standing and, if the application is approved by Conference, is eligible to accept a call.

**056** Right to Extend a Call. A Pastoral Charge receiving a Mission Support grant has the right to extend a call to a member of the Order of Ministry. A Mission shall be served by a person appointed by the Presbytery.

**057** Settlement. A Pastoral Charge, with a Vacancy declared by a Decision of the Presbytery, and with the approval of the Joint Search Committee, may submit to the Conference Settlement Committee the names of several members of the Order of Ministry, the settlement of any one of whom would be acceptable to it. When the Pastoral Charge has submitted such a list, the Conference Settlement Committee may choose from among those members of the Order of Ministry the individual who, after giving consent, shall be settled in the Pastoral Charge.

### **Procedures by the Presbytery**

(See also sections 350 to 357, and section 389.)

**058** Presbytery Action in Response to Needs Assessment. When the Presbytery has received any needs assessment report and decisions of Pastoral Charges in response to such reports and their recommendations, the Presbytery shall:

- (a) confirm that sections 050, 050.1, 052, 053, and 053.1 have been complied with;
- (b) make a Decision regarding the report and the decisions of the Pastoral Charge:
  - i. to adopt the recommendations;
  - ii. to amend the recommendations;
  - iii. to make alternative recommendations;
  - iv. to refer the decision back for clarification; or
  - v. to recommend that no action be taken by the Pastoral Charge;
- (c) where changes in the terms of existing pastoral relationships are approved, authorize one (1) or more representatives to confirm terms upon approval of both the Pastoral Charge and the Ministry Personnel in the pastoral relationships within which changed terms are proposed, and specify if the change requires an act of covenant;
- (d) where the request that the Presbytery appoint an Interim Minister is approved:
  - i. appoint two (2) representatives to an Interim Ministry Transition Committee to recommend an appointment; or

- ii. appoint one (1) or more representatives to work with the Official Board or Church Board or Church Council of the Pastoral Charge to recommend an appointment;  
and specify whether the appointment requires an act of covenant;
- (e) where the request that Presbytery appoint a Supply for up to one (1) year is approved:
  - i. appoint two (2) representatives to a Joint Search Committee to recommend an appointment; or
  - ii. appoint one (1) or more representatives to work with the Official Board or Church Board or Church Council of the Pastoral Charge to recommend an appointment;  
and specify whether the appointment requires an act of covenant; and (2007)
- (f) where a Vacancy is declared, appoint two (2) representatives to a Joint Search Committee to recommend a settlement, call, or appointment, which shall require an act of covenant.

059 Pastoral Relationship. It shall be the duty of the Presbytery, in all cases of full-time ministry or part-time ministry:

- (a) to receive notice of the intention of a Pastoral Charge to hold a meeting to consider the pastoral relationship, and promptly to inform the Convenor of the Presbytery Pastoral Relations Committee;
- (b) to ensure that the Convenor of the Presbytery Pastoral Relations Committee or their appointee chairs any meeting of the Pastoral Charge or the Official Board or Church Board or Church Council called to consider the pastoral relationship;
- (c) to receive a request in writing from a member of the Order of Ministry or from a Pastoral Charge for a change in the pastoral relationship, and to transmit such request to the Presbytery Pastoral Relations Committee;
- (d) where notice of request by Ministry Personnel for change of pastoral relationship is received:
  - i. to confirm that section 046 has been complied with;
  - ii. to review or initiate any relevant discipline or oversight processes; and
  - iii. to review any relevant disability concerns;and, after having performed those duties:
  - iv. to make a Decision on whether to approve ending the pastoral relationship as of a stated date; and
  - v. to initiate needs assessment in the Pastoral Charge;
- (e) where notice of Pastoral Charge Decision to request ending of a pastoral relationship is received:
  - i. to confirm that section 046.1 has been complied with;
  - ii. to review or initiate any relevant discipline or oversight processes;
  - iii. to review any relevant disability concerns; and

- iv. to review the most recent Pastoral Charge needs assessment report, if any;
- and, after having performed those duties:
- v. to make a Decision on whether to approve ending the pastoral relationship as of a stated date; and
- vi. to initiate needs assessment in the Pastoral Charge;
- (f) to make any representations deemed advisable to the member of the Order of Ministry or the Pastoral Charge, and to consult with either or both of them;
- (g) to receive the report of the Presbytery Pastoral Relations Committee and to make a Decision regarding dissolving the pastoral relationship or declaring a Vacancy in the Pastoral Charge;
- (h) to notify the Pastoral Charge and the members of the Order of Ministry settled in or appointed to the Pastoral Charge of the Decisions of the Presbytery;
- (i) to receive notification from the Official Board or Church Board or Church Council of a Pastoral Charge of its intention to assess its Ministry Personnel needs in terms of numbers of positions, and immediately to inform the Presbytery Pastoral Relations Committee; and
- (j) promptly to notify the Chairperson and Secretary of the Settlement Committees concerned and the appropriate General Council working unit of the Presbytery action with regard to each Vacancy in a Pastoral Charge and each application for transfer, specifying the effective date.

**060** Calls. It shall be the duty of the Presbytery:

- (a) to receive copies of the call form from a Pastoral Charge within its jurisdiction issuing a call to a member of the Order of Ministry and, when the member of the Order of Ministry being called is a member of another Presbytery, to transmit forthwith the appropriate copy of the call to that Presbytery;
- (b) to transmit the Presbytery copy of the call form to the Presbytery Pastoral Relations Committee for consideration of the terms of the call. The Presbytery Pastoral Relations Committee shall recommend to the Presbytery that the call be transmitted to the Settlement Committees concerned, with its recommendations; and
- (c) to transmit a copy of the call form, the acceptance of call form, and, where applicable, the manse information form, with notation of the Presbytery action, to the Settlement Committees concerned and to the appropriate General Council working unit.

(2007)

**061** Act of Covenant. **It shall be the duty of Presbytery to provide an Act of Covenant through which a new relationship is established between an individual and a Pastoral Charge, the Presbytery itself, or a United Church related ministry accountable to the Presbytery.** (Basis 6.4.8)

- (a) It shall be the duty of the Presbytery to ensure that a member of the Order of Ministry who has accepted a call has been settled in the Pastoral Charge by the Conference Settlement Committee, before the Presbytery observes the new relationship with an act of covenant. (2007)
- (b) When the Secretary of the Presbytery has received notification in writing from the Chairperson or Secretary of the Conference Settlement Committee that a member of the Order of Ministry has been settled in a recognized full-time ministry or part-time ministry in one of its Pastoral Charges (the Warrant to Covenant), the Presbytery or a Commission thereof, in consultation with the Pastoral Charge and the member of the Order of Ministry, shall fix a time for the service of covenant and shall cause notice to be given to the people of the Pastoral Charge and to the members of the Presbytery.
- (c) At the time appointed, the people being assembled, the Chairperson of the Presbytery or their appointee shall conduct public worship. The action of the Conference Settlement Committee approving the settlement of the member of the Order of Ministry in the Pastoral Charge or other employing agency (the Warrant to Covenant) shall be read. Upon satisfactory answers being received to the prescribed questions, the Presiding Officer shall witness to the covenant, making a statement appropriate to the covenant being created between the member of the Order of Ministry, the Pastoral Charge, agency, or institution, and the Presbytery. The worship service should include a sermon in which it is appropriate to remind all those present of the responsibilities and rights that the covenant relationship creates among all parties.

**062** Appointments. It shall be the duty of the Presbytery, when appropriate:

- (a) to appoint an individual to a Pastoral Charge, Mission, or Outreach Ministry. Before making any appointment, for any person it proposes to appoint, the Presbytery shall receive from that person, at that person's expense, a current vulnerable sector (level 2) police records check. In the case of retired Ministry Personnel to be appointed within the Presbytery of which they are a member, a vulnerable sector (level 2) police records check that has been issued within the past three (3) years shall satisfy this requirement; (2007)
- (b) immediately upon the action of the Presbytery, to transmit a copy of the Presbytery appointment form to the Conference Settlement Committee and to the appropriate General Council working unit;
- (c) immediately to request a change in Presbytery membership when the individual being appointed is a member of another Presbytery; and
- (d) to provide for an act of covenant where a new pastoral relationship is established by an appointment of six (6) months or longer.

**063** Death or Disability. **It shall be the duty of the Presbytery to consult at the earliest possible date with a Pastoral Charge or the Official Board or Church Board or Church Council when the person serving as Ministry Personnel dies, is disabled, or is unable to perform their duties due to an**

emergency. The Presbytery shall ensure that appropriate arrangements for pastoral care are made. (Basis 6.4.12)

### Procedures by the Conference

(See also sections 440 to 454.)

064

It shall be the duty of the Conference, through its Settlement Committee:

- (a) **to see that, as far as reasonably possible, every Pastoral Charge shall have a pastorate without interruption, and that, as far as reasonably possible, every effective member of the Order of Ministry shall have a Pastoral Charge;** (Basis 7.6.4)
- (b) to consider recommendations from Presbyteries with respect to each call extended to a member of the Order of Ministry by a Pastoral Charge, together with such representations as may have been made concerning it, and to make a decision with respect to the settlement of the member of the Order of Ministry on that Pastoral Charge; and (2007)
- (c) to be guided by the following provisions of the Basis of Union:
  - i. **A member of the Order of Ministry shall have the right to appear before the Settlement Committee to present his or her case in regard to his or her request for settlement. A Pastoral Charge, or Official Board or Church Board or Church Council when authorized by the Pastoral Charge, may appoint no more than two (2) persons, who are members in good standing of that Pastoral Charge, to represent it before the Settlement Committee regarding a request for settlement. Such representatives shall be authorized at a meeting properly called to consider the pastoral relationship and such authorization shall be in writing. Any other Presbytery Accountable Ministry or Presbytery Recognized Ministry may appoint in writing no more than two (2) persons to represent it before the Settlement Committee regarding a request for settlement.** (Basis 9.6)
  - ii. **A Pastoral Charge, where a Vacancy has been declared by the Presbytery, may extend a call to a member of the Order of Ministry who is eligible for call, but the right of settlement shall rest with the Settlement Committee, which shall, in each case, make a Decision and report to the Conference for information only.** (Basis 9.6.1)
  - iii. **While the right of settlement shall rest with the Settlement Committee, it shall comply as far as possible with the expressed wishes of members of the Order of Ministry and of Pastoral Charges, other Presbytery Accountable Ministries, and other Presbytery Recognized Ministries.** (Basis 9.6.2)
  - iv. **When a member of the Order of Ministry chosen by a Pastoral Charge, other Presbytery Accountable Ministry, or other Presbytery Recognized Ministry cannot be settled, the Pastoral Charge, or its Official Board or Church Board or Church Council if so authorized by the Pastoral Charge, Presbytery**

**Accountable Ministry, or Presbytery Recognized Ministry may place another name before the Settlement Committee.** (Basis 9.7.2)

- v. **While settlements shall ordinarily be made at the annual meeting, the Settlement Committee shall have authority, through its Executive, to effect settlements during the Pastoral Year.** (Basis 9.4.3)

## RESOLUTION OF CONFLICTS

### 065 Principles.

- (a) Whenever there is a conflict between or among people in the body of Christ, there is pain and anxiety on all sides. Such conflicts arise because of strongly held and differing ideas, violations of personhood or other rights, and the personal and corporate frailty that we share with all humanity. When such conflicts go unresolved, the body suffers wounds. The longer the body so suffers, the deeper the wounds go; at the same time, energy is distracted from the calling to be in mission. In all of this, the Lord is scandalized.
- (b) We believe that the church is called not only to resolve conflict but also to deal pastorally with the pain that conflict causes. Compassionate love is the true test of qualities such as forgiveness, wholeness, and humility. Equally important is the imperative of justice, which, as a measure of faithfulness, must not only be done but also be seen to be done. There can be no shalom without justice.
- (c) Basic to these procedures is the intention that, wherever possible, conflicts be clarified and resolved as quickly and as fairly as possible. The intention of the informal phase is to provide an atmosphere for the harmonious resolution of disputes and to prevent the opening and deepening of wounds unnecessarily. If informal action is successful, the healing process is made easier.
- (d) We recognize that harmonious reconciliation is not always possible. All must be aware however that, in moving to a formal process, parties must abide by exacting evidentiary rules and be prepared to bear the cost. Neither compassion nor justice is served by endless informality, hearsay allegations, and unclear procedures. The formal process presumes that a third party must rule because trust, goodwill, and readiness to find a way through have failed.
- (e) Even so, those engaged in formal appeals or grievance procedures within the United Church should never lose sight of the fact that, individually and collectively, all are accountable to and under the overall authority of Jesus Christ.
- (f) The following procedures are rooted in the Judaeo-Christian tradition of compassion and justice, of prophesy and priesthood, of law and gospel. (Matthew 18:15ff; 2 Corinthians 5:18; 1 Corinthians 12:26; Micah 6:8)

- 066 Discipline. Discipline is an exercise of that spiritual authority which the Lord Jesus has appointed in his holy church. Discipline is to be exercised for the purpose of maintenance of the wholeness of the church, the spiritual benefit of the members, and the honour of our Lord. The standards by which discipline is to be exercised within the United Church are those standards that are perceived in the Holy Scriptures as set forth in the Old and New Testaments and the faith and practice set forth in the Basis of Union that are in substance agreeable to the Word of God.
- 067 Primary Courts. The primary Courts of accountability and discipline are:
- (a) the Session or Church Board or Church Council, in the case of a member or office bearer of the Congregation or any other congregational appointee other than a Congregational Designated Minister; (2007)
  - (b) in the case of a Congregational Designated Minister, the Official Board or Church Board or Church Council in respect of accountability, and the Presbytery in respect of discipline; (2007)
  - (c) the Presbytery, in the case of a Pastoral Charge or of a member of the Order of Ministry, a Candidate for the ministry, a Designated Lay Minister, or any other Presbytery appointee; (2007)
  - (d) the Conference, in the case of a Presbytery or of a Conference appointee not included in subsections (a), (b), or (c); and (2007)
  - (e) the General Council, in the case of a Conference or of a General Council appointee not included in subsections (a), (b), (c), or (d). (2007)
- 068 Early Resolution. When a difficulty, dispute, grievance, or problem arises, the primary assumption on which these procedures are set forth for the resolution of such a situation is that the actions taken by those first involved will resolve the situation so that no further action will be necessary.
- 069 Further Action. Should further action be necessary, it should be initiated in the appropriate primary Court.
- 070 First Consideration. Where a conflict arises, whether or not as the result of a Decision, the immediately affected parties should consider the matter and if possible agree to proposed actions. To assist in the consideration and implementation of proposed actions, consultation may be entered into with appropriate persons and Committees. Although persons are entitled to representation by advocates or legal counsel at any stage, it is the hope of the United Church that conflicts will be resolved without such representation, at least to the point of the Formal Hearing.
- 071 Specified Procedures.
- (a) In matters of entering or terminating a pastoral relationship, the procedures set out in sections 042 to 064, 350 to 357, 360 to 368, and 389 are to be followed.



GENERAL

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- (b) In matters of property, the provisions of the Trusts of the Model Deed (Appendix II) and sections 250 to 272, 334 and 335, and 391, and subsection 505(j) are to be followed.
- (c) In matters of Sexual Abuse, the procedures approved from time to time by the General Council and available from the General Council office are to be followed. (2007)
- (d) There shall be the right of appeal under subsections (a) and (b), except with respect to:
  - i. elections;
  - ii. Decisions about an individual with respect to the inquiry or candidacy process;
  - iii. Decisions about an individual with respect to the recognition process for Congregational Designated Ministers or Designated Lay Ministers; (2007)
  - iv. Decisions about an individual with respect to the admission or re-admission process; (2007)
  - v. initiation of calls and settlements;
  - vi. initiation of appointments;
  - vii. implementation of a Decision pending an Appeal;
  - viii. determination of whether an Appeal meets the requirements for an Appeal hearing;
  - ix. acceptance or rejection of a medical certificate;
  - x. a Decision by a Pastoral Charge to request a change in the pastoral relationship;
  - xi. the disposition by a Presbytery of a request from a member of the Order of Ministry for a change in the pastoral relationship;
  - xii. a Decision by a Court whether to hold a Formal Hearing;
  - xiii. a Decision by a Formal Hearing Committee whether to hold a Formal Hearing;
  - xiv. a Decision by a Court to make a complaint; or
  - xv. a Decision by a Presbytery to initiate a review of the situation under subsection 363(c).

Although a Decision about an individual with respect to the inquiry or candidacy process, the recognition process for Congregational Designated Ministers or Designated Lay Ministers, or the admission or re-admission process, may not be appealed, the individual may request that the appropriateness of the procedures used to arrive at the Decision be addressed through the General Council's approved policies and procedures for conflict resolution, other than a Formal Hearing. The individual may appeal the appropriateness of the procedures used to arrive at the Decision, but only if the matter is not resolved through the policies and procedures for conflict resolution. (2007)

072 Making a Complaint.

- (a) Any member, Adherent, or employee of the United Church, its Congregations, Presbyteries, Conferences, and related agencies, or any person who is Ministry Personnel, who has personal knowledge of an act or omission by a member, an Adherent, a Candidate for the ministry, or a person who is Ministry Personnel, that is a proper ground of discipline, may make a complaint, in writing, before the Session or Church Board or Church Council, the Presbytery, the Conference, or the General Council, as the case may be. (2007)
- (b) If a Court has reasonable and probable grounds for believing that an act or omission that is a proper ground of discipline has occurred, such Court may make a complaint as provided in subsection (a). (2007)
- (c) Any complaint made by a Court shall be heard by the next higher Court. A complaint made by the General Council shall be heard by the Judicial Committee.
- (d) The United Church seeks to protect from abuse not only its own members and Adherents but also all persons who avail themselves of the pastoral or professional services of the United Church. Therefore any person who is not a member or an Adherent, who has sought out the professional or pastoral services of employees or Ministry Personnel of the United Church as cited above for purposes of pastoral care, counselling, marriage workshops, day care, etc., has the right not to be abused in any way. Such person is also extended the right to full protection of the policies and procedures of the United Church for the addressing of such matters, and may therefore make a complaint within the Courts of the United Church.
- (e) When in receipt of a complaint of Sexual Abuse, the appropriate Court shall immediately consult the policies and procedures for dealing with such cases, approved from time to time by the General Council and available from the General Council office, and shall follow the procedures outlined. (2007)

073 Sexual Abuse and Child Abuse.

- (a) The United Church will not tolerate, and will seek to eradicate, any behaviour by its members, lay and Order of Ministry, Adherents, or employees that constitutes Sexual Abuse or child abuse. (2007)
- (b) The United Church is committed to providing a safe environment for worship, work, and study in all Pastoral Charges, Congregations, institutions, agencies, organizations, or other bodies that operate under its name. Complaints of Sexual Abuse or child abuse will be taken seriously and will be dealt with in a spirit of compassion and justice. (2007)
- (c) The General Council has approved policies and procedures to deal with complaints of Sexual Abuse. These policies and procedures shall be available from the General Council office and shall be made easily available to any Court or other body of the United Church, which shall consult the approved policies and procedures before taking any action on a complaint of Sexual Abuse. (2007)

074 Conflict Resolution. The General Council has approved policies and procedures to deal with the resolution of conflicts. These policies and procedures must be used:

- (a) in each case where a written complaint has been received by the appropriate Court; and
- (b) before a Formal Hearing can take place with respect to a written complaint.

These policies and procedures may be used with respect to any complaints or conflicts except complaints of Sexual Abuse in which case the policies and procedures referred to in section 073 shall be used. These policies and procedures shall be available from the General Council office and shall be made easily available to any Court or other body of the United Church. (2007)

075 Formal Hearing.

- (a) Initiation. A Formal Hearing shall be held by the Session or Church Board or Church Council, the Presbytery, the Conference, or the General Council with regard to their respective areas of jurisdiction:
  - i. in any case where the Court orders a Formal Hearing;
  - ii. for complaints of Sexual Abuse, when requested by the complainant or the respondent; and (2007)
  - iii. for all other kinds of complaints, when requested by a Party to the complaint, but only if the Formal Hearing Committee decides as provided in subsection (d) that it is in the best interests of the Parties to the complaint and of the United Church for a Formal Hearing to be held.

- (b) Appointment of Committee. The appropriate Court shall appoint a Formal Hearing Committee of three (3) to five (5) members of the United Church, and shall name the Chairperson and the Secretary of the Committee. In a case of Sexual Abuse, at least one-half (1/2) of the members of the Committee shall be of the same sex as the complainant, and the Committee membership shall include both women and men; those appointed to the Committee should be or become familiar with the issues related to Sexual Abuse. (2007)

- (c) Terms of Reference. In all Formal Hearings, the following shall be stated by the appropriate Court or, in the case of a Formal Hearing before the Judicial Committee of the General Council, by the Executive of the Judicial Committee:
  - i. the issues to be considered;
  - ii. the limits of the authority of the Committee;
  - iii. the resources, financial and other, available;
  - iv. the time within which the Formal Hearing is to be held; and
  - v. the date by which the Committee is to report.
- (d) For any complaint other than a complaint of Sexual Abuse, a Party to the complaint may request a Formal Hearing by giving, in accordance with section 003, a written request to the Secretary of the Court to which the complaint was made. The request shall contain the arguments

in support of a Formal Hearing being held. The Party requesting a Formal Hearing shall give, in accordance with section 003, a copy of the request to the other Party to the complaint within seven (7) days of making the request to the Court. If the other Party to the complaint wishes to make a reply to the request, the reply shall be given, in accordance with section 003, to the Secretary of the appropriate Court and to the Party requesting the Formal Hearing, within thirty (30) days after the other Party to the complaint is deemed to have received a copy of the request for a Formal Hearing. The Formal Hearing Committee shall review the request and the reply, if any, and shall make a Decision either to hold a Formal Hearing with respect to the complaint because it would be in the best interests of the Parties and of the United Church to do so, or to refuse to hold a Formal Hearing because it would not be in the best interests of either or both of the Parties or of the United Church to do so. Notice of such Decision shall be given in writing to the Parties concerned and, in the case of a Decision not to proceed with a Formal Hearing, shall include the reasons for such Decision. Such Decision is not subject to Appeal.

(2007)

- (e) Notice. The Committee shall give to each Party involved at least fifteen (15) days written notice of each Hearing, in accordance with section 003.
- (f) Presence and Counsel. A Party may be present at the Formal Hearing, and may be represented by an advocate or legal counsel.
- (g) Open or Closed Hearing. The Formal Hearing shall be open unless the Committee rules that the Hearing shall be closed in cases where its being open would adversely affect any person. The Committee may rule that the Hearing shall be closed throughout or only for a part of the Hearing. In cases of Sexual Abuse the Hearing shall be closed. When a Hearing is closed, either throughout or in part, only the Parties and their advocates or legal counsel, the Committee, the recorder, the Committee's legal counsel, and any witness giving evidence may be present, except that the Committee may allow a Party to the Hearing to have present not more than two (2) support persons, provided that the support persons may not take part in the Hearing unless giving evidence under oath.
- (h) Rules of Evidence. The proceedings shall be like those of a public court of law, and accepted rules of evidence applicable in the province or territory in which the Formal Hearing is being held shall be used. In cases dealing with Sexual Abuse, the standard of evidence shall be "preponderance of evidence" as determined by provincial or territorial law.
- (i) Verbatim Record. There shall be a Verbatim Record of the Formal Hearing, or a summary thereof to which all Parties agree, and the Committee shall provide such Verbatim Record or summary.
- (j) Decisions and Recommendations. Within the limits of its authority, the Committee shall make Decisions and recommendations.
- (k) Decisions Arising from a Complaint. In the case of a complaint, when the complaint has been proven, the Committee shall make a Decision that one (1) or more of the actions set out in paragraphs i. to vii. below

(2007)

(2007)

be taken, as the Committee may consider appropriate having regard to the nature of the offence.

- i. Admonition. Admonition shall be in private.
- ii. Rebuke. Rebuke is a more severe form of reproof and may be administered in public.
- iii. Suspension. In the case of a person functioning as Ministry Personnel, suspension shall be from all rights, privileges, and duties with respect to the Pastoral Charge or one (1) or more offices held. In the case of a lay person, suspension shall be from one (1) or more offices held. The Decision of the Committee may be to suspend for whatever period it considers appropriate.
- iv. Deposition. Deposition consists of the permanent removal of a person from one (1) or more offices held. In the case of a person functioning as Ministry Personnel, deposition may involve dissolution of the pastoral relationship; or permanent removal from all rights, privileges, and duties with respect to the Pastoral Charge or one (1) or more offices held. In the case of a lay person, deposition may involve permanent removal from one (1) or more offices held.
- v. Discontinued Service List (Disciplinary) or Discontinued Lay Ministry Appointment List.

(1) If the Committee was appointed by or is acting for the Presbytery, the Committee may, in the case of a member of the Order of Ministry, make a recommendation to the Conference that the name of the person be removed from the rolls of Presbytery and Conference and be placed on the Discontinued Service List (Disciplinary), and may, in the case of a Designated Lay Minister, make a Decision that the name of the person be removed from the rolls of Presbytery and Conference (if not already effected by the termination or conclusion of the Presbytery Appointment) and be placed on the Discontinued Lay Ministry Appointment List, and may, in the case of a Congregational Designated Minister, make a Decision that their appointment be terminated and their name be placed on the Discontinued Lay Ministry Appointment List.

(2007)

(2) If the Committee was appointed by or is acting for the Conference, the Committee may, in the case of a member of the Order of Ministry, make a Decision that the name of the person be removed from the rolls of Presbytery and Conference and be placed on the Discontinued Service List (Disciplinary), and may, in the case of a Designated Lay Minister, make a recommendation to the Presbytery that the name of the person be removed from the rolls of Presbytery and Conference (if not already effected by the termination or conclusion of the Presbytery Appointment) and be placed on the Discontinued Lay Ministry Appointment List, and may, in the case of a Congregational Designated Minister, make a recommendation to the Presbytery that their appointment be terminated and their

- name be placed on the Discontinued Lay Ministry Appointment List. (2007)
- vi. Expulsion. Expulsion is the removal of a person from membership in the United Church. The result of such expulsion is to deprive such person of all offices and positions, including membership in the Order of Ministry, previously held by such person in the United Church or in any related or associated organization.
  - vii. The Committee may also require restitution which may involve monetary payment or other form of symbolic restoration.
- (l) Other Decisions. Within the limits of its authority, the Committee may make a Decision to take one (1) or more of the actions contemplated by subsection 363(d), in which event the provisions of subsection 363(e) apply, and also the Committee may take the actions contemplated by subsections 363(f) and (g) in the place of the Presbytery.
- (m) Implementation of Decisions.
- i. In the case of a Decision of a Formal Hearing Committee to suspend, that Decision shall be implemented as soon as the Party suspended is deemed, in accordance with section 003, to have received notice of the Decision.
  - ii. In the case of Decisions of a Formal Hearing Committee arising from a complaint, other than Decisions to suspend, those Decisions shall be implemented not earlier than fifteen (15) days after the respondent is deemed, in accordance with section 003, to have received notice of the Decisions.
  - iii. In all other cases, the Decisions of a Formal Hearing Committee shall be implemented immediately upon the release of those Decisions, unless the Committee decides otherwise.
- (n) Costs. The obligation to pay the costs related to the Formal Hearing, including, but not limited to, Verbatim Records, travel and accommodation for the Parties concerned and witnesses, legal counsel fees, and other costs, and the way in which such costs are to be shared, shall be fixed by a Decision of the Committee. It is normally inappropriate to assess costs against a complainant of Sexual Abuse. (2007)
- (o) Report. The Committee shall forward a written copy of its Decision to all Parties, as soon as practicable after the completion of the Hearing. The report of the Committee shall be forwarded in accordance with section 003 and shall include its Decisions with reasons and any recommendations with respect to the matters before it. A Decision shall be made as to the wisdom of sharing the Decision of the Formal Hearing Committee with the Pastoral Charge, working colleagues, or other concerned parties.
- (p) No Debate. The Decisions of the Committee shall be the Decisions of the Court for which the Committee was appointed and acting, and therefore shall not be subject to debate by such Court, but may be appealed as provided herein. Notwithstanding the foregoing, a Decision of the Judicial Committee may only be reviewed, not re-heard, by the General Council, and a Decision of the General Council may not be appealed.

- (q) Recommendations. Any recommendations of the Committee may be debated by the Court that appointed the Committee and shall be approved, amended, or rejected.

## 076 Appeals.

- (a) An Appeal may be made only against a Decision or against a ruling of the General Secretary of the General Council. An Appeal may be made only by a person or a Court directly affected by the Decision or ruling. In the case of a Decision made by a Formal Hearing Committee, an Appeal may be made only by a Party to the Formal Hearing.
- (b) An Appeal may be made as follows:
  - i. against a Decision of a Formal Hearing, to the Judicial Committee of the General Council;
  - ii. against any other Decision, to the next higher Court; and
  - iii. against any ruling of the General Secretary of the General Council on questions of jurisdiction or interpretation, to the Judicial Committee of the General Council.
- (c) Parties. The Parties to the Appeal are:
  - i. in the case of an Appeal of a Decision of a Formal Hearing Committee: the appellant, the Court the Decision of which is being appealed, and the other Parties to the Formal Hearing;
  - ii. in the case of an Appeal of a Decision other than a Decision of a Formal Hearing Committee: the appellant and the Court the Decision of which is being appealed; and
  - iii. in the case of an Appeal against a ruling: the appellant and the General Secretary of the General Council.
- (d) Notice of Appeal. Notice of Appeal must be given in accordance with section 003 to the Secretary of the Court to which it is directed within thirty (30) days after the Decision of the lower Court has been communicated. A Decision shall be deemed to have been communicated to a person or Court eligible to appeal, on the earlier of:
  - i. the date on which notice is deemed to have been received in accordance with section 003; and
  - ii. fifteen (15) days after the minutes of the Court making the Decision have been distributed in the normal manner.

Such Secretary shall, within five (5) days after receipt of a notice of Appeal, give, in accordance with section 003, a copy of the notice of Appeal to all other Parties to the Appeal.

- (e) Interim Implementation. In the case of a Decision of a Formal Hearing Committee arising from a complaint, other than a Decision to suspend, the respondent may make a request, in accordance with section 003, to the General Secretary of the General Council, for a ruling as to whether the Decision should not be implemented pending the disposition of an Appeal. Such request must be made not later than five (5) days after the respondent is deemed, in accordance with section 003, to have received notice of the Decision. The ruling shall be made by the Moderator, the

immediate Past Moderator, and the General Secretary of the General Council, except in the case of an Appeal against the Moderator, the immediate Past Moderator, or the General Secretary of the General Council, when the ruling shall be made by the Chairperson of the Judicial Committee. If it is ruled that the Decision should not be implemented pending the disposition of an Appeal, but the Appeal subsequently is not pursued within the requisite time limits, or the Appeal is deemed abandoned, or the Appeal Committee decides to refuse to hear the Appeal, then the Decision shall thereupon be implemented. Any such ruling is not subject to Appeal.

- (f) Grounds for Appeal. Grounds for Appeal are:
  - i. the failure of the Court that made the Decision against which the Appeal is being made to consider the matter as completely as practicable;
  - ii. that the Decision was not in accordance with the rules of natural justice; (2007)
  - iii. that the Decision was not reasonably able to be reached on the evidence; (2007)
  - iv. that the Decision was not in accordance with the Polity of the United Church; or (2007)
  - v. the availability of evidence that could not reasonably have been adduced and that might be relevant. (2007)
- (g) Appellant's Statement. Within thirty (30) days after the notice of Appeal as provided in subsection (d) is deemed to have been received, the appellant must give, in accordance with section 003, to the Secretary of the Court that is hearing the Appeal, a statement outlining the arguments to be made in support of the Appeal. If this requirement is not met, the Appeal shall be deemed to have been abandoned.
- (h) Distribution of Appellant's Statement. Within seven (7) days of receiving the appellant's statement, the Secretary of the Court that is hearing the Appeal shall give, in accordance with section 003, a copy of the statement to the Court the Decision of which is being appealed, and, in the case of an Appeal of a Decision by a Formal Hearing Committee, to all other Parties to the Appeal.
- (i) Court's Reply. If the Court the Decision of which is being appealed wishes to make a reply, that reply must be given in accordance with section 003 to the Secretary of the Court that is hearing the Appeal, within thirty (30) days after the statement in subsection (h) is deemed to have been received.
- (j) Distribution of Court's Reply. Within seven (7) days of receiving the reply of the Court the Decision of which is being appealed, the Secretary of the Court that is hearing the Appeal shall give, in accordance with section 003, a copy of the reply to the appellant, and, in the case of an Appeal of a Decision by a Formal Hearing Committee, to all other Parties to the Appeal.
- (k) Appointment of Committee. To hear an Appeal addressed to the Presbytery or the Conference, the Executive of the Presbytery or the



Conference shall appoint an Appeal Committee of three (3) to five (5) members of the United Church, and shall name the Chairperson and the Secretary of the Committee. In a case of Sexual Abuse, at least one-half (1/2) of the members of the Committee shall be of the same sex as the complainant, and the Committee membership shall include both women and men; those appointed to the Committee should be or become fully knowledgeable of the policies and procedures of the United Church related to Sexual Abuse, prior to the commencement of the Appeal; members may want to learn more about issues related to Sexual Abuse. To hear an Appeal addressed to the General Council, the Judicial Committee shall be the Appeal Committee.

(2007)

- (l) Terms of Reference. In all Appeals the following shall be stated:
  - i. the resources, financial and other, available;
  - ii. the time within which the Appeal is to be heard; and
  - iii. the date by which the Committee is to report.
- (m) Whether to Hear. Before any Appeal may be heard,
  - i. the Committee; or
  - ii. in the case of an Appeal to the Judicial Committee of the General Council, its Executive,  
  
shall review the written statements referred to in subsections (g) and (i) above, and shall make a Decision either to refuse to hear the Appeal because it does not meet the grounds for an Appeal or to proceed to hear the Appeal. Notice of such Decision shall be given in writing to the Parties concerned, and in the case of a Decision to refuse to hear the Appeal shall include the reasons for such Decision. Such Decision is not subject to Appeal.
- (n) Notice. The Committee shall give to the Parties to the Appeal at least fifteen (15) days written notice of each hearing, in accordance with section 003.
- (o) Failure to Appear. The Committee may, by notice in accordance with section 003 to an appellant, require the appellant to confirm in writing that they, or their advocate, or legal counsel will be present for the hearing of the Appeal. Such confirmation must be given in accordance with section 003 to the Committee, within five (5) days of the deemed receipt of the notice. Failing such confirmation, or if the appellant or their advocate or legal counsel is not present for the hearing of the Appeal, the Committee may declare that the Appeal has been abandoned by that appellant.
- (p) Delay in Hearing. If twelve (12) months from the date of the notice of Appeal have elapsed without the Appeal being heard, any Party to the Appeal may apply on thirty (30) days' notice to all other Parties for a ruling by the Court to which the Appeal is directed to declare that the Appeal shall be heard forthwith or to declare that the Appeal has been abandoned.
- (q) Presence and Counsel. Any Party or Court appearing before the Committee shall have the right to appear in person or by an advocate or

legal counsel. Any Party or Court appearing by an advocate or legal counsel may be present at the hearing.

- (r) Open or Closed Hearing. The Appeal Hearing shall be open unless the Committee rules that the Hearing shall be closed in cases where its being open would adversely affect any person. The Committee may rule that the Hearing shall be closed throughout or only for a part of the Hearing. In cases of Sexual Abuse the Hearing shall be closed. When a Hearing is closed, either throughout or in part, only the Parties and their advocates or legal counsel, the Committee, the recorder, the Committee's legal counsel, and any witness giving evidence may be present, except that the Committee may allow a Party to the Hearing to have present not more than two (2) support persons, provided that the support persons may not take part in the Hearing unless giving evidence under oath. (2007)
- (s) Rules of Evidence. The proceedings shall be like those of a public court of law, and accepted rules of evidence applicable in the province or territory in which the Appeal is being held shall be used.
- (t) Verbatim Record. There shall be a Verbatim Record of the proceedings, or a summary thereof to which all Parties agree.
- (u) Decision. The Committee shall report its Decision to the appropriate Court and to the Parties involved, with reasons for allowing or dismissing the Appeal or for ordering a Formal Hearing. The Committee in its Decision may attach conditions in either allowing or dismissing the Appeal. In the case of a Decision to be decided again, the Committee may order that the matter be referred back to a lower Court to hold a Formal Hearing with respect to the matter, or that a new Formal Hearing be held by the Court to which the Appeal has been made.
- (v) Costs. The obligation to pay the costs related to the Appeal, including, but not limited to, Verbatim Records, travel and accommodation for the Parties concerned and witnesses, legal counsel fees, and other costs, and the way in which such costs are to be shared, shall be fixed by a Decision of the Committee. It is normally inappropriate to assess costs against a complainant of Sexual Abuse. (2007)
- (w) Decision. The Committee shall forward a written copy of its Decision to all Parties, as soon as practicable after the completion of the hearing.
- (x) No Debate. The Decisions of the Appeal Committee shall be the Decisions of the Court that appointed the Appeal Committee and therefore shall not be subject to debate by such Court, but may be appealed as provided herein. Notwithstanding the foregoing, a Decision of the Judicial Committee may only be reviewed, not re-heard, by the General Council, and a Decision of the General Council may not be appealed.
- (y) Records of Lower Court. The Decision of the Appeal Committee shall be communicated to the lower Court, which shall insert the Decision in its records. Further, on the margin of the record of the original Decision, it shall indicate that the Appeal has taken place, note the effect of the

Decision of the Appeal Committee, and state the place in the record where the Decision of the Appeal Committee has been recorded.

- (z) Judicial Committee. The authority of the Judicial Committee shall be as set out in sections 541 to 549.

077

Decisions Not Subject to Appeal. Decisions that are not subject to Appeal are as follows:

- (a) elections;
- (b) Decisions about an individual with respect to the inquiry or candidacy process;
- (c) Decisions about an individual with respect to the recognition process for Congregational Designated Ministers or Designated Lay Ministers; (2007)
- (d) Decisions about an individual with respect to the admission or re-admission process; (2007)
- (e) initiation of calls and settlements;
- (f) initiation of appointments;
- (g) implementation of a Decision pending an Appeal;
- (h) determination of whether an Appeal meets the requirements for an Appeal hearing;
- (i) acceptance or rejection of a medical certificate;
- (j) a Decision by a Pastoral Charge to request a change in the pastoral relationship;
- (k) the disposition by a Presbytery of a request from a member of the Order of Ministry for a change in the pastoral relationship;
- (l) a Decision by a Court whether to hold a Formal Hearing;
- (m) a Decision by a Formal Hearing Committee whether to hold a Formal Hearing;
- (n) a Decision by a Court to make a complaint; or
- (o) a Decision by a Presbytery to initiate a review of the situation under subsection 363(c).

Although a Decision about an individual with respect to the inquiry or candidacy process, the recognition process for Congregational Designated Ministers or Designated Lay Ministers, or the admission or re-admission process, may not be appealed, the individual may request that the appropriateness of the procedures used to arrive at the Decision be addressed through the General Council's approved policies and procedures for conflict resolution, other than a Formal Hearing. The individual may appeal the appropriateness of the procedures used to arrive at the Decision, but only if the matter is not resolved through the policies and procedures for conflict resolution. (2007)

(next section: 090)

**RECORDS OF CHURCH COURTS**

090 Regulations. In regard to the records of Courts, the following regulations have been adopted.

- (a) Keeping of Records. Inasmuch as the records of Sessions, Official Boards, Church Boards, Church Councils, Boards of Trustees, Congregations, Pastoral Charges, Presbyteries, and Conferences have an historical and legal value that necessitates their being correctly kept and carefully preserved, the General Council urges all these bodies and especially their Secretaries to use the utmost diligence to secure the accuracy and the safety of their records. Since church records belong to the United Church, ministers, officials, or other individuals may not alienate them or in any way assume personal control of them.
- (b) Reviewing of Records. Inasmuch as the reviewing of records of lower Courts by Presbyteries, Conferences, and the General Council, as herein provided, is a very valuable and necessary means of assuring the keeping of proper records and the regularity and constitutionality of the proceedings of these Courts, the General Council instructs all Secretaries to submit their records (or certified copies) for review, and enjoins all Presbyteries and Conferences to see that this is done.

091 Reviewing of Records. It shall be the duty of Committees appointed by Presbyteries, Conferences, and the General Council to review the records of their lower Courts, to examine the same to ascertain if they are carefully and correctly kept in accordance with these instructions and with the necessities of the case, and if the proceedings have been in accordance with the By-Laws of the United Church. These Committees shall report their findings to their respective Courts, with any commendations, suggestions, censures, or instructions they may think wise. An attestation of the findings of the Court regarding the records examined shall be entered in these records, and signed by the Presiding Officer or the Secretary of the examining body.

092 Instructions to Secretaries. The Fourth General Council (1930) issued the following instructions to Secretaries of the various Courts of the United Church in regard to the writing and keeping of the minutes of the meetings of their respective Courts:

- (a) the Secretary shall keep full and accurate minutes of the proceedings of all meetings;
- (b) the minutes shall be written in ink in a legible hand, or typewritten, or printed;
- (c) if the minutes be written by hand, they shall be written in a bound book provided for that purpose. If the minutes be produced by other means, one (1) signed original set of minutes shall be bound at suitable intervals in accordance with the methods specified by the General Council Committee on Archives and History. This information may be found in Guidelines for Record Keeping in The United Church of

## GENERAL

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- Canada, which is available from the Conference Archives Committee or the Central Archives;
- (d) the pages shall be numbered, and the number of each page written or printed at the top of the page;
  - (e) every page shall be signed or initialed by the Secretary;
  - (f) the record of each meeting of the Court shall be signed by the Presiding Officer and the Secretary;
  - (g) the time and place of each meeting shall be fully stated in words, and the date of the meeting shall be indicated on the margin at the top of each page;
  - (h) the minutes shall state by whose or what authority the meeting is held, "at the call of the Chairperson," "according to adjournment," or as the case may be; and that a quorum was present;
  - (i) the opening of the meeting with prayer and closing of the meeting with prayer and/or a benediction, shall be recorded in the minutes;
  - (j) the name of the Presiding Officer shall be recorded, and, in the minutes of Sessions, Official Boards or Church Boards or Church Councils, and Presbyteries, the names of the members present. The minutes of the Conference shall include the roll of the Conference;
  - (k) the items of business shall be briefly indicated by paragraph headings or marginal notes, for ready reference;
  - (l) care shall be taken that all numbers are distinctly written;
  - (m) Committee reports and other documents necessary for the understanding of the records shall be embodied in the minutes or added in an appendix. If the latter, the number of the page on which they will be found shall be given in the minutes;
  - (n) the minutes shall record all the proceedings of the Court and shall state clearly what disposal is made of all motions, Proposals, reports, etc.;
  - (o) extraneous and irrelevant matter shall be rigidly excluded from the minutes;
  - (p) all erasures, cancellings, interlineations, or other changes shall be initialed in the margin by the Secretary;
  - (q) no erasures or alterations may be made after the record has been confirmed, except by resolution of the Court or by order of a higher Court, and then suitable annotations shall be made;
  - (r) no unnecessary vacant space shall be left between the minutes of successive meetings. If any such vacant space be left it shall be ruled in plain lines from the writing to the bottom of the page;
  - (s) the use of initials for organizations and other abbreviations should be carefully avoided;
  - (t) an index shall be appended to the minutes of the Conference each year; and
  - (u) the records of Pastoral Charges and Congregations and other organizations, and of the Courts, units, Departments, Sessions, Boards, Councils, and Committees of the United Church, along with

correspondence and other documents of historical value, when no longer regularly needed, should be deposited in the Central Archives or the Conference archives either directly or through the Archives Committee of the Presbytery or the Conference.

**093** Removal of Documents.

- (a) No original document may be removed from the Central Archives without an order by a civil court of competent jurisdiction or permission granted under the applicable archives policy.
- (b) No original document may be removed from a Conference archives without an order by a civil court of competent jurisdiction or permission granted under the applicable archives policy.

**094** Certified Copies.

- (a) The General Council Archivist may certify a copy of any original record or other document in the custody of the Central Archives to be a true copy.
- (b) A Conference Archivist may certify a copy of any original record or other document in the custody of the Conference archives to be a true copy.

(next section: 099)

**COMMUNICATION AMONG CHURCH COURTS**

**099** Proposals.

- (a) Every member of the United Church has direct access to the Session or Official Board or Church Board or Church Council of the Pastoral Charge or Congregation to which such member belongs, except in the case of:
  - i. matters pertaining to the pastoral relationship;
  - ii. a request that the Presbytery initiate a review of a Pastoral Charge under section 333; or
  - iii. a request that the Presbytery initiate a review of Ministry Personnel under section 363;where ten (10) or more members may require a meeting of the Pastoral Charge or Congregation, or bring a Proposal to the Official Board or Church Board or Church Council.
- (b) A Proposal may be initiated by:
  - i. one (1) or more members of a Congregation (except in the case of paragraphs i., ii., and iii. of subsection (a), where a Proposal must be initiated by ten (10) or more members) to the Session or Official Board or Church Board or Church Council, or through that Court and any intervening Court to another Court;

- ii. one (1) Court, through any intervening Court, to another Court;
  - iii. one (1) or more members of a Court to that Court, or through that Court and any intervening Court to another Court; or
  - iv. a Committee of a Court to that Court, or through that Court and any intervening Court to another Court.
- (c) Where a Court is disposing of a Proposal asking it to take action, it may take such action by way of resolution in respect of the Proposal as it decides to be appropriate, including:
- i. adopting the Proposal;
  - ii. adopting the Proposal with amendments;
  - iii. taking action different from that requested in the Proposal but dealing with the same subject matter;
  - iv. referring the Proposal; and
  - v. receiving the Proposal but taking no action.
- (d) Where a Court is disposing of a Proposal asking a higher Court to take action, it must transmit the Proposal with or without concurrence (except as provided below), together with any recommendations that the Court may make in respect of the Proposal.
- (e) Where a Court is disposing of a Proposal asking the next higher Court to take action, it may decide not to transmit a Proposal with which it does not concur.

(next section: 101)

## THE PASTORAL CHARGE

### Theological Preamble

- 101 Ministry has its source in God, the Creator and Redeemer, is most visible in the birth, life, death, and resurrection of Jesus Christ, and is empowered by the Holy Spirit.
- 102 Those who share a common life encounter with God in Christ enter into a covenant relationship with God and with one another. Together they seek to understand Jesus' life and ministry among them, and to live out its implications by Christian stewardship of all gifts given by God, continually depending on grace, and affirming one another.
- 103 Church structures should be designed to liberate and to enable the people of God to exercise their ministry in building up the body of Christ through worship, reconciliation, evangelism and outreach, service, and the seeking of justice.

### General

- 104 **The basic unit of organization for the United Church shall be the Pastoral Charge. A Pastoral Charge may consist of more than one (1) Congregation. (Basis 4.2)**
- 105 **In the management of their local affairs, Pastoral Charges and Congregations shall be entitled to continue the organization and practices enjoyed by them at the time of the Union, subject in general affairs to the legislation, principles, and discipline of the United Church. (Basis 5.1)**
- 106 New Pastoral Charges or Congregations shall be constituted by a Presbytery, subject to such regulations as the General Council may pass. **Before constituting a Pastoral Charge or Congregation, the Presbytery shall be required to hear and consider the representations of any Pastoral Charge or Congregation that may be affected by the proposed action. (Basis 5.7)** (2007)
- 107 Action by Presbytery. Where, in the opinion of the Presbytery, the functioning of a Pastoral Charge is ineffectual or the Pastoral Charge fails to take appropriate action, or where the Pastoral Charge requests the Presbytery to take action on its behalf, the Presbytery shall adopt such measures as it may deem necessary.

(next section: 110)



**THE CONGREGATION**

**Meetings**

- 110 Timing. **The members of a Pastoral Charge or Congregation shall meet annually, and more frequently if they deem it advisable.** (Basis 5.8.3)  
This meeting shall be held as early as possible after the last day of December.
- 111 Calling. All meetings of the Pastoral Charge or Congregation shall be called:
- (a) by the Chairperson of the annual meeting;
  - (b) by a member of the Order of Ministry who has been settled in or appointed to the Pastoral Charge; (2007)
  - (c) by a Designated Lay Minister who has been appointed to the Pastoral Charge and recognized by the Conference; or (2007)
  - (d) by the Pastoral Charge Supervisor;
- either upon personal motion or upon the written request:
- (e) of the Official Board or Church Board or Church Council;
  - (f) of the Session;
  - (g) of the Committee of Stewards; or
  - (h) of ten (10) persons in full membership of the Pastoral Charge or Congregation concerned;
- within fifteen (15) days of the presentation of the written request; or
- (i) on the authority of a higher Court.
- 112 Notice. Notice shall be given for every meeting of the Pastoral Charge or Congregation. The notice for any such meeting shall specify the object of the meeting.
- (a) When the object of the meeting is:
    - i. to consider making a Decision whereby the Pastoral Charge or Congregation requests ending of a pastoral relationship without cause;
    - ii. to consider any matter dealing with the pastoral relationship and not specified in subsection (b); or
    - iii. to elect members of the Session or Church Board or Church Council;
- notice of the meeting shall be read during public worship and may also be inserted in the printed order of worship of the Pastoral Charge or Congregation, on each of the two (2) preceding Sundays on which public worship is held. For greater clarity, the earliest time at which the meeting may take place is on the day immediately following the second Sunday at which the notice of meeting was read during public worship. Before notice of a meeting called for the objects specified in paragraphs

i. or ii. is made public, written notice shall be given to the Secretary of the Presbytery and the Ministry Personnel settled in or appointed to that Pastoral Charge. The Secretary of the Presbytery shall promptly inform the Presbytery Pastoral Relations Committee. (2007)

(b) When the object of the meeting is:

- i. to appoint representatives of the Pastoral Charge to a Joint Needs Assessment Committee;
- ii. to appoint representatives in full membership of the Pastoral Charge to a Joint Search Committee; or
- iii. to receive and act upon a report of the Joint Search Committee;

notice of the meeting shall be read during public worship and may also be inserted in the printed order of worship of the Pastoral Charge or Congregation, on each of two (2) successive Sundays on which public worship is held before the meeting. For greater clarity, the earliest time at which the meeting may take place is immediately following the public worship at which the notice of meeting was read for the second time. Before notice of such meeting is made public, written notice shall be given to the Secretary of the Presbytery and the Ministry Personnel settled in or appointed to that Pastoral Charge. The Secretary of the Presbytery shall promptly inform the Presbytery Pastoral Relations Committee.

(c) When the object of the meeting is:

- i. to deal with matters referred to in section 9 of the Trusts of Model Deed;

notice of the meeting shall be read from the pulpit by the minister or person officiating as minister during public worship and may also be inserted in the printed order of worship of the Pastoral Charge or Congregation, on each of the two (2) preceding Sundays on which public worship is held. For greater clarity, the earliest time at which the meeting may take place is on the day immediately following the second Sunday at which the notice of meeting was read during public worship. (2007)

(d) When the object of the meeting is to deal with matters not contemplated by subsections (a), (b), or (c), notice of the meeting shall be read during public worship and may also be inserted in the printed order of worship of the Pastoral Charge or Congregation, at least once before the meeting. (2007)

### Membership

113 **The members of a Congregation who are entitled to vote at all meetings are persons in full membership whose names are on the roll of that Congregation. With the consent of these, Adherents who contribute regularly to the support of the Congregation may vote on Temporal Matters. (Basis 5.8.2)**

**Duties and Powers**

- 114 The annual meeting shall receive the annual reports, hold elections, and transact any other business regularly brought before it, except the question of a change in pastoral relationship unless it has been duly specified in the notice calling the meeting. It is recommended that the annual report be printed and circulated among the members of the Pastoral Charge or Congregation prior to the meeting.

**Organization**

- 115 Chairperson. The Pastoral Charge or Congregation at its annual meeting shall elect a Chairperson who shall hold office until the next annual meeting. A member of the Order of Ministry settled in the Pastoral Charge, the Pastoral Charge Supervisor, or any person in full membership and in good standing in that Pastoral Charge or Congregation is eligible for election. In the case of a meeting called to discuss the pastoral relationship, the Chairperson of that meeting shall be the Convenor of the Presbytery Pastoral Relations Committee or their appointee.

- 116 Secretary. The Pastoral Charge or Congregation at its annual meeting shall also elect a Secretary who shall hold office until the next annual meeting.

- 117 Nominations Committee. The Pastoral Charge or Congregation at its annual meeting may appoint a Committee to assume responsibility for nominations. That Committee shall propose the names of persons who are eligible, suitable, and willing to serve in those positions for which the Pastoral Charge, Congregation, Session, Committee of Stewards, Official Board, Church Board, or Church Council requests nominations.

(2007)

(next section: 120)

**MINISTRY PERSONNEL**

- 120 **Every member of the Order of Ministry duly settled in a Pastoral Charge shall have the right to conduct services in the church, churches, or other places of worship in connection with the Pastoral Charge, and the right of occupancy of the manse in connection with the Pastoral Charge, subject to the rules and regulations of the United Church.**  
(Basis 9.3)

- 121 All Ministry Personnel settled in or appointed to a Pastoral Charge shall be in a specific covenant relationship with the Presbytery, the Pastoral Charge, and the other staff (that is, other Ministry Personnel and other church staff.)

- 122 All Ministry Personnel settled in or appointed to a Pastoral Charge shall be ex officio members of all Committees of the Pastoral Charge except for:
- (a) the Joint Needs Assessment Committee of the Pastoral Charge and the Presbytery; (2007)
  - (b) the Joint Search Committee of the Pastoral Charge and the Presbytery;
  - (c) the Ministry and Personnel Committee of the Official Board or Church Board or Church Council; and
  - (d) the Nominations Committee of the Pastoral Charge or Congregation. (2007)
- 123 Recognizing the connectional nature of the United Church and the accountability of Ministry Personnel to the Presbytery, a Quorum for the Court(s) of the Pastoral Charge or Congregation shall require the attendance of:
- (a) a member of the Order of Ministry who has been settled in or appointed to the Pastoral Charge; (2007)
  - (b) a Designated Lay Minister who has been appointed to the Pastoral Charge and recognized by the Conference; (2007)
  - (c) the Pastoral Charge Supervisor; or
  - (d) an appointee of the Presbytery.
- 124 In a Pastoral Charge where there is a Multiple Staff, the relationships among members of that staff, their responsibilities, and their accountability to the covenant shall be clearly outlined and reviewed at least annually.
- 125 In a Pastoral Charge where there is a Multiple Staff, the Official Board or Church Board or Church Council, together with the Ministry Personnel concerned, shall clearly define in writing the areas of responsibility for each of the Ministry Personnel concerned, and such shall require the approval of the Presbytery.
- 126 All Ministry Personnel settled in or appointed to a Pastoral Charge shall provide, at their own expense, to the Ministry and Personnel Committee of the Pastoral Charge, a current vulnerable sector (level 2) police records check, no later than the completion of each six- (6) year period of the pastoral relationship. (2007)
- 127 All Ministry Personnel who desire to be absent from the Pastoral Charge for more than three (3) months without dissolving the pastoral relationship shall secure the consent of the Presbytery. The Presbytery shall be assured that satisfactory arrangements for carrying on the work of the Pastoral Charge are made.
- 128 A Pastoral Charge that is without a settled or appointed member of the Order of Ministry, or an appointed Designated Lay Minister who has been recognized by the Conference, and that is being served by: (2007)

## PASTORAL CHARGE

---

- (a) a Designated Lay Minister who has not yet been recognized by the Conference;
  - (b) a Candidate Supply;
  - (c) an Intern Supply;
  - (d) a Student Supply; or
  - (e) a Diaconal Supply or Ordained Supply;
- shall have a member of the Presbytery appointed by that Presbytery as the Pastoral Charge Supervisor. The Presbytery shall also have the authority to appoint a Pastoral Charge Supervisor to supervise a Pastoral Charge in any other situation where the Presbytery deems it appropriate.

129 The Pastoral Year shall end June 30th of each year.

## ELDERSHIP

130 Elders. Elders are those persons of the Pastoral Charge or Congregation who are chosen by the Pastoral Charge or Congregation for their wisdom, caring, spiritual discernment, and other gifts of the Spirit, and to whom the responsibility of leadership amongst the whole people is entrusted as appropriate by and within a particular community of faith.

131 The term “Elder” is used to refer to the membership of a Session, Church Board, or Church Council. (2007)

132 The eldership is a body of persons chosen by a Pastoral Charge or one (1) or more Congregations to exercise leadership within the Pastoral Charge or Congregation and its community.

133 When meeting as a body, the eldership shall act as a Court, fulfilling the duties of a Session as stated in sections 153, 154, and 155, and such other duties as the Pastoral Charge or Congregation, with the consent of the Presbytery, may assign to it.

134 Elders shall be members of the United Church. In special circumstances such as an Ecumenical Shared Ministry, however, exceptions may be granted by the Presbytery following a request from the Pastoral Charge or Congregation. Where the Presbytery has made an exception, it shall review the situation at least triennially as part of its pastoral oversight function.

135 The Elders who constitute the Court shall, to the extent possible, be representative of the variety of members of the Pastoral Charge or Congregation in respect of age, sex, vocation, and gifts. Elders may be at varying places in their respective personal journeys but should be committed to spiritual growth and active participation in the Pastoral Charge or Congregation and in worship and service.

- 136 Elders shall be elected for a term of office as determined by the Pastoral Charge or Congregation.

### MISSION STRATEGY

- 137 The mission strategy of a Pastoral Charge should reflect the Pastoral Charge's understanding of ministry, its own religious traditions, its socio-cultural context, the purpose and goals of the Pastoral Charge, and its relationship to the larger church. (2007)
- 138 The selection of a particular organizational model shall be based on a mission strategy developed and approved by the Pastoral Charge. (2007)

### ORGANIZATIONAL MODELS

- 139 Alternatives. The Polity of the United Church provides for three (3) alternative organizational models for new Pastoral Charges or Pastoral Charges considering changes in their structure, namely:
- (a) the Session/Stewards/Official Board structure;
  - (b) a unified board structure, called the Church Board; and
  - (c) a council structure, called the Church Council.

### THE SESSION

#### General

- 140 There shall be a Session for the Pastoral Charge. Where the Pastoral Charge consists of more than one (1) Congregation, there may be a Session for each Congregation, in which case these Sessions shall jointly constitute the Session for the Pastoral Charge.

#### Meetings

- 141 Timing. The Session shall hold regular meetings as it may itself determine.
- 142 Calling. The Session is convened:
- (a) by the Chairperson;
  - (b) by a member of the Order of Ministry who has been settled in or appointed to the Pastoral Charge; (2007)
  - (c) by a Designated Lay Minister who has been appointed to the Pastoral Charge and recognized by the Conference; (2007)

- (d) by the Pastoral Charge Supervisor;
- (e) when requested by one-third (1/3) of the members of the Session; or
- (f) when enjoined by a higher Court.

143 Notice. The Session is convened by notice read during public worship, or inserted in the printed order of worship of the Pastoral Charge or Congregation, or by personal or written notice.

144 Quorum. A Quorum for the Session shall require the attendance of:

- (a) a member of the Order of Ministry who has been settled in or appointed to the Pastoral Charge; (2007)
- (b) a Designated Lay Minister who has been appointed to the Pastoral Charge and recognized by the Conference; (2007)
- (c) the Pastoral Charge Supervisor; or
- (d) an appointee of the Presbytery.

#### **Membership**

145 Membership. The Session shall consist of:

- (a) the Ministry Personnel who has been settled in or appointed to the Pastoral Charge; (2007)
- (b) where there is no settled or appointed member of the Order of Ministry or appointed Designated Lay Minister who has been recognized by the Conference, the person appointed by the Presbytery as the Pastoral Charge Supervisor; and (2007)
- (c) a body of members in full membership of the Congregation specially chosen by the Pastoral Charge or Congregation and admitted to their office.

Members of the Session are Elders.

146 Eligibility.

- (a) Retiring members are eligible for re-election.
- (b) A member of the Session removing to another Congregation does not become a member of the Session of that Congregation unless duly elected thereto and admitted in the usual way.
- (c) A member of the Order of Ministry who is not settled in or appointed to the Pastoral Charge and who is on the membership roll of the Congregation is eligible for election.

147 Number. The number of members constituting the Session shall be determined by a meeting of those in full membership in the Congregation(s). In determining the number of members of each Session, regard shall be had to the relative strength of the membership of each Congregation in the Pastoral Charge, in order to secure proportional representation on the Session and on the Official Board.

- 148 Election.
- (a) Calling. In forming a new Session, the settled or appointed member of the Order of Ministry, the appointed Designated Lay Minister who has been recognized by the Conference, or the Pastoral Charge Supervisor shall call a meeting of the Pastoral Charge or Congregation, and the election shall proceed as provided in sections 146, 147, and 148. (2007)
  - (b) Notice. When the object of the meeting of the Pastoral Charge or Congregation is to elect members of the Session, notice of the meeting shall be read during public worship and may also be inserted in the printed order of worship of the Pastoral Charge or Congregation, on each of the two (2) preceding Sundays on which public worship is held. For greater clarity, the earliest time at which the meeting may take place is on the day immediately following the second Sunday at which the notice of meeting was read during public worship.
  - (c) Nominations. The Pastoral Charge or Congregation may elect either with or without nomination. The Session is empowered to make recommendations to the Pastoral Charge or Congregation as to its membership.
  - (d) Voting. Voting may be by ballot or otherwise, as the Pastoral Charge or Congregation may determine.
- 149 Admission to Office. The Session, after conferring with the persons elected to the Session, shall arrange for their admission to office at a service of public worship, when the settled or appointed member of the Order of Ministry, the appointed Designated Lay Minister who has been recognized by the Conference, or the Pastoral Charge Supervisor, by prayer and appropriate ceremony, shall so admit them. The right hand of fellowship shall then be extended to them by the members of the Session and their names shall be added to the roll of the Session. In forming new Sessions, this service shall be arranged by the settled or appointed member of the Order of Ministry, the appointed Designated Lay Minister, or the Pastoral Charge Supervisor. (2007)
- 150 Term of Office. The term of office of members constituting the Session shall be determined by a meeting of those in full membership in the Congregation(s). It is suggested that where the term of office is not for life it should be for five (5) years, and that the members be elected for such periods as will provide for retirement of one (1) or more persons at stated periods.
- 151 Resignation or Removal. A member of the Session may resign the office, either on personal motion or when requested to do so by the Pastoral Charge or Congregation, or may be removed by the order of the Presbytery when the interests of the Pastoral Charge or Congregation are deemed by the Presbytery to require it, or may be deposed by process of discipline. If any member of the Session has been absent from its meetings for a year without adequate cause, the Session, after having given notice to such person, may make a Decision that such person has ceased to be a member of the Session.



- 152 Vacancies. The Session shall formally notify the Pastoral Charge or Congregation of vacancies that may occur from time to time in its membership. Should the number of lay members of the Session be reduced by death or otherwise to one (1) lay member, that member and either the settled or appointed member of the Order of Ministry, or the appointed Designated Lay Minister who has been recognized by the Conference, or the Pastoral Charge Supervisor shall call a meeting of the Pastoral Charge or Congregation at an early date, to elect members of the Session to fill the vacancies. (2007)

**Duties and Powers**

- 153 The duty of the Session is to oversee the spiritual interests of the Pastoral Charge or Congregation.
- (a) **It shall be the duty of the Session to have oversight of:** (Basis 5.10.1)
- i. **the admission of persons into full membership, their removal, and the granting of certificates of transfer** of membership; (Basis 5.10.1(1))
  - ii. **the conduct of members, with power to exercise discipline;** (Basis 5.10.1(2))
  - iii. **the administration of the sacraments;** (Basis 5.10.1(3))
  - iv. **the religious training of the young, and the organization of meetings for Christian fellowship, instruction, and work.** (Basis 5.10.1(4)) For this purpose a Committee to address the faith formation and Christian education needs of the Pastoral Charge or Congregation, as detailed in section 242, shall be established, and its members elected, by the Session; (2007)
  - v. **the order of public worship, including the service of praise and the use of the church edifice;** (Basis 5.10.1(5))
  - vi. **the care of the poor, and the visiting of the sick;** (Basis 5.10.1(6)) and
  - vii. the outreach of the Pastoral Charge or Congregation in evangelism and social action.
- (b) **It shall also be its duty:** (Basis 5.10.2)
- i. **to receive and judge Proposals and appeals from members;** (Basis 5.10.2(1))
  - ii. **to transmit Proposals and appeals to the Presbytery;** (Basis 5.10.2(2))
  - iii. **to recommend to the Presbytery suitable lay members to be licensed as Licensed Lay Worship Leaders;** (Basis 5.10.2(3))
  - iv. upon invitation by the Presbytery, to recommend to the Presbytery a suitable lay member to be considered for licensing as a Sacraments Elder; (2007)
  - v. **to recognize suitable lay members as Inquirers;** (Basis 5.10.2(4))

- vi. **to recommend to the Presbytery suitable Inquirers to be Candidates;** (Basis 5.10.2(5))
- vii. to recommend to the Presbytery suitable lay members to be recognized as Designated Lay Ministers; (2007)
- viii. to recommend to the Presbytery suitable lay members to be recognized as Congregational Designated Ministers; (2007)
- ix. to keep the roll of the Congregation(s), clearly recording the date of admission, transfer, removal, suspension, or other action concerning each member;
- x. to keep the record of children and Adherents;
- xi. to keep the register of baptisms, marriages, and burials. In provinces where required to do so by law, the settled or appointed Ministry Personnel shall keep such registers and shall make an annual report of all entries in the registers to the Session, and its Clerk shall copy the same into the section of proceedings provided for such purpose; and
- xii. to ensure support of senior adults in the Pastoral Charge or Congregation.

154 The Session shall fulfil such other duties as the Pastoral Charge or Congregation, with the consent of the Presbytery, may assign to it.

155 Each member of the Session should have an assigned district and should keep a list of the communicants and Adherents residing within the assigned district and cultivate special acquaintance with them, visiting, counselling, and encouraging as may be required. The member should give special attention to any who become irregular in attendance at Sunday services or otherwise manifest declining concern for the duties of church membership, and so encourage their return to active participation in the life and work of the Congregation.

### **Organization**

156 **Chairperson.** The Chairperson of the Session shall be elected from among the members of the Session. The duty of the Chairperson shall be to preside at meetings, to preserve order, to take the vote, to announce the decisions of the Session, and, when necessary, to pronounce censures. The Chairperson may introduce any business competent to the Session, and may express personal views on any matter under discussion. The Chairperson has a vote only in the event of a tie.

157 **Secretary.** The Secretary shall be elected from among the members of the Session, and shall be known as the Clerk of Session. The Clerk of Session shall keep the record of proceedings as set forth in sections 090 to 092, shall preserve all documents, when instructed shall give certified extracts from the minutes, and shall submit the records of the Session, including the

membership roll and the baptismal record, annually to the Presbytery for review.

### **Session Committees**

158 Faith Formation and Christian Education. A Committee to address the faith formation and Christian education needs of the Pastoral Charge or Congregation, as detailed in section 242, shall be established, and its members elected, by the Session. (2007)

159 Other. Responsibility for the other functions of ministry incumbent upon the Session may be fulfilled through a wide variety of Committees. The number, nature, and duties of those Committees shall be determined and defined by the Session in accordance with the mission strategy of the Pastoral Charge. The members of those Committees shall be elected by the Session. (2007)

## **THE COMMITTEE OF STEWARDS**

### **General**

160 There shall be a Committee of Stewards for the Pastoral Charge. Where the Pastoral Charge consists of more than one (1) Congregation, there may be a Committee of Stewards for each Congregation, in which case these Committees shall jointly constitute the Committee of Stewards for the Pastoral Charge.

### **Membership**

161 Membership. The Committee of Stewards shall include a representative of the Women's Ministries Network within the Pastoral Charge or Congregation. Where there is more than one (1) organization of women within the Pastoral Charge or Congregation, the appointment shall be made by the organizations acting jointly.

162 Qualifications. Stewards shall be elected for their Christian character and ability to transact the temporal and financial business of the Pastoral Charge or Congregation. Wherever practicable, they should be in full membership of the Congregation.

163 Number. In determining the number of members of each Committee of Stewards, regard shall be had to the relative strength of the membership of each Congregation in the Pastoral Charge, in order to secure proportional representation on the Committee of Stewards and on the Official Board.

164 Election. Stewards shall be elected by the Congregation(s).

**Duties and Powers**

- 165 The management of the temporal and financial affairs of the Pastoral Charge or Congregation shall be entrusted to the Committee of Stewards.
- 166 It shall be the duty of the Committee of Stewards:
- (a) through the Stewardship Committee of the Official Board to assist in securing contributions, preferably by the weekly envelope and an every-person canvass, for:
    - i. the remuneration of the persons serving the Pastoral Charge as Ministry Personnel;
    - ii. the assessments payable to the pension fund and the group insurance plan;
    - iii. the salaries of other staff of the Pastoral Charge or Congregation;
    - iv. the assessment to meet Presbytery and Conference expenses; and
    - v. the current expenses of the Pastoral Charge or Congregation; and
  - (b) to disburse the money received for these purposes. In the planning and the making of the disbursement of these monies, the Committee of Stewards shall be governed by the following order of priority:
    - i. the remuneration of the persons serving the Pastoral Charge as Ministry Personnel;
    - ii. the assessments payable to the pension fund and the group insurance plan;
    - iii. the salaries of other staff of the Pastoral Charge or Congregation;
    - iv. the assessment to meet Presbytery and Conference expenses; and
    - v. other capital and current expenses of the Pastoral Charge or Congregation.
- 167 The Committee of Stewards shall present to the annual meeting of the Pastoral Charge or Congregation:
- (a) a detailed statement of its receipts and expenditures, for which an Audit has been performed; (2007)
  - (b) a detailed statement of the receipts and expenditures of the Board of Trustees, for which an Audit has been performed; and (2007)
  - (c) a statement showing the estimated amounts required to carry on the work for the ensuing year, with suggestions as to methods for securing the necessary money.

It shall also report concerning the financial condition of the Pastoral Charge or Congregation to the regular meetings of the Official Board, and shall supply the Official Board with a copy of its annual report to the Pastoral Charge or Congregation, as well as the statement showing the estimated amounts required to carry on the work for the ensuing year, prior to the annual meeting.

**Organization**

- 168 Chairperson. The Committee of Stewards shall elect annually from among its members a Chairperson. The duty of the Chairperson shall be to preside at meetings, to preserve order, to take the vote, to announce the decisions of the Committee of Stewards, and to attend to the usual duties of a Chairperson. The Chairperson has a vote only in the event of a tie.
- 169 Secretary. The Committee of Stewards shall elect annually from among its members a Secretary. The Secretary shall keep the record of proceedings, shall preserve all documents, and shall attend to the usual duties of a Secretary.
- 170 Treasurer. The Committee of Stewards shall elect annually from among its members a Treasurer. The Treasurer shall:
- (a) receive all monies for the support of the Pastoral Charge or Congregation from envelopes, collections, and other sources;
  - (b) disburse them under the direction of the Committee of Stewards;
  - (c) enter in a book kept for the purpose all receipts and expenditures;
  - (d) present a statement of the accounts when called upon by the Committee of Stewards or the Official Board; and
  - (e) attend to such other duties as the Committee of Stewards or the Pastoral Charge or Congregation may direct.
- At the end of the financial year the Treasurer shall present a statement for which an Audit has been performed, certified by the auditor or auditors appointed by the Pastoral Charge or Congregation or the Official Board. (2007)

**Committee of Stewards Subcommittees**

- 171 Other. Responsibility for the other functions of ministry incumbent upon the Committee of Stewards may be fulfilled through a wide variety of subcommittees. The number, nature, and duties of those subcommittees shall be determined and defined by the Committee of Stewards in accordance with the mission strategy of the Pastoral Charge. The members of those subcommittees shall be elected by the Committee of Stewards. (2007)

(next section: 180)

**THE OFFICIAL BOARD**

**General**

- 180 A Pastoral Charge shall have one (1) Official Board.

**Meetings**

- 181 Timing. The Official Board shall meet quarterly, or more frequently if deemed advisable.
- 182 Calling. Special meetings shall be called:
- (a) by the Chairperson;
  - (b) by a member of the Order of Ministry who has been settled in or appointed to the Pastoral Charge; (2007)
  - (c) by a Designated Lay Minister who has been appointed to the Pastoral Charge and recognized by the Conference; (2007)
  - (d) by the Pastoral Charge Supervisor;
  - (e) upon the written request of five (5) members of the Official Board. Such meetings shall be held within fourteen (14) days of the presentation of the written request, and only the business named in the notice to members of the Official Board shall be transacted; or
  - (f) on the authority of the Presbytery.
- 182.1 Quorum. A Quorum for the Official Board shall require the attendance of:
- (a) a member of the Order of Ministry who has been settled in or appointed to the Pastoral Charge; (2007)
  - (b) a Designated Lay Minister who has been appointed to the Pastoral Charge and recognized by the Conference; (2007)
  - (c) the Pastoral Charge Supervisor; or
  - (d) an appointee of the Presbytery.

**Membership**

- 183 Membership. The Official Board shall consist of:
- (a) the Chairperson of the Official Board;
  - (b) the Ministry Personnel who has been settled in or appointed to the Pastoral Charge; (2007)
  - (c) where there is no settled or appointed member of the Order of Ministry or appointed Designated Lay Minister who has been recognized by the Conference, the person appointed by the Presbytery as the Pastoral Charge Supervisor; (2007)
  - (d) the members of the Session(s);
  - (e) the members of the Committee(s) of Stewards;
  - (f) the Chairperson of the Ministry and Personnel Committee;
  - (g) the Chairperson of the Stewardship Committee; and
  - (h) the lay representatives to the Presbytery; and

one (1) representative in full membership of the United Church elected by each of the following departments of the Pastoral Charge or of each Congregation:

- (i) the Board of Trustees;
- (j) the Committee to address the faith formation and Christian education needs of the Pastoral Charge or Congregation;
- (k) the Sunday School;
- (l) the youth organization;
- (m) the men's organization; and
- (n) the Women's Ministries Network.

Where there is more than one (1) organization under any of these departments within the Pastoral Charge or a Congregation, the appointment shall be made by the organizations acting jointly.

- 183.1 Resignation or Removal. A member of the Official Board may resign the office, either on personal motion or when requested to do so by the Pastoral Charge, or may be removed by the order of the Presbytery when the interests of the Pastoral Charge are deemed by the Presbytery to require it, or may be deposed by process of discipline. If any member of the Official Board has been absent from its meetings for a year without adequate cause, the Official Board, after having given notice to such person, may make a Decision that such person has ceased to be a member of the Official Board.

#### Duties and Powers

- 184 It shall be the duty of the Official Board:
- (a) **to submit to the Pastoral Charge or Congregation(s) for its consideration reports on life and work, including a full statement of receipts and expenditures, of indebtedness, and of estimates for the ensuing year** (Basis 5.12.3), and the rates fixed by the appropriate General Council working unit. These reports shall not preclude direct presentation to the Pastoral Charge or Congregation(s) at its annual meeting of reports of their work from the Session, the Committee of Stewards, and other departments of the Pastoral Charge or Congregation(s). Copies of such reports shall be placed in the hands of the Official Board prior to such annual meeting. The Official Board should prepare therefrom for submission to the annual meeting a general report covering all the work of the Pastoral Charge, with such recommendations as it deems wise. It is recommended that the annual report be printed and circulated among the members of the Congregation(s);
  - (b) to be responsible for the completion of the annual Pastoral Charge statistical and information forms, and the submission of these forms to the appropriate General Council working unit, no later than February of each year;
  - (c) **to elect representatives, in full church membership, of the Pastoral Charge to the Presbytery;** (Basis 5.12.2)

- (d) to receive and to make available to the members of the Congregation(s) reports on the actions of the Presbytery, the Conference, and the General Council;
- (e) to secure contributions for the support of the total work of the United Church, including the necessary budget for the work of the Pastoral Charge and givings for the Mission and Service Fund. The contributions for the Mission and Service Fund shall, if possible, be at least the amount suggested by the Presbytery;
- (f) to authorize borrowing funds for the day-to-day operations of the Pastoral Charge, or for any indebtedness which shall normally be discharged during the current calendar year;
- (g) **to transmit from the Pastoral Charge to the Presbytery representations concerning the pastoral relationship;** (Basis 5.12.4)
- (h) to give lawful orders and directions to the Trustees concerning matters of property;
- (i) when authorized by the Pastoral Charge or Congregation(s), to represent it or them in meetings with the Presbytery or its representatives to deal with matters of amalgamation, realignment, reconstitution, or the disbanding, of the Pastoral Charge or Congregation(s);
- (j) to attend to matters that involve the joint interest of the Session, the Committee of Stewards, the Board of Trustees, or any two (2) of them; and
- (k) **to attend to matters affecting the Pastoral Charge not assigned to any of the other bodies.** (Basis 5.12.5)

### Organization

- 185 Chairperson. The Pastoral Charge at its annual meeting shall elect a Chairperson of the Official Board, who shall hold office until the next annual meeting. The settled member(s) of the Order of Ministry, the Pastoral Charge Supervisor, or any person in full membership and in good standing in the Congregation(s) is eligible for election. The duty of the Chairperson shall be to preside at meetings, to preserve order, to take the vote, and to announce the decisions of the Official Board. The Chairperson has a vote only in the event of a tie. When there is a Vacancy declared by the Presbytery and the Official Board is considering the same, the Convenor of the Presbytery Pastoral Relations Committee or their appointee shall preside at each meeting. (2007)
- 186 Secretary. It shall be the duty of the Official Board to elect a Secretary from among its members. It shall be the duty of the Secretary to keep the record of proceedings, to conduct the correspondence, to preserve all documents, and to transmit the records annually to the Presbytery for review.
- 187 Treasurer of the Mission and Service Fund. It shall be the duty of the Official Board to appoint a separate Treasurer of the Mission and Service Fund for the Pastoral Charge, who shall:



## PASTORAL CHARGE

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- (a) receive all monies contributed for the Fund and keep a record of the individual givings in an account separate from the other funds of the Pastoral Charge or Congregation(s);
- (b) remit monthly to the appropriate General Council working unit the amounts received;
- (c) report upon the contribution to the Fund at each meeting of the Stewardship Committee; and
- (d) present a complete report for which an Audit has been performed, to the Official Board and to the annual meeting of the Pastoral Charge or Congregation(s). (2007)

### Official Board Committees

- 188 Manse Committee. The Official Board shall establish, and elect the members of, a Manse Committee as detailed in section 243, annually, where applicable. (2007)
- 189 Ministry and Personnel Committee. The Official Board shall establish, and elect the members of, a Ministry and Personnel Committee as detailed in section 244. (2007)
- 190 Stewardship Committee. The Official Board shall establish, and elect the members of, a Stewardship Committee as detailed in section 245. (2007)
- 191 Other. Responsibility for the other functions of ministry incumbent upon the Official Board may be fulfilled through a wide variety of Committees. The number, nature, and duties of those Committees shall be determined and defined by the Official Board in accordance with the mission strategy of the Pastoral Charge. The members of those Committees shall be elected by the Official Board. (2007)

(next section: 200)

## THE CHURCH BOARD

### General

- 200 A Pastoral Charge shall have one (1) Church Board.

### Meetings

- 201 Quorum. A Quorum for the Church Board shall require the attendance of:
- (a) a member of the Order of Ministry who has been settled in or appointed to the Pastoral Charge; (2007)

- (b) a Designated Lay Minister who has been appointed to the Pastoral Charge and recognized by the Conference; (2007)
- (c) the Pastoral Charge Supervisor; or
- (d) an appointee of the Presbytery.

**Membership**

- 202 The membership of the Church Board shall consist of:
- (a) all those selected by the Congregation(s) to exercise leadership in the care and oversight of the life of the Pastoral Charge; (2007)
  - (b) all Ministry Personnel who have been settled in or appointed to the Pastoral Charge; and (2007)
  - (c) the lay representatives to the Presbytery.
- Unless the Presbytery has granted an exception pursuant to section 134, each person selected by the Congregation(s) to exercise leadership in the care and oversight of the life of the Pastoral Charge shall be a member of any one of the Congregations constituting the Pastoral Charge. Members of the Church Board are Elders. (2007)

- 203 Corresponding Membership. Persons elected to leadership positions in other organizations of the Congregation(s), such as the Women's Ministries Network, the AOTS, the youth group, and the Board of Trustees, as determined by the Pastoral Charge, may be Corresponding Members of the Church Board. (2007)

- 204 Resignation or Removal. A member of the Church Board may resign the office, either on personal motion or when requested to do so by the Pastoral Charge, or may be removed by the order of the Presbytery when the interests of the Pastoral Charge are deemed by the Presbytery to require it, or may be deposed by process of discipline. If any member of the Church Board has been absent from its meetings for a year without adequate cause, the Church Board, after having given notice to such person, may make a Decision that such person has ceased to be a member of the Church Board. (2007)

**Duties**

- 205 The Church Board shall be the Court of the Pastoral Charge and shall fulfil the functions specified in sections 153, 154, 155, 165, 166, 167, and 184. (2007)
- 206 In order for the total ministry of the Pastoral Charge to be addressed, the responsibilities of the Session, the Stewards, and the Official Board, as outlined in sections 153, 154, 155, 165, 166, 167, and 184, must be clearly assigned either to the Church Board as a whole or to Committees of the Church Board. The responsibilities of the Board of Trustees may not be assigned or delegated. (2007)

PASTORAL CHARGE

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- 207 As the Court of the Pastoral Charge, the Church Board shall be generally responsible for exercising leadership in the care and oversight of the spiritual life and interests of the Pastoral Charge. Responsibilities appropriate for the Church Board meeting as a Court shall include: (2007)
- (a) the general responsibility for the spiritual interests of the Pastoral Charge; (2007)
  - (b) the discipline of members;
  - (c) the receipt and transmission of Proposals and appeals;
  - (d) the ordering of Formal Hearings;
  - (e) liaison with the Presbytery;
  - (f) reporting at least annually to the Pastoral Charge; (2007)
  - (g) giving directives to the Board of Trustees; and
  - (h) matters of pastoral relations when appropriately directed by the Pastoral Charge. (2007)

**Organization**

- 208 Normally each member of the Church Board shall serve on a Committee according to interest or calling. Other members and Adherents of the Congregation(s) may be encouraged to serve as members of Committees of the Church Board. From among the members of the Church Board, the Pastoral Charge or the Church Board shall elect officers to perform the functions of a Chairperson, a Secretary, and a Treasurer. (2007)

**Church Board Committees**

- 209 Faith Formation and Christian Education. The Pastoral Charge shall establish, and elect the members of, a Committee to address the faith formation and Christian education needs of the Pastoral Charge, as detailed in section 242. Where it has been authorized by the Pastoral Charge, the Church Board may elect additional members to the Committee. (2007)
- 210 Manse Committee. The Pastoral Charge shall, where applicable, establish, and elect the members of, a Manse Committee as detailed in section 243. Where it has been authorized by the Pastoral Charge, the Church Board may elect additional members to the Manse Committee. (2007)
- 211 Ministry and Personnel Committee. The Pastoral Charge shall establish, and elect the members of, a Ministry and Personnel Committee as detailed in section 244. Where it has been authorized by the Pastoral Charge, the Church Board may elect additional members to the Ministry and Personnel Committee. (2007)
- 212 Stewardship Committee. The Pastoral Charge shall establish, and elect the members of, a Stewardship Committee as detailed in section 245. Where it

has been authorized by the Pastoral Charge, the Church Board may elect additional members to the Stewardship Committee. (2007)

- 213 Other. Responsibility for the other functions of ministry incumbent upon the Pastoral Charge may be fulfilled through a wide variety of Committees. The number, nature, and duties of those Committees shall be determined and defined by the Pastoral Charge in its mission strategy. The members of those Committees shall be elected by the Pastoral Charge. Where it has been authorized by the Pastoral Charge, the Church Board may elect additional members to those Committees. (2007)

(next section: 215)

## THE CHURCH COUNCIL

### General

- 215 A Pastoral Charge shall have one (1) Church Council.
- 216 Committees. In the model of a Church Council, the Pastoral Charge shall determine and define the organization and duties of those Committees that shall be responsible and empowered to exercise particular functions of ministry; it shall also define the organization, membership, and responsibilities of the Church Council. (2007)
- 217 Members of Committees. Members of the Committees shall be elected by the Pastoral Charge or Congregation(s) from among the members and Adherents of the Congregation(s) for maximum participation, according to the number, qualifications, and method determined by the mission strategy of the Pastoral Charge. (2007)

### Meetings

- 218 Quorum. A Quorum for the Church Council shall require the attendance of:
- (a) a member of the Order of Ministry who has been settled in or appointed to the Pastoral Charge; (2007)
  - (b) a Designated Lay Minister who has been appointed to the Pastoral Charge and recognized by the Conference; (2007)
  - (c) the Pastoral Charge Supervisor; or
  - (d) an appointee of the Presbytery.

### Membership

- 219 The membership of the Church Council shall consist of:

PASTORAL CHARGE

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- (a) persons selected by each Committee created by the Pastoral Charge to be members of the Church Council, according to the numbers and qualifications determined by the Pastoral Charge; (2007)
- (b) all Ministry Personnel who have been settled in or appointed to the Pastoral Charge; (2007)
- (c) the lay representatives to the Presbytery; and
- (d) additional members as determined by the Pastoral Charge, which may include: officers elected by the Pastoral Charge, such as the Chairperson, the Vice-Chairperson, the Secretary, the Treasurer; the Chairperson(s) of the Board(s) of Trustees or their appointee; and persons elected to leadership positions in other organizations of the Pastoral Charge or Congregation(s), such as the Women's Ministries Network, the AOTS, or the youth group. (2007)

Unless the Presbytery has granted an exception pursuant to section 134, each officer of the Church Council elected by the Pastoral Charge, and each person selected by the Committees to be a member of the Church Council, shall be a member of any one of the Congregations constituting the Pastoral Charge. Officers of the Church Council elected by the Pastoral Charge and those persons selected by the Committees to be members of the Church Council are Elders.

- 220 Resignation or Removal. A member of the Church Council may resign the office, either on personal motion or when requested to do so by the Pastoral Charge, or may be removed by the order of the Presbytery when the interests of the Pastoral Charge are deemed by the Presbytery to require it, or may be deposed by process of discipline. If any member of the Church Council has been absent from its meetings for a year without adequate cause, the Church Council, after having given notice to such person, may make a Decision that such person has ceased to be a member of the Church Council. (2007)

**Duties**

- 221 The Church Council shall be the Court of the Pastoral Charge and shall fulfil the functions specified in sections 153, 154, 155, 165, 166, 167, and 184. (2007)

- 222 In order for the total ministry of the Pastoral Charge to be addressed, the responsibilities of the Session, the Stewards, and the Official Board, as outlined in sections 153, 154, 155, 165, 166, 167, and 184, must be clearly assigned either to the Church Council as a whole or to Committees of the Pastoral Charge. The responsibilities of the Board of Trustees may not be assigned or delegated. (2007)

- 223 As the Court of the Pastoral Charge, the Church Council shall be generally responsible for exercising leadership in the care and oversight of the spiritual life and interests of the Pastoral Charge. Responsibilities appropriate for the Church Council meeting as a Court shall include: (2007)

- (a) the general responsibility for the spiritual interests of the Pastoral Charge; (2007)
- (b) the discipline of members;
- (c) the receipt and transmission of Proposals and appeals;
- (d) the ordering of Formal Hearings;
- (e) liaison with the Presbytery;
- (f) reporting at least annually to the Pastoral Charge; (2007)
- (g) giving directives to the Board of Trustees; and
- (h) matters of pastoral relations when appropriately directed by the Pastoral Charge. (2007)

**Church Council Committees**

- 224 Faith Formation and Christian Education. The Pastoral Charge shall establish, and elect the members of, a Committee to address the faith formation and Christian education needs of the Pastoral Charge, as detailed in section 242. (2007)
- 225 Manse Committee. The Pastoral Charge shall, where applicable, establish, and elect the members of, a Manse Committee as detailed in section 243. (2007)
- 226 Ministry and Personnel Committee. The Pastoral Charge shall establish, and elect the members of, a Ministry and Personnel Committee as detailed in section 244. (2007)
- 227 Stewardship Committee. The Pastoral Charge shall establish, and elect the members of, a Stewardship Committee as detailed in section 245. (2007)
- 228 Other. Responsibility for other functions of ministry incumbent upon the Pastoral Charge may be fulfilled through a wide variety of Committees. The number, nature, and duties of those Committees shall be determined and defined by the Pastoral Charge in its mission strategy. The members of those Committees shall be elected by the Pastoral Charge. (2007)

(next section: 242)

**COMMITTEES FOR ALL MODELS**

- 242 Faith Formation and Christian Education. The Session or Pastoral Charge shall have the responsibility to establish a Committee, task group, or other form of mandated assignment suitable to the structure of the Pastoral Charge and accountable to the Session or Church Board or Church Council, for the purpose of addressing the faith formation and Christian education

needs of the Pastoral Charge or Congregation, within United Church recommended guidelines and principles that include the following: (2007)

- (a) dynamic life-long learning;
- (b) growth in a transforming relationship with God;
- (c) active engagement with the Christian story, past and present, and the formation of new stories of “God with us”;
- (d) intentional reflection upon God’s presence in creation, and working in partnership with God to reconcile and make new;
- (e) discovery and celebration of gifts;
- (f) equipping persons for tasks that are holistic and justice-seeking;
- (g) formation of community relationships that are mutual, holistic, justice-seeking, and cross-generational;
- (h) engagement in endeavours that are mutual, holistic, and justice-seeking; and
- (i) an invitation for persons of all ages and stages to explore and grow in their relationship with God as revealed through Jesus Christ, with the community of faith, and with the world.

243 Manse Committee.

- (a) Membership. The Committee shall include in its membership representation from the Women’s Ministries Network, the Committee of Stewards, and the Board of Trustees. The spouse of the settled or appointed Ministry Personnel shall be a Corresponding Member of the Committee.
- (b) Duties. The Committee shall be responsible for:
  - i. the care and maintenance of the manse and equipment. The Committee shall inspect the manse, equipment, and grounds annually, shall consult with the settled or appointed Ministry Personnel in regard thereto, and shall report to the Official Board or Church Board or Church Council with recommendations. A stated amount should be made available each year for manse purposes and the Manse Committee empowered to spend such funds (excepting major capital expenditures) without further reference to the Official Board or Church Board or Church Council; and
  - ii. seeing that the Pastoral Charge provides the settled or appointed Ministry Personnel with accommodation that is in every way suitable.

244 Ministry and Personnel Committee.

- (a) Meetings. The Committee shall meet and shall report to the Official Board or Church Board or Church Council quarterly or more often as circumstances warrant.
- (b) Membership. The Committee shall consist of not less than three (3) and not more than seven (7) members representative of the Pastoral Charge. Members of the staff of the Pastoral Charge, including the settled or

appointed Ministry Personnel, shall not be members of this Committee. The Committee shall not replace the Joint Search Committee in the event of a change in the pastoral relationship or a Vacancy. (2007)

(c) Duties. The Committee shall:

- i. provide a consultative and supportive agency for the staff of the Pastoral Charge and for members and Adherents of the Congregation(s);
- ii. review working conditions and remuneration for the staff of the Pastoral Charge and make appropriate recommendations to the Official Board or Church Board or Church Council;
- iii. oversee the relationship of the staff of the Pastoral Charge to members of the Congregation(s) and others;
- iv. oversee the relationship between and among different members of the staff of the Pastoral Charge with respect to their responsibilities and authority;
- v. consult with all members of the staff of the Pastoral Charge about their plans for continuing education and ensure that those eligible avail themselves of the provisions for continuing education and that money and time are made available;
- vi. review and evaluate annually the effectiveness of the staff of the Pastoral Charge as those persons and positions relate to the mission of the Pastoral Charge as defined by the Official Board or Church Board or Church Council;
- vii. maintain close liaison with the Presbytery Pastoral Relations Committee;
- viii. review regularly the responsibilities of all staff of the Pastoral Charge and revise position descriptions when required or requested; and
- ix. receive from each Ministry Personnel settled in or appointed to the Pastoral Charge, a current vulnerable sector (level 2) police records check, at the expense of the Ministry Personnel, no later than the completion of each six- (6) year period of the pastoral relationship. (2007)

245 Stewardship Committee.

- (a) Membership. The size of the Committee will be governed to some extent by the size of the Pastoral Charge. In view of the importance of the Committee to the Pastoral Charge, it is suggested that in smaller Pastoral Charges the minimum number of members should be ten (10). The membership should be generally representative of the life and work of the Pastoral Charge. There should be, as ex officio members of the Committee, the following: the Chairperson(s) of the Committee(s) of Stewards or equivalent, the Treasurer of the Pastoral Charge, the Treasurer of the Mission and Service Fund, two (2) representatives of the Women's Ministries Network, and a representative of the Committee to address the faith formation and Christian education needs of the Pastoral Charge. Of the total number of members, at least one-third (1/3) should be from the Committee(s) of Stewards or equivalent.



## PASTORAL CHARGE

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- (b) Duties. The Stewardship Committee shall have the following duties:
- i. to be responsible for the overall stewardship level of the Pastoral Charge so that its full financial potential may be realized. To this end the Committee shall review annually the total financial objective of the Pastoral Charge, that is, the needs at local, regional, and national levels;
  - ii. to interpret to the Pastoral Charge why the funds are needed and how they will be expended;
  - iii. to keep in perspective and under review the proportions of money spent locally and regionally in relation to the amount provided for the wider work of the United Church through the Mission and Service Fund;
  - iv. to cultivate knowledge and conviction concerning the mission of the church in all its aspects, among all age groups and by all media available;
  - v. to make available to the Pastoral Charge the materials issued through the relevant General Council working units;
  - vi. through the use of approved methods of church finance, to secure commitment and participation in the mission of the church by the Pastoral Charge. To this end the Committee shall organize periodic visitations for stewardship purposes; and
  - vii. to report regularly to the Official Board or Church Board or Church Council and to prepare an annual report for the Pastoral Charge.
- (c) Assumption of Duties by Stewards. When the duties of the Stewardship Committee are assumed by the Committee(s) of Stewards or equivalent, the Committee(s) of Stewards or equivalent should for this purpose be enlarged to be generally representative of the life and work of the Pastoral Charge and in any event should include the ex officio members suggested above.

(next section: 250)

## BOARD OF TRUSTEES

### General

- 250 There shall be one (1) Board of Trustees for each Congregation. Where Congregations in a multiple-point Pastoral Charge agree at individual congregational meetings, there may be an additional Board of Trustees for the Pastoral Charge, with representation from each Congregation.

**Meetings**

- 251 Calling. Meetings may be called:
- (a) by a member of the Order of Ministry who has been settled in or appointed to the Pastoral Charge; (2007)
  - (b) by a Designated Lay Minister who has been appointed to the Pastoral Charge and recognized by the Conference; (2007)
  - (c) by the Pastoral Charge Supervisor; or
  - (d) by at least two (2) of the Trustees.
- 252 Notice.
- (a) Notice of meetings in writing, whether of ordinary meetings or of special meetings, shall specify the time, place, and purpose of such meeting. Such notice shall be either personally delivered to each Trustee, or mailed to or delivered to each Trustee at their usual place of abode or business.
  - (b) Ordinary meetings may be called at any time by giving at least one (1) day's notice in writing to each Trustee in the manner aforesaid, or by public announcement at a service for public worship at least one (1) day prior to such meeting.
  - (c) Every meeting of the Board of Trustees for considering the making of any alteration of or addition to any building on the lands, or any part thereof, or for considering the sale, mortgage, hypothecation, lease, or exchange of the lands, or any part thereof, except the letting or sale of pews, seats, vaults, tombs, or burial plots, or for considering any litigation or legal proceedings in connection with the trust estate, shall be deemed a special meeting, and each member shall be entitled to seven (7) days' notice in writing.
  - (d) Notwithstanding anything hereinbefore contained, no meeting or any business transacted thereat shall be invalid by reason of any lack or defect of service of notice arising from inability to ascertain the usual place of abode or business of any Trustee.
  - (e) No Trustee who is personally liable for payment of any indebtedness in respect of the property of a Congregation shall be removed without their consent unless at least eight (8) days' notice in writing of such meeting shall have been mailed to each Trustee at their last known address, which notice shall state the business to be transacted at such meeting.
- 253 Quorum. A majority of the Trustees shall form a quorum, save when the number of Trustees exceeds nine (9), in which case five (5) shall form a quorum.
- 254 Voting. All questions shall be determined by the majority vote of the Trustees present at a meeting, and the Chairperson shall have a casting vote in the event of a tie.

**Membership**

- 255 Eligibility. A majority of the members of the Board of Trustees shall be members of the United Church.
- 256 Number of Trustees. The Board of Trustees shall consist of not fewer than three (3) or more than fifteen (15) members, including ex officio one (1) of the settled or appointed members of the Order of Ministry. The number of members of the Board of Trustees shall be determined from time to time by the Congregation. During any vacancy in the office of Trustee, the remaining Trustees, not being fewer than three (3) in number, shall have all the powers of the full Board. Where the number of existing Trustees is more than fifteen (15), all such Trustees shall remain in office but no vacancy in the office of Trustee shall be filled until the number of Trustees is reduced below fifteen (15), in which case the number shall not again exceed fifteen (15).
- 257 Resignation or Removal. In case any of the said Trustees or any Trustee appointed under this provision shall, during their term of office, die, resign, or, having been, cease to be a member of the United Church in full communion, or remove to such a distance, or fail to attend meetings for such period not less than one (1) year, as shall in the opinion of their co-Trustees, expressed by a two-thirds (2/3) vote of said co-Trustees, render it inexpedient for them to remain a Trustee, or in case the said Congregation shall think it proper to remove a Trustee from their office as Trustee, it shall be lawful for the said Congregation, at any meeting called by notice that shall be read from the pulpit by the minister or person officiating as minister during public worship and may also be inserted in the printed order of worship of the Pastoral Charge or Congregation on each of the two (2) preceding Sundays on which public worship is held, to declare by the votes of two-thirds (2/3) of the members then present that such Trustee has ceased to be a Trustee of the said Congregation, and such person shall thereupon cease to be a Trustee, and at the same meeting it shall be lawful for the said Congregation by a like vote to appoint a successor to such Trustee, provided, however, that no Trustee who is personally liable for payment of any indebtedness in respect of the property of a Congregation shall be removed without their consent unless indemnified to their satisfaction in respect of any such liability. (2007)
- 258 Vacancies.
- (a) Meeting for Appointment. If no successor shall be appointed at such meeting, a meeting may be called in like manner for the purpose of filling such vacancy, and at such meeting a new Trustee or new Trustees, as the case may require, shall be appointed by the votes of the majority of the members then present.
  - (b) Calling of Meeting and Notice. At the request of any Trustee or of any seven (7) members of the Congregation, the notice calling a meeting for the purpose of declaring or filling a vacancy or vacancies in the office of Trustee shall be read from the pulpit by the minister or person

officiating as minister during public worship and may also be inserted in the printed order of worship of the Pastoral Charge or Congregation on each of the two (2) preceding Sundays on which public worship is held. For greater clarity, the earliest time at which the meeting may take place is on the day immediately following the second Sunday at which the notice of meeting was read during public worship. (2007)

- (c) Adjournment of Meeting. Every meeting called for the purpose of declaring or filling a vacancy or vacancies in the office of Trustee may be adjourned from time to time by the vote of the majority of the members present.
- (d) Appointment by Presbytery. In case there shall be at any time fewer than three (3) Trustees, the Presiding Officer or Secretary of the Presbytery under the jurisdiction of which the said Congregation shall be, shall, with the remaining Trustee or Trustees, be the Trustees under these presents until the full Board is duly appointed, and at any time thereafter the Presbytery may cause notice to be read from the pulpit by the minister or person officiating as minister during public worship on two (2) consecutive Sundays requiring the said Congregation to proceed with the appointment of new Trustees. And if the said Congregation shall not in the meantime have appointed new Trustees in the manner hereinbefore provided, it shall be lawful for the said Presbytery, at any time after four (4) weeks from the last giving of such notice, by resolution duly entered in the minutes of the Presbytery, to appoint new Trustees. Such appointment shall be communicated to the Congregation by notice read during public worship as soon as conveniently may be thereafter, and from the time of such communication the Trustee or Trustees so appointed shall be a Trustee or Trustees hereunder. (2007)

### **Duties and Powers**

- 259 The Board of Trustees shall discharge such duties and exercise such powers as are set out in Appendix II. The Board of Trustees shall obey all lawful orders and directions respectively of the Official Board or Church Board or Church Council of the Pastoral Charge, the Presbytery, or the Conference. (2007)

### **Organization**

- 260 The Board of Trustees should be properly organized.
- 261 Chairperson. The settled or appointed member of the Order of Ministry or the Pastoral Charge Supervisor shall have the right to preside as Chairperson at all meetings of the Board of Trustees and may appoint a deputy to act as the Chairperson. In the absence of the settled or appointed member of the Order of Ministry or the Pastoral Charge Supervisor and of any such deputy, the Trustees present may elect a Chairperson from among themselves. The Chairperson shall have a casting vote in the event of a tie.

262 Minutes. A minute of every appointment of a Trustee shall be entered in a book to be kept for the purpose, and signed by the person presiding at the meeting, and such minute so signed shall be sufficient evidence of the fact that the person or persons therein named was or were appointed and elected at such meeting, but any omission or neglect to make or to sign such minute shall not invalidate such appointment or election.

(next section: 265)

### CONGREGATIONAL PROPERTY

265 Trusts of Model Deed. Subject to the exceptions set out in section 266, all lands, premises, and Real Property and Personal Property acquired for the use of a Pastoral Charge or Congregation of the United Church shall be held, used, and administered under the Trusts of the Model Deed.

266 Exceptions.

- (a) Where No Denominational Interest. Any property or funds owned by a Pastoral Charge or Congregation at the time of Church Union solely for its own benefit and not for the benefit of the denomination of which it formed a part shall not be held under the Trusts of Model Deed unless and until, at a meeting of such Pastoral Charge or Congregation regularly called for the purpose, it consents that it shall so be held. Where the Pastoral Charge or Congregation has not given such consent, the consent of the Presbytery is not required for the sale, mortgage, exchange, or lease of Real Property pertaining to a Pastoral Charge or Congregation. (In no province except Alberta and Saskatchewan is any Real Property of a former Presbyterian congregation included in this exception, as the provincial statutes incorporating the Board of Trustees of the Presbyterian Church in Canada vest a reversionary interest in such property in the denomination, should the congregation cease to exist. No Real Property of a former Methodist congregation is included in this exception, as under legislation affecting the Methodist Church the denomination had an interest in the Real Property of all Methodist congregations. The exception does apply to property of a congregation of the former Congregational Churches.)
- (b) Property Held in Trust for Special Use. Any property held in trust for any special use of a Congregation shall be held, used, and administered for the benefit of such Congregation as a part of the United Church as the same was held, used, and administered for the benefit of such Congregation prior to the coming into force of the legislation effecting Church Union.

267 Direction and Consent. The Trustees may acquire, sell, mortgage, exchange, lease, or otherwise deal with the Real Property or major Personal Property of any Congregation, or erect, enlarge, demolish, rebuild, or effect major renovations to any building held or to be held for any Congregation, only

with the prior Decision of the Presbytery, in writing, consenting to such action. Such consent shall be sought in the first instance at the preliminary planning stage, and at such other times as the Presbytery may direct. The application for such consent shall be in writing. The Trustees shall submit such material as the Presbytery may require, and:

- (a) in the case of any acquisition, major renovation, enlargement, or construction, the application shall state the source from which funds will be made available; and
- (b) in the case of any sale, mortgage, exchange, lease, or other disposition of Real Property or major Personal Property, the application shall give the Presbytery full information. The Official Board or Church Board or Church Council shall develop, in consultation with the Presbytery, a proposal in respect of the disposition of the proceeds after providing for all costs and payment of indebtedness of the Trustees. The Presbytery shall make a Decision in respect of such proposal.

268 Congregations Amalgamating.

- (a) When a proposal to amalgamate two (2) or more Congregations is made, each Congregation shall meet separately to make a Decision on the proposal.
- (b) Where two (2) or more Pastoral Charges or Congregations are to be amalgamated by the Presbytery under section 334:
  - i. after consulting with the Pastoral Charges or Congregations, and before any amalgamation takes place, the Presbytery must declare surplus the part or parts of the property of the amalgamating Pastoral Charges or Congregations determined by the Presbytery no longer to be needed; and
  - ii. such surplus property shall be applied, either before or after the completion of the amalgamation, for such purpose for the benefit of the United Church as the Conference may determine.
- (c) Where two (2) or more Pastoral Charges or Congregations have been amalgamated:
  - i. all of the Property, both Real and Personal, including any surplus property not yet disposed of, held by the Trustees of each of the Pastoral Charges or Congregations for their respective Pastoral Charges or Congregations shall, from and after the amalgamation, be deemed always to have been property held by the Trustees of the amalgamated Pastoral Charge or Congregation for the amalgamated Pastoral Charge or Congregation, without any conveyance being required from the Trustees of the amalgamating Pastoral Charge or Congregation; and
  - ii. any gift, devise, or bequest made before or after the amalgamation or intended to be made to a Pastoral Charge or Congregation or the Trustees of a Pastoral Charge or Congregation, which has been the subject of an amalgamation, shall be paid to, transferred to, and vested in the Trustees of the amalgamated Pastoral Charge or Congregation and shall be held for the amalgamated Pastoral Charge or Congregation.

- (d) Congregations do not cease to exist by reason of being parties to an amalgamation, but rather continue as the amalgamated Congregation.

269 Congregation Disbanding.

- (a) In order for a Congregation to initiate the process to disband, the Congregation shall pass a resolution indicating its desire to disband and proposing an effective date, and shall seek the approval of the Presbytery of the resolution to disband. (2007)
- (b) Provided that the Presbytery agrees with the resolution, the Congregation shall then make provisions for the transfer of its members to other Congregations as may be desired by the members, shall submit to the Presbytery a proposal regarding the disposition of its Property, both Real and Personal, following where applicable the procedures outlined in section 267.
- (c) The Congregation shall place with the Presbytery the records of the Congregation in order that these may be forwarded to the Conference archives.

270 Congregation Ceasing to Exist.

- (a) A Congregation may cease to exist as of a specified date in one of two ways: (2007)
  - i. by the Presbytery approving a resolution passed by the Congregation to disband as of the specified date; or (2007)
  - ii. by the Presbytery making a Decision to disband the Congregation as of the specified date. (2007)
- (b) A Congregation does not cease to exist by reason of no longer functioning as an organized body, but rather only after the action of the Presbytery.
- (c) Congregations do not cease to exist by reason of being parties to an amalgamation, but rather continue as the amalgamated Congregation.
- (d) Where a Congregation has ceased to exist as of a specified date, either by the Presbytery approving a resolution passed by the Congregation to disband as of the specified date or by the Presbytery making a Decision to disband the Congregation as of the specified date, all of its Property, Real and Personal, shall after that date be applied for such purpose for the benefit of the United Church as the Conference may determine after having consulted with the Presbytery. (2007)
- (e) Where a Congregation has ceased to exist, the Presbytery shall take possession of the records of the Congregation and arrange through its Archives Committee to forward them to the Conference archives.

271 Procedures. The following procedure should be followed in carrying out the orders and directions of the Official Board or Church Board or Church Council of the Pastoral Charge or Congregation in connection with any acquisition, sale, mortgage, lease, exchange, construction, enlargement, major renovation, demolition, or rebuilding:

- (a) a meeting of the Board of Trustees shall be called, giving each Trustee at least seven (7) days' notice in writing, specifying the time, place, and purpose of the meeting;
- (b) the Board of Trustees should pass a resolution setting out:
  - i. the decision to acquire, sell, mortgage, lease, exchange, construct, enlarge, effect major renovations, demolish, or rebuild;
  - ii. the legal description of the Real Property, or an adequate description of the Personal Property;
  - iii. the price or costs;
  - iv. the terms; and
  - v. the proposed application to be made of the proceeds, or the proposed source of funds;
 and authorizing application to be made to the Presbytery for its consent;
- (c) the resolution should be entered in full in the minutes of the Board of Trustees. A copy of such resolution should also be made, followed by a certificate which should be signed by the Chairperson and Secretary of the Board of Trustees;
- (d) a certified copy of this resolution and application should be sent at once to the Secretary of the Presbytery, who should then immediately refer it to the Presbytery Property Committee or its equivalent, so that the Committee can be called together to consider the request and be able to submit its report to the Presbytery;
- (e) the Presbytery should then consider the report of the Property Committee, and, if it decides to give its consent, should pass a resolution to that effect. A certificate should be appended to this resolution by the Secretary of the Presbytery; and
- (f) the resolution and certificate should then be attached to the deed, mortgage, or lease of Real Property for registration in the appropriate land registry office.

272 Certificate as to Current Trustees. Where the current Trustees are not the Trustees in whose name the title to the property is registered, and it is intended either to obtain a new certificate of title in the names of the current Trustees where this is possible, or to convey, charge, lease, or otherwise deal with the property by means of a document to be registered, reference should be made to the appropriate section or sections of the applicable United Church provincial statute, as follows:

British Columbia	subsections 21(a) and 21(b)
Alberta	subsections 20(1) and 20(2)
Saskatchewan	subsections 20(1) and 20(2)
Manitoba	subsections 20(a) and 20(b)
Ontario	section 24

In New Brunswick, Prince Edward Island, and Nova Scotia, the Boards of Trustees are bodies corporate, and reference should be made to the appropriate section or sections of the applicable United Church provincial statute, as follows:

New Brunswick	section 20
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Prince Edward Island      sections 18 and 19  
Nova Scotia                    section 20

In all cases, the Trustees should consult a lawyer or the land registry office in the jurisdiction in which the land is located, in order to determine how to complete the transaction.

(next section: 275)

### **OTHER ORGANIZATIONAL MATTERS**

- 275 Executive. A Pastoral Charge or Congregation may appoint an Executive to deal with specific matters assigned to it by a Session, Official Board, Church Board, or Church Council, with its authority to act within specifically defined limits. Since the Courts of a Pastoral Charge or Congregation have general responsibility for the care and oversight of the spiritual life of the Pastoral Charge or Congregation, an Executive so appointed should not be granted the full powers of a Court.
- 276 Commission. A Court of the Pastoral Charge or Congregation, or its Executive, may act by Commission. The Commission shall report its Decision to the appointing body in keeping with its terms of reference for record in the minutes. Such Decision is not debatable.
- 277 Single-Point Pastoral Charge. When a single-point Pastoral Charge selects a Church Board or Church Council model, the Court of the Pastoral Charge (the Church Board or Church Council) shall ensure that the responsibilities of the Session, Stewards, and Official Board as outlined in sections 140 to 191 are assigned to the appropriate organizational unit; that is, to the Church Board or the Church Council acting as a whole for matters appropriate to the Court of the Pastoral Charge, and to Committees for particular functions of ministry. (2007)
- 278 Multiple-Point Pastoral Charge. A multiple-point Pastoral Charge shall have one (1) Pastoral Charge Official Board or Church Board or Church Council which shall be responsible for those matters that involve the joint interest of the Congregations that make up the Pastoral Charge.
- (a) A multiple-point Pastoral Charge may have two (2) Courts, an Official Board or Church Board or Church Council representing the Pastoral Charge and a primary Court of each Congregation of the Pastoral Charge, or it may have one (1) Court, an Official Board or Church Board or Church Council representing all Congregations of the Pastoral Charge.
  - (b) The organization and duties of the Pastoral Charge Official Board or Church Board or Church Council shall be defined by the Pastoral Charge taking into account sections 180 to 191. (2007)
  - (c) The membership of the Pastoral Charge Official Board or Church Board or Church Council shall include:

- i. the Ministry Personnel settled in or appointed to the Pastoral Charge;
  - ii. all Elders or representative Elders from the Court of each Congregation, according to the number and manner of selection determined by the Pastoral Charge; (2007)
  - iii. the lay representatives to the Presbytery; and
  - iv. representatives of other congregational organizations such as the Board of Trustees, the Women's Ministries Network, and the youth group, as determined by the Pastoral Charge.
- (d) In the case of a multiple-point Pastoral Charge, the Manse Committee, the Ministry and Personnel Committee, and the Stewardship Committee shall be Committees of the Pastoral Charge Official Board or Church Board or Church Council.
- (e) There may be an additional Board of Trustees for the Pastoral Charge, with representation from each Congregation. That Board of Trustees shall be a Committee of the Pastoral Charge. (2007)

279 Different Forms of Organization. The Pastoral Charge or Congregation may establish a form of organization different from those provided in sections 140 to 191, sections 200 to 213, and sections 215 to 228. Such organization shall ensure that the functions set out therein are clearly identifiable. Any new form of organization shall be approved by the Pastoral Charge or Congregation at a meeting duly called for this specific purpose. The proposal for the new structural form shall then be forwarded to the Presbytery to be approved. There must be a Board within each Congregation named as the Trustees. (2007)

**UNITED CHURCH MEN'S ORGANIZATIONS  
WITHIN THE PASTORAL CHARGE**

280 The men of the Pastoral Charge or of a Congregation thereof shall be free to come together into organized groups, and they are strongly encouraged to do so. The purposes of such groups may include those set forth in section 831.

281 The men's organizations shall require the approval of, and shall be represented on, the Official Board or Church Board or Church Council.

282 The men's organizations at the Pastoral Charge level may link with similar organizations at the Presbytery level or the Conference level, to promote rallies, conferences, workshops, or such other activities as they see fit.

(next section: 285)

285 An opportunity to share in men's work in the United Church on a church-wide basis is offered through the formation of a local AOTS men's club and

PASTORAL CHARGE

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its affiliation with the National Association of United Church AOTS Men's Clubs. The aims and structure of this form of men's organization are set forth in section 845. A local men's organization interested in this broader perspective, and in sympathy with the aims of AOTS, is strongly encouraged to seek affiliation with it. A category of individual membership is available for interested men who are in a Pastoral Charge or Congregation that does not have an affiliated AOTS men's club.

- 286 The operation of a local AOTS men's club is subject to section 281.
- 287 The local AOTS men's club becomes part of a structure that links it with similar clubs at the Presbytery level or the Conference level, as well as the national level, as described in sections 835, 840, and 845.

(next section: 290)

**WOMEN OF THE UNITED CHURCH OF CANADA  
WITHIN THE PASTORAL CHARGE**

- 290 All women's groups in the United Church, including United Church Women groups, are collectively referred to as the Women's Ministries Network. (2007)
- 291 Name. All women's groups within the Pastoral Charge are free to name themselves according to their history and vision. (2007)
- 292 All women's groups within the Pastoral Charge are free to determine their own size, structure, and manner of leadership. (2007)
- 293 Purposes. All women's groups within the Pastoral Charge are free to determine their own purposes, which may include personal support, friendship, spiritual nurture and growth, mission education, service, exploring faith in Jesus, outreach, fundraising, fun, prayer, healing, or education for life.
- 294 Representation. The Women's Ministries Network shall have the right to a representative on the Official Board or Church Board or Church Council and Committees thereof. Where there is more than one (1) organization of women in the Pastoral Charge, the appointment shall be made by the organizations acting jointly. (2007)
- 295 Organization.
- (a) All women's groups are free to develop their own organizational structures in relation to the Courts of the United Church as they deem appropriate.

BY-LAWS

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- (b) United Church Women maintains its current organizational structure in relation to the Courts of the United Church, and develops its own organizational guidelines within that structure.

(next section: 300)

## THE PRESBYTERY

### Meetings

- 300 Regular Meetings. The Presbytery shall meet at stated intervals and at such other times as may be necessary. The time and place of the next meeting shall be fixed before adjournment, or referred to the Chairperson and the Secretary or to the Executive. If for any reason it is impossible to hold the meeting at the time fixed, the Chairperson and the Secretary shall appoint another date and give at least ten (10) days notice of such meeting.
- 301 Special Meetings. In cases of emergency, a special meeting for transacting specified business requiring immediate attention may be called by the Chairperson and the Secretary. When the Presbytery meets, the Chairperson and the Secretary shall submit their reasons for calling the meeting. Only the business specified in the notice may be considered at such special meeting. An adjourned special meeting must be held before the next regular meeting, and may consider only the business for which it was originally called.
- 302 Meetings During Conference, General Council.
- (a) Since all members of the Presbytery are not necessarily members of the Conference, a Presbytery may hold a meeting during the sessions of the Conference only when the last meeting previous to the meeting of the Conference has adjourned to meet at a specific time and place, or when due notice of such a meeting is given to each member of the Presbytery.
  - (b) No meeting of the Presbytery shall be held while the General Council is in session.
- 303 Calling of Meetings. In the event of the death or disability of either the Chairperson or the Secretary, the duty of calling a meeting of the Presbytery shall devolve upon the surviving officer.
- 304 Quorum and Supervisors. When a Pastoral Charge is not being served by Ministry Personnel who would be counted among members of the Order of Ministry or Designated Lay Ministers for the purpose of Quorum at meetings of the Presbytery, the Conference may, upon the request of the Presbytery, grant permission to the Presbytery to count the lay Pastoral Charge Supervisor of such Pastoral Charge as among members of the Order of Ministry or Designated Lay Ministers for such purpose. (2007)

(next section: 310)

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**Membership**
**310 Membership. The Presbytery shall consist of:**

- (a) **members of the Order of Ministry:**
- i. **who have been settled in Pastoral Charges, Missions, or Outreach Ministries within the jurisdiction of the Presbytery;** (Basis 6.1.1)
  - ii. **who have been appointed to special ministries or other United Church appointments by the General Council, or by a Conference, a Presbytery, or an institution of the United Church;** (Basis 6.1.2) (2007)
  - iii. **who have been appointed by the Presbytery to serve a Pastoral Charge, Mission, or Outreach Ministry within the jurisdiction of the Presbytery;** (Basis 6.1.3)
  - iv. **who are retired;** (Basis 6.1.4)
  - v. **who, at the time of commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, have been granted leave for post-graduate studies, until subsequent action by the Transfer Committee;** (Basis 6.1.5) (2007)
  - vi. **of another denomination whose credentials have been approved in accordance with the procedures established by the General Council and who have been appointed by the Presbytery to a Pastoral Charge, Mission, or Outreach Ministry within its jurisdiction;** (Basis 6.1.6) or (2007)
  - vii. **who have been retained on the rolls of Presbytery and Conference by Decision of the Conference;** (Basis 6.1.7) and
- (b) **lay members of the United Church:**
- i. **appointed by the Presbytery as Designated Lay Ministers to serve a Pastoral Charge or other Presbytery Recognized Ministry within the jurisdiction of the Presbytery;** (Basis 6.2.1) (2007)
  - ii. **who are Candidates appointed by the Presbytery to serve a Pastoral Charge, Mission, or Outreach Ministry within the jurisdiction of the Presbytery;** (Basis 6.2.2)
  - iii. **receiving long-term disability benefits as a result of a disability that occurred at the time they were serving as Designated Lay Ministers within the jurisdiction of the Presbytery;** (Basis 6.2.3) (2007)
  - iv. **appointed to administrative or program staff positions by a Court of the United Church;** (Basis 6.2.4) (2007)
  - v. **appointed by Pastoral Charges and Missions of the United Church, whether or not the Pastoral Charge or Mission is served by a member of the Order of Ministry. Such representatives are to be appointed on the following basis for each Pastoral Charge or Mission:**
    - (1) **one (1) representative from each Congregation with 100 or fewer resident members;** (2007)

- (2) **two (2) representatives from each Congregation with between 101 and 200 resident members;** (2007)
- (3) **three (3) representatives from each Congregation with between 201 and 300 resident members;** (2007)
- (4) **four (4) representatives from each Congregation with 301 or more resident members;** (Basis 6.2.5) (2007)
- vi. **appointed, on the same basis as those in paragraph 310(b)v., by an inter-denominational congregation or mission, including Canadian Forces Bases, in which the United Church is one of the participating denominations and which is recognized by the Presbytery;** (Basis 6.2.6)
- vii. **representing each of the following: the Presbyterial United Church Women, the Presbytery United Church Men, or those organizations that are their successors, one (1) from each;** (Basis 6.2.7)
- viii. **representing youth and young adults, selected as follows: at least one (1) youth representative (age 13 to 18 years) and at least one (1) young adult representative (age 18 to 30 years);** (Basis 6.2.8)
- ix. **one (1) representative from each Outreach Ministry within the jurisdiction of the Presbytery;** (Basis 6.2.9) or
- x. **who are Past Moderators who reside within the jurisdiction of the Presbytery;** (Basis 6.2.10) and
- xi. **up to ten (10) lay members at large** appointed by the Presbytery. (Basis 6.2.11)

311 Corresponding Members. **The Presbytery shall include as Corresponding Members:**

- (a) **lay Overseas Personnel for whom it is their home Presbytery;** (Basis 6.3.1)
- (b) **Candidates for the Order of Ministry sponsored by the Presbytery who are not appointed to a Pastoral Charge, Mission, or Outreach Ministry;** (Basis 6.3.2) and
- (c) **one (1) representative from the Board, or equivalent administrative body, for each camp or outdoor ministry programme within its jurisdiction that is owned or operated by the United Church.** (Basis 6.3.3)

312 Keeping the Roll. It shall be the duty of the Presbytery to maintain proper rolls for members of the Order of Ministry under its oversight. The Secretary of the Presbytery shall keep the roll of the Presbytery and shall submit it annually to the Presbytery for revision at a regular meeting.

313 Order of the Roll. The roll of the Presbytery shall be kept in the order of the Pastoral Charges, which shall be listed in the alphabetical order of the places in which they are situated. When two (2) or more Pastoral Charges

are in one (1) place, they shall be listed under the name of that place in the alphabetical order of the Pastoral Charges.

314 Procedures about the Membership of a Member of the Order of Ministry on the Roll of Presbytery.

- (a) Effective Date. The Presbytery membership of a member of the Order of Ministry settled in a Pastoral Charge becomes effective on July 1st, or, if such settlement is made by the Executive of the Settlement Committee during the Pastoral Year, at such date as the Executive shall determine. The membership and date shall be so recorded in the report of the Settlement Committee.
- (b) Temporarily Left Without Charge or Appointment. A member of the Order of Ministry who is temporarily without a Pastoral Charge shall remain a member of the Presbytery of which such person has been a member until the next meeting of the Conference, when the name of such person shall be placed on the roll of a Presbytery by the Conference on the recommendation of the Settlement Committee.
- (c) Other Full-Time Employment or Member of Parliament. A member of the Order of Ministry serving a Pastoral Charge who accepts other employment that is generally considered to be full-time, or who is elected a member of a provincial legislature or the federal parliament, shall immediately call a meeting of the Official Board or Church Board or Church Council and submit the terms of the call for review and revision in the light of the changed situation, which revision shall be made in consultation with, and under the supervision of, the Presbytery.
- (d) Left Without Charge or Appointment.
  - i. A member of the Order of Ministry who is not serving in a Presbytery Recognized Ministry must be in a covenant relationship with a Pastoral Charge or other Presbytery Recognized Ministry in order to be considered for the retention of their name on the roll of the Presbytery, unless the Presbytery grants an exception. No recommendation for retention shall be for a period longer than the Conference year. Before making such recommendation, the Presbytery shall receive and consider annually an application from the person concerned that such person's name be retained on the rolls. The application shall state the nature of the work to be engaged in by the applicant and the relationship of the applicant to the pension fund. The applicant, at their own expense, shall also provide to the Presbytery a current vulnerable sector (level 2) police records check. This latter documentation shall be provided at the time that the person first applies to have their name retained on the roll and every third year thereafter during the time that such person's name is retained on the roll. The provisions of this paragraph do not apply to a member of the Order of Ministry who is retired or in another United Church appointment. (2007)
  - ii. Each member of the Order of Ministry applying to be retained on the roll of the Presbytery shall submit each year a statement for the guidance of the Presbytery in making a recommendation to Conference as to the retention of the name of such member of the



Order of Ministry on its roll. The provisions of this paragraph do not apply to a member of the Order of Ministry who is retired or in another United Church appointment. The Presbytery may require any member of the Order of Ministry concerned to be present at such a meeting. The Presbytery shall be guided by the following:

- (1) The intention in commissioning to the diaconal ministry of education, service, and pastoral care, and ordination, is clearly that the member of the Order of Ministry be devoted to ministry as described in the commissioning or ordination vows. Therefore, when a member of the Order of Ministry requests not to serve in a Presbytery Recognized Ministry in order to enter employment that the Presbytery does not deem suitable for a member of the Order of Ministry, the Presbytery should request that such person resign as a member of the Order of Ministry. When the person does not comply with this request and accepts the employment that the Presbytery does not deem suitable, the Presbytery shall recommend to the Conference that the name of such person be removed from the rolls of Presbytery and Conference and placed on the Discontinued Service List (Disciplinary). (2007)
  - (2) When a member of the Order of Ministry enters upon a vocation other than the ministry to which the member was commissioned or ordained, with the approval of Presbytery and Conference, it shall be the Conference that shall define the extent to which the functions of that person shall be limited.
  - (3) When a member of the Order of Ministry requests a change in a pastoral relationship in order to accept a position in another religious body, the Presbytery may issue a letter of good standing to that person. The Presbytery shall report to the Conference the acceptance by the person of employment with another religious body and shall recommend to the Conference whether the name of the person should be retained on the rolls of Presbytery and Conference or should be transferred to the Discontinued Service List (Voluntary). The Conference shall make a Decision whether the name of such person shall be retained on the rolls or shall be transferred to the Discontinued Service List.
  - (4) When a member of the Order of Ministry of the United Church is received as a minister by another church, the Presbytery shall recommend to the Conference that the name of such person be removed forthwith from the rolls of Presbytery and Conference and placed on the Discontinued Service List (Voluntary). The Conference shall make a Decision on such recommendation. This provision shall not apply to members of the Order of Ministry engaged by the appropriate General Council working unit as Overseas Personnel.
- iii. When a member of the Order of Ministry is not willing to be devoted to the work of the ministry, or is engaged in work that the Presbytery does not deem suitable for a member of the Order of

Ministry, or, after notification by the Secretary of the Presbytery of the requirement of this subsection, refuses or neglects to make the application for two (2) consecutive years, the Presbytery shall recommend to the Conference that the name of such member of the Order of Ministry be removed from the rolls of Presbytery and Conference and placed on the Discontinued Service List (Disciplinary).

- iv. The Conference, before making a Decision, shall inform itself of the nature of the work, if any, to be engaged in by the applicant and shall satisfy itself that, whether religious work or otherwise, it is work suitable for a member of the Order of Ministry of the United Church.

**315** Presbytery Consultation. The Presbytery shall be consulted:

- (a) prior to the appointment of a member of the Order of Ministry on its roll, by another Presbytery, a Conference, or the General Council, to any Outreach Ministry, staff position, or United Church agency; and
- (b) by a member of the Order of Ministry on its roll prior to the acceptance by such member of the Order of Ministry of an appointment by a non-United Church body, which is recognized (or is to be recognized) by a Presbytery as an appropriate ministry.

**316** Transfer of Membership. The membership of a member of the Order of Ministry without a Pastoral Charge may be transferred from one (1) Presbytery to another within the Conference, only by action of the Conference on the recommendation of the Settlement Committee; and from one (1) Conference to another, only by action of the Transfer Committee. All members of the Order of Ministry shall normally be members of the Presbytery in which they reside.

**317** No More Than One Presbytery. A person may not be a member of more than one (1) Presbytery of the United Church at the same time.

**318** Discontinued Service List.

- (a) A person whose name has been placed on the Discontinued Service List (Disciplinary) by Decision of the Conference shall not be recognized as Ministry Personnel of the United Church, nor shall they perform the functions of its diaconal or ordained ministry.
- (b) A person whose name has been placed on the Discontinued Service List (Voluntary) by Decision of the Conference shall not be recognized as Ministry Personnel of the United Church, nor shall they perform the functions of its diaconal or ordained ministry unless specifically stipulated otherwise by the Conference.
- (c) No letter of good standing shall be issued to a person whose name has been transferred to either the Discontinued Service List (Disciplinary) or the Discontinued Service List (Voluntary).

(next section: 320)

### Duties and Powers

#### General

- 320 Receipt and Transmission of Proposals and Appeals.
- (a) Receipt of Proposals and Appeals. **It shall be the duty of the Presbytery to receive and dispose of Proposals and appeals from the lower Courts.** (Basis 6.4.2)
  - (b) Transmission of Proposals and Appeals. **It shall be the duty of the Presbytery to transmit Proposals and appeals to the higher Courts.** (Basis 6.4.3)
- 321 Deal With Matters Sent Down. **It shall be the duty of the Presbytery to deal with matters sent down by the higher Courts.** (Basis 6.4.10)
- 322 Executive. It shall be the duty of the Presbytery to provide for the continuing work of the Presbytery between regular meetings by appointing an Executive. Such Executive shall consist of at least five (5) persons, of whom at least one (1) shall be a lay person other than a Designated Lay Minister, and at least one (1) shall be a member of the Order of Ministry or a Designated Lay Minister. If the Executive consists of more than five (5) persons, the proportion of lay members shall be maintained. Such Executive has all of the duties and powers of the Presbytery unless the Presbytery otherwise determines. When the Executive acts for the Presbytery between regular meetings, its actions shall be reported to the Presbytery for information and for record in the minutes. (2007)
- 323 Elect to Conference. **It shall be the duty of the Presbytery to elect lay members to the Conference, of whom at least a majority shall have been previously elected by a Pastoral Charge or other United Church ministry to represent them at Presbytery.** (Basis 6.4.13) Those elected shall be in full church membership, and shall be chosen at a regular meeting before the meeting of the Conference, by such method as the Presbytery shall determine. (2007)
- 324 Annual Report to Conference. A report concerning the religious life and work of the Pastoral Charges within the jurisdiction of the Presbytery and the oversight exercised by the Presbytery shall be presented annually to the Conference. It shall include information concerning the amalgamation, realignment, reconstitution, relocation, or disbanding of Pastoral Charges, Congregations, or Missions, the closing or opening of preaching appointments, and the reception of any congregation of another communion into the United Church.
- 325 Minutes to Conference. It shall be the duty of the Presbytery to submit each year to the Conference the minutes of regular and special meetings of the

Presbytery and its Executive and such other records and documents as will demonstrate the mission and administrative activity of the Presbytery. The Presbytery shall report to the Conference the way in which it has responded to counsel or instructions resulting from the previous annual review of records by the Conference.

326 Appointments to Conference Settlement Committee. **It shall be the duty of the Presbytery to appoint one (1) member of the Order of Ministry and one (1) lay member to the Conference Settlement Committee.** (Basis 6.4.14) The Secretary of the Presbytery shall forthwith send the names and addresses of the persons so appointed to the Executive Secretary of the Conference. (2007)

327 Reports from Lay Organizations. It shall be the duty of the Presbytery to receive and to consider regularly reports from the Presbyterial United Church Women and the other lay organizations as described in paragraphs 310(b)vii. and 310(b)viii.

328 Assessments. The Presbytery shall have the right to assess Pastoral Charges within its jurisdiction an amount sufficient to meet Presbytery expenses including the Conference assessment.

329 Action by Conference. Where, in the opinion of the Conference, the functioning of a Presbytery is ineffectual or the Presbytery fails to take appropriate action, or where the Presbytery requests the Conference to take action on its behalf, the Conference shall adopt such measures as it may deem necessary.

**Oversight of Pastoral Charges**

330 New Pastoral Charges. The Presbytery shall have power to form new Pastoral Charges, Congregations, or Missions, subject to such regulations as the General Council may pass. Before forming a Pastoral Charge, a Congregation, or a Mission, or before approving the change of site of a church edifice or manse, the Presbytery shall be required to hear and consider the representations of any Pastoral Charge or Congregation that may be affected by the proposed action. (2007)

331 Congregations Entering. The Presbytery shall receive and dispose of petitions to enter the United Church from congregations connected with other churches. When such a petition is received, accompanied by a certified roll of church membership, the Presbytery shall appoint a Committee to meet with the petitioners to enquire into the freedom of the congregation to seek admission, the regularity of its procedure in the premises, and its approval of the distinctive principles, government, and usages of the United Church. If the Presbytery is satisfied with the report of the Committee on these matters and approves the petition, it then declares the congregation to be a Congregation of the United Church, subject to the approval of the General Council.

332 Oversight of Pastoral Charges. **It shall be the duty of the Presbytery to have the oversight of the Pastoral Charges within its jurisdiction, to review their records, (Basis 6.4.1) to adopt measures for promoting the religious life of the Pastoral Charges within its jurisdiction, (Basis 6.4.11) and to ensure that the Pastoral Charges comply with the policies and the Polity of the United Church.**

- (a) In exercising this oversight, the Presbytery shall set up a standing Committee on the Oversight of Pastoral Charges, which shall annually send out to the Secretary of the Official Board or Church Board or Church Council of each Pastoral Charge a request for one (1) or more copies of the annual report along with any other relevant information the Committee wishes to have in carrying out its oversight. Unless other arrangements are specifically made to the satisfaction of the Presbytery, the Secretary of the Official Board or Church Board or Church Council, after having made provision for the discussion by the Pastoral Charge of the annual report and other information requested, shall forward the requested copies of the annual report and any other information to the Committee on or before February 15th of each year.
- (b) The Presbytery Committee on the Oversight of Pastoral Charges shall then review the information received and prepare a report for the Presbytery, celebrating significant events and progress, reviewing key issues, and recommending action where this is deemed appropriate and necessary. The Presbytery in turn shall convey its findings and actions to the Executive Secretary of the Conference by April 15th of each year for the annual meeting of the Conference.
- (c) The Presbytery Committee on the Oversight of Pastoral Charges shall encourage, when and where appropriate, the sharing of property between Congregations, and, as part of its exercise of oversight, it shall monitor the relationship between Congregations that share property.
- (d) The Presbytery Committee on the Oversight of Pastoral Charges shall be responsible for the triennial visit to Pastoral Charges and Presbytery ministries, including United Church owned or operated camps or outdoor ministry programs located within the jurisdiction of the Presbytery. Such visit will be undertaken in order to offer support, encouragement, and counsel, and thus to demonstrate and to exercise an aspect of the episcopal function of the Presbytery. Teams composed of lay persons and members of the Order of Ministry are to be selected to undertake these visits. One-third (1/3) of the Pastoral Charges and Presbytery ministries shall be visited each year.
  - i. Preparation and orientation both for Presbytery visitors and for the officers of the Pastoral Charge or Presbytery ministry should precede the visits.
  - ii. Materials that will be used should go to the Pastoral Charges and Presbytery ministries in advance.
  - iii. Maximum use shall be made of data gathered from the yearly report as background, prior to the visit.
  - iv. When visiting each Pastoral Charge or Presbytery ministry, the team should meet both with those in ministry and with a representative

group of officers and other members of the Pastoral Charge or Presbytery ministry.

- v. Guidelines established from time to time should be used by both parties to provide a basis for dialogue and discussion. Those responsible for the visit are expected to adapt such guidelines to the particular situation that is to be visited.
  - vi. On completion of a visit, a written report shall be prepared by the Presbytery visitors and shared both with the Pastoral Charge or Presbytery ministry and with the Presbytery.
  - vii. When visiting each Pastoral Charge, the team shall determine whether the Ministry and Personnel Committee of the Official Board or Church Board or Church Council has received from each Ministry Personnel settled in or appointed to the Pastoral Charge a current vulnerable sector (level 2) police records check, at the expense of the Ministry Personnel, no later than the completion of each six- (6) year period of the pastoral relationship. The team shall indicate in its written report whether this requirement has been met. (2007)
  - viii. Upon receipt of each report, the Committee shall review the findings, using this material as a basis for further action where indicated and reporting where and when required.
  - ix. Relevant data from the in-depth visits to Pastoral Charges and Presbytery ministries shall be included along with results from yearly reports. When reporting on the behalf of the Presbytery to the Conference, such reports shall be submitted to the Executive Secretary of the Conference by April 15th of each year.
- (e) The Presbytery shall:
- i. arrange for the annual visitation of all Pastoral Charges, Missions, and institutions requesting financial support. The report of such visitation, accompanied by a budget and financial statement, shall be presented to the Presbytery;
  - ii. forward to the Conference its applications for grants on the schedules provided for this purpose;
  - iii. consider applications from Congregations within its jurisdiction for assistance from the Property Fund and make recommendations to the Conference; and (2007)
  - iv. consider applications for assistance from the Capital Assistance Fund and make recommendations to the appropriate General Council working unit.
- (f) The Presbytery shall visit any Pastoral Charge that pays its Ministry Personnel a salary and travel allowance less than the minimum and the applicable salary increment, and it shall endeavour to arrange for an appropriate salary responsibility for the Pastoral Charge. If at least the salary scale currently authorized by the General Council cannot be otherwise ensured, the Presbytery shall apply, on behalf of the Pastoral Charge, to the appropriate General Council working unit for a mission support grant from the Mission and Service Fund.

- (g) The Presbytery shall ensure that the lay employees of Pastoral Charges hired after 21 December 1988 and meeting hours-of-work criteria are enrolled in the pension and group insurance plans.
- (h) The Presbytery has the right to call a meeting of:
  - i. the Pastoral Charge; (2007)
  - ii. the Official Board or Church Board or Church Council; and (2007)
  - iii. any or all of the Congregations within the Pastoral Charge; (2007)

at any time, to consider any matter pertaining to their or its interests, and may give directions as to who shall be Chairperson of such meeting. The Ministry Personnel settled in or appointed to the Pastoral Charge or the Pastoral Charge Supervisor shall read the notice of such meeting to the Congregation(s) as ordered by the Presbytery.
- (i) The Presbytery shall ensure that all Pastoral Charges complete the annual Pastoral Charge statistical and information forms and submit these forms to the appropriate General Council working unit no later than February of each year.

**333** Oversight of Pastoral Charges. It shall be the duty of the Presbytery to oversee the conduct of the Pastoral Charges within its jurisdiction.

- (a) In its exercise of care and oversight, the Presbytery shall act within the spirit and regulations to be found in sections 065 to 071, 333, and 363. In its exercise of discipline, the Presbytery shall act within the provisions of sections 072 to 077, and paragraph 363(d)i.
- (b) When there is reason to fear that a Pastoral Charge is in an unsatisfactory state, the case may be brought before the Presbytery for its consideration, by:
  - i. the Presbytery itself;
  - ii. the Ministry Personnel settled in or appointed to the Pastoral Charge;
  - iii. the Pastoral Charge Supervisor;
  - iv. the Session;
  - v. the Official Board or Church Board or Church Council; or
  - vi. a Proposal properly transmitted with concurrence or non-concurrence through the Official Board or Church Board or Church Council to the Presbytery and signed by ten (10) persons in full membership of the Pastoral Charge or Congregation.

**334** Amalgamate, Disband, Cease to Exist. The Presbytery shall have power to amalgamate, realign, reconstitute, relocate, or disband Pastoral Charges, Congregations, or Missions within its jurisdiction.

- (a) Before amalgamating, realigning, reconstituting, relocating, or disbanding Pastoral Charges, Congregations, or Missions, the Presbytery shall hold separate meetings with the Pastoral Charge, Congregation, or Mission concerned, for the purpose of hearing and considering any proposals or representations that they or any of them

may wish to make. Any Pastoral Charge or Congregation may empower the Official Board or Church Board or Church Council to represent it at any such meetings.

- (b) Where two (2) or more Pastoral Charges or Congregations are to be amalgamated by the Presbytery:
  - i. after consulting with the Pastoral Charges or Congregations, and before any amalgamation takes place, the Presbytery must declare surplus the part or parts of the property of the amalgamating Pastoral Charges or Congregations determined by the Presbytery no longer to be needed; and
  - ii. such surplus property shall be applied, either before or after the completion of the amalgamation, for such purpose for the benefit of the United Church as the Conference may determine.
- (c) When amalgamating or realigning a Pastoral Charge, Congregation, or Mission with another Pastoral Charge, Congregation, or Mission, the Presbytery may attach conditions upon such amalgamation or realignment, including conditions respecting the assumption of liabilities and the disposition of assets.
- (d) Where any amalgamation or realignment involves Pastoral Charges, Congregations, or Missions in separate Presbyteries, both Presbyteries shall consult and agree upon the conditions to be imposed, and obtain Conference approval.
- (e) Where a Congregation has ceased to exist as of a specified date, either by the Presbytery approving a resolution passed by the Congregation to disband as of the specified date or by the Presbytery making a Decision to disband the Congregation as of the specified date, all of its Property, Real and Personal, shall after that date be applied for such purpose for the benefit of the United Church as the Conference may determine after having consulted with the Presbytery. (2007)
- (f) Where a Congregation has ceased to exist, the Presbytery shall take possession of the records of the Congregation and arrange through its Archives Committee to forward them to the Conference archives.

### 335 Dealing with Real Property.

- (a) Each Presbytery shall determine what constitutes “major Personal Property” and “major renovations” for the area within its jurisdiction and shall communicate that determination to each Congregation and Pastoral Charge within its jurisdiction.
- (b) The Presbytery shall receive and make a Decision with regard to applications to acquire, sell, mortgage, exchange, lease, or otherwise deal with the trust property of Congregations in accordance with the provisions of sections 250 to 262 and 265 to 272. Any five (5) members of the Congregation have the right of appeal to the Conference.
- (c) The Presbytery shall consider and dispose of applications from Congregations for approval of sites for church edifices or manses, building plans, and financial proposals.



- (d) In the case of a separation of the Congregations within a Pastoral Charge, where there are competing claims to church property and the Congregations cannot agree to a settlement, the matter shall be addressed through the policies and procedures approved by the General Council for dealing with resolution of conflicts.

(next section: 337)

- 337 Action by Presbytery. Where, in the opinion of the Presbytery, the functioning of a Pastoral Charge is ineffectual or the Pastoral Charge fails to take appropriate action, or where the Pastoral Charge requests the Presbytery to take action on its behalf, the Presbytery shall adopt such measures as it may deem necessary.

(next section: 340)

**Appointment of Ministry Personnel; Candidates**

- 340 Interim Ministers. The Presbytery shall have authority to appoint Interim Ministers.

- (a) When the Presbytery is considering the appointment of an individual to a specific Interim Ministry, the individual shall provide to the Presbytery, at the individual's expense, a current vulnerable sector (level 2) police records check. The Presbytery shall then arrange for an interview between the individual and the Interim Ministry Transition Committee. (2007)
- (b) A recommendation for the appointment of the individual to the Pastoral Charge, Mission, or Outreach Ministry shall be made by the Interim Ministry Transition Committee to the Official Board or Church Board or Church Council. If the recommendation is supported by the Official Board or Church Board or Church Council, it is then presented to the Presbytery on behalf of the Pastoral Charge, Mission, or Outreach Ministry.
- (c) The Presbytery shall make a Decision with regard to the appointment.
- (d) The Presbytery shall provide an act of covenant where a new pastoral relationship is established.
- (e) The Interim Minister shall not be available to serve the Pastoral Charge, Mission, or Outreach Ministry in any call, settlement, or appointment that immediately follows the completion of the appointment as Interim Minister.

- 341 Pastoral Charge Supervisors.

- (a) Appointment. The Presbytery shall appoint one (1) of its own members as the Pastoral Charge Supervisor to supervise any Pastoral Charge that is without a settled or appointed member of the Order of Ministry or an appointed Designated Lay Minister who has been recognized by the Conference, and that is being served by: (2007)

- i. a Designated Lay Minister who has not yet been recognized by the Conference; (2007)
- ii. a Candidate Supply;
- iii. an Intern Supply;
- iv. a Student Supply; or
- v. a Diaconal Supply or Ordained Supply.

The Presbytery shall also have the authority to appoint a Pastoral Charge Supervisor to supervise a Pastoral Charge in any other situation where the Presbytery deems it appropriate.

(b) Duties. The duties of the Pastoral Charge Supervisor shall include:

- i. giving sympathetic support to the Supply and general supervision of the work of the Pastoral Charge, in consultation with the Presbytery and the appropriate Conference staff person;
- ii. ensuring that there is a Chairperson elected for the Official Board or Church Board or Church Council, the Session or Sessions, the Board or Boards of Trustees, congregational meetings, and meetings of the Pastoral Charge;
- iii. ensuring that the sacraments are appropriately administered and that new members are received on profession of faith under the oversight of the Session or Church Board or Church Council;
- iv. in consultation with the Presbytery and the appropriate Conference staff person, delegating authority to the Supply so far as possible, consistent with paragraphs i., ii., and iii. above, with a clear understanding of the responsibilities devolving upon the Supply for the conduct of worship, pastoral care, preparation for Baptism, confirmation, or reception, and for Holy Communion, organization of Christian education, the United Church Women, and other lay activities, and such other duties as shall be for the welfare of the Pastoral Charge;
- v. preparing a confidential report on the state of the Pastoral Charge; and
- vi. serving on an Appointment Advisory Committee, during the initial appointment of a Diaconal Supply or Ordained Supply to the Pastoral Charge.

342 Diaconal Supply or Ordained Supply. The Presbytery shall have authority to appoint a Diaconal Supply or Ordained Supply to a Pastoral Charge. Normally a person will serve as a Diaconal Supply or Ordained Supply in preparation for admission to the Order of Ministry of the United Church.

- (a) Approval. No person shall be appointed by a Presbytery as Diaconal Supply or Ordained Supply until the requirements of subsections 031(b), (c), (d), (e) (except question i.), and (f) have been met and the person has been approved by the appropriate General Council working unit, regardless of whether the person is seeking admission to the Order of Ministry of the United Church. No appointment shall be made unless the prospective appointee has provided to the Presbytery, at the

prospective appointee's expense, a current vulnerable sector (level 2) police records check.

(2007)

- (b) **Presbytery Initial Interview.** The Presbytery shall request copies of all relevant documentation concerning a prospective appointee from the appropriate General Council working unit. The Presbytery Education and Students Committee shall interview the prospective appointee. The expenses of the prospective appointee related to all interviews are the responsibility of the prospective appointee. If the Committee is satisfied with the documentation and the interview, the Committee shall request that the Conference Interview Board interview the prospective appointee.
- (c) **Conference Initial Interview.** The Conference Interview Board shall interview the prospective appointee and forward its recommendation regarding the suitability of the prospective appointee for ministry in the United Church to the Presbytery for its consideration.
- (d) **Initial Appointment.** Having satisfied itself as to the suitability of the prospective appointee for ministry in the United Church, the Presbytery may appoint them as Diaconal Supply or Ordained Supply to a Pastoral Charge, Mission, or Outreach Ministry of the United Church, for a term not exceeding twelve (12) months. The Presbytery shall consult with the appropriate General Council working unit prior to making the appointment, and shall notify the appropriate General Council working unit of the appointment once made. If the Presbytery making the appointment is not the Presbytery that initially interviewed the prospective appointee, the Presbytery making the appointment shall obtain the prospective appointee's complete file from the Presbytery that initially interviewed the prospective appointee, prior to making the appointment. The appointment shall also be subject to all other policies and procedures governing Presbytery appointments.
- (e) **Overseas Applicant.** When the prospective appointee resides outside Canada or the United States, the provisions of subsection 031(l) shall be applied and the provisions of subsections 031(h) and (j) may be applied.
- (f) **Service of Covenant.** The Presbytery shall hold a service of covenant for the Presbytery, the Diaconal Supply or Ordained Supply, and the Pastoral Charge.
- (g) **Member of Presbytery.** The Diaconal Supply or Ordained Supply is a member of the Presbytery as permitted in paragraph 310(a)vi.
- (h) **Appointment Advisory Committee.** The Diaconal Supply or Ordained Supply shall meet periodically during the term of the initial appointment, with an Appointment Advisory Committee comprising members of the Pastoral Charge chosen for that purpose upon the request of the Presbytery Education and Students Committee, the Pastoral Charge Supervisor, and one (1) other presbyter appointed by the Presbytery Education and Students Committee. The Appointment Advisory Committee shall formulate recommendations regarding the suitability of the Diaconal Supply or Ordained Supply to enter into the admission process and the suitability of the Diaconal Supply or Ordained Supply for ministry in the United Church.

- (i) Sacraments. An Ordained Supply whose ordination is recognized and accepted by the United Church shall be authorized to administer the sacraments and may be recommended by the Presbytery to the Conference for licensing to solemnize marriages. A Diaconal Supply whose commissioning to the diaconal ministry of education, service, and pastoral care is recognized and accepted by the United Church may be recommended by the Presbytery to the Conference for authorization to administer the sacraments or licensing to solemnize marriages. (2007)
- (j) Exceptions: Extended Appointment. Unless the Presbytery has made a Decision to permit the Diaconal Supply or Ordained Supply to proceed to the admission process, the Diaconal Supply or Ordained Supply may not continue beyond the initial twelve (12) month appointment, except while the Diaconal Supply or Ordained Supply is serving in: a Mutuality in Mission position, a ministerial exchange, or an Interim Ministry, or in other exceptional circumstances as determined by the appropriate General Council working unit. (2007)
- (k) Pension Plan. A Diaconal Supply or Ordained Supply seeking admission to the Order of Ministry of the United Church may pay into the pension plan and may participate in the group insurance plan.
- (l) Admission. A Diaconal Supply or Ordained Supply seeking admission to the Order of Ministry of the United Church must satisfy the requirements for admission set forth in section 031.
- (m) Postponement of Admission Process. When the Presbytery has made a Decision to permit the Diaconal Supply or Ordained Supply to proceed to the admission process, the person may postpone proceeding to the admission process for up to three (3) years. During the period of such postponement, the person is not eligible for appointment.
- (n) Exceptions: Ethnic Congregations. A Diaconal Supply or Ordained Supply appointed to an Ethnic Congregation so designated by the appropriate General Council working unit may elect not to seek admission to the Order of Ministry of the United Church and may be reappointed so long as the appointment is to an Ethnic Congregation. Such Diaconal Supply or Ordained Supply may not be appointed until the requirements of subsections 031(b), (c), (d), (e) (except question i.), and (f) have been met and the person has been approved by the appropriate General Council working unit, notwithstanding that they are not seeking admission to the Order of Ministry of the United Church. (2007)

343 Designated Lay Ministers. The Presbytery shall have authority to appoint a Designated Lay Minister to fill a Vacancy in a Pastoral Charge or other Presbytery Recognized Ministry. (2007)

- (a) Requirements. To be appointed as a Designated Lay Minister, a person must: (2007)
  - i. have been a member of the United Church and active in a Congregation of the United Church, for at least twenty-four (24) months preceding the period of intentional discernment. The question of what constitutes requisite activity in a Congregation for

PRESBYTERY

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- a given person is to be considered and determined by the Session or Church Board or Church Council; (2007)
  - ii. be currently in close association with a Congregation of the United Church; (2007)
  - iii. be a Licensed Lay Worship Leader or the equivalent; (2007)
  - iv. have been recognized as an Inquirer by both the Session or Church Board or Church Council and the Presbytery; (2007)
  - v. have engaged in a period of at least twelve (12) months of intentional discernment with a Committee of the Pastoral Charge and the Presbytery. The period of discernment will be for the purpose of exploring and determining suitability for ministry by considering the person's genuine call to ministry, personal character, motives, faith, and general fitness for ministry in the United Church; (2007)
  - vi. after having completed the period of intentional discernment, be recommended by the Session or Church Board or Church Council to the Presbytery for recognition as a Designated Lay Minister; (2007)
  - vii. submit to the Presbytery documents and letters of reference regarding a genuine call to ministry, personal character, motives, education, faith, and general fitness for ministry, together with any other relevant information; (2007)
  - viii. be in essential agreement with the doctrine of the United Church and be willing to abide by the Polity of the United Church; (2007)
  - ix. commit themselves to participating in an appropriate educational program, including educational supervision during the program. The required educational program for the person, and the time period within which it is to be completed, shall be set by the appropriate General Council working unit in accordance with policies approved by the General Council or its Executive. Alternatively, the person may furnish evidence acceptable to the appropriate General Council working unit of having completed an equivalent educational program; and (2007)
  - x. provide to the Presbytery, at the person's expense, a current vulnerable sector (level 2) police records check. (2007)
- (b) Interviews. The applicant shall be interviewed by the Conference Interview Board, which shall report to the Presbytery. The Presbytery Education and Students Committee shall then interview the applicant and make a recommendation to the Presbytery regarding appointment. (2007)
- (c) Appointment. The Presbytery shall have authority to appoint a person as a Designated Lay Minister, to a Pastoral Charge with a declared Vacancy. Appointments shall be on the recommendation of the Presbytery Pastoral Relations Committee; the Presbytery Pastoral Relations Committee shall first have confirmed the person's readiness for appointment with the Presbytery Education and Students Committee. Appointments shall be to a specific ministry for a specified term to be determined by the Presbytery; the Presbytery shall first have

- consulted with the Conference Settlement Committee; appointments may be renewed. (2007)
- (d) Recognition. The Conference may recognize a Designated Lay Minister only after: (2007)
- i. the requirements in subsection (a) have been met to the satisfaction of the Presbytery; (2007)
  - ii. an appropriate educational program, including educational supervision during the program, has been completed to the satisfaction of the Presbytery; and (2007)
  - iii. the person has been recommended by the Presbytery to the Conference for recognition as a Designated Lay Minister. (2007)
- Recognition shall take place at a Conference service of worship. (2007)
- (e) Sacraments. A licence to administer the sacraments on a specific Pastoral Charge for the duration of the appointment may be granted by the Conference to a Designated Lay Minister for whom the Presbytery has decided to make application after having received a request from the Session or Church Board or Church Council. In the case of a Designated Lay Minister who has been recognized by the Conference, a licence to administer the sacraments may, at the discretion of the Conference, permit the Designated Lay Minister to administer the sacraments within the jurisdiction of the Presbytery to which the Designated Lay Minister is accountable. (2007)
- (f) Continuance. Continuance as a Designated Lay Minister shall depend upon: (2007)
- i. participation in the required competency-based educational program, satisfactory to the Presbytery; (2007)
  - ii. an interview by the Presbytery Education and Students Committee, satisfactory to the Presbytery, following satisfactory completion of the required educational program; and (2007)
  - iii. continuance of the Presbytery Appointment. (2007)
- (g) A person: (2007)
- i. whom the Session or Church Board or Church Council has decided not to approve for a period of intentional discernment; (2007)
  - ii. whose Presbytery Appointment as a Designated Lay Minister has been terminated by the Presbytery as an act of discipline; (2007)
  - iii. who has previously been denied candidacy for diaconal or ordained ministry in the United Church; or (2007)
  - iv. whose candidacy for diaconal or ordained ministry in the United Church has been terminated at the initiative of the Presbytery; (2007)
- shall not be considered for appointment as a Designated Lay Minister until a period of at least twelve (12) months has passed from the date of such Decision. Should such a person make application through a different Presbytery for appointment as a Designated Lay Minister, that application shall not be considered until after due consideration has been given to the facts obtained from the Presbytery that dealt with the

person and consultation with the appropriate General Council working unit has taken place. A person: (2007)

v. whom the Presbytery has decided not to recommend for recognition as a Designated Lay Minister; or (2007)

vi. whom the Conference has decided not to approve for recognition as a Designated Lay Minister; (2007)

shall not be considered as an applicant for recognition as a Designated Lay Minister until a period of at least twelve (12) months has passed from the date of such Decision. (2007)

(h) A Designated Lay Minister is a member of the Presbytery that made the appointment. Except while they are receiving long-term disability benefits as a result of a disability that occurred during their appointment, their membership in the Presbytery as a Designated Lay Minister does not continue after the term of the appointment, unless the appointment is renewed. (2007)

(i) A Designated Lay Minister who has been recognized by the Conference may apply for a paid accountable ministry position in any Presbytery, and the requirements of subsection (d) need not be satisfied again. A Designated Lay Minister who has not yet been recognized by the Conference may apply for a paid accountable ministry position in any Presbytery, and their position in the recognition process is transferable with the approval of both Presbyteries involved. (2007)

344 Licensed Lay Worship Leaders.

(a) The Presbytery shall make enquiry as to the ability, character, and doctrine of a person recommended by a Session or Church Board or Church Council to be licensed as a Licensed Lay Worship Leader, and shall conduct a written examination on the course of study required by the appropriate General Council working unit. Upon successful completion of these requirements, the Presbytery shall issue a licence to the person on the prescribed form. The Licensed Lay Worship Leader shall be recognized at a public service to be held under the direction of the Chairperson of the Presbytery.

(b) Presbytery Direction. The person licensed as a Licensed Lay Worship Leader shall function under the direction of the Presbytery.

(c) Transferability. A Licensed Lay Worship Leader transferring membership in the United Church from one Pastoral Charge to another Pastoral Charge in the same Presbytery shall continue to be recognized as a Licensed Lay Worship Leader. A Licensed Lay Worship Leader transferring membership to a Pastoral Charge in another Presbytery shall not function as a Licensed Lay Worship Leader until recognized as a Licensed Lay Worship Leader by that Presbytery.

(d) Renewal of Licence. The licence of a Licensed Lay Worship Leader shall be renewed each year at the discretion of the Presbytery within the jurisdiction of which such Licensed Lay Worship Leader is a member in good standing of a Congregation.

- 345 Congregational Designated Ministers. The Pastoral Charge may appoint a Congregational Designated Minister to fill a position in that Pastoral Charge that has been approved by the Presbytery. (2007)
- (a) Requirements. To be appointed as a Congregational Designated Minister, a person must: (2007)
- i. have been a member of the United Church and active in a Congregation of the United Church, for at least twenty-four (24) months preceding the period of intentional discernment. The question of what constitutes requisite activity in a Congregation for a given person is to be considered and determined by the Session or Church Board or Church Council; (2007)
  - ii. be currently in close association with a Congregation of the United Church; (2007)
  - iii. have received the approval of the Session or Church Board or Church Council to engage in a period of intentional discernment; (2007)
  - iv. be willing to engage in a period of at least six (6) months of intentional discernment with a Committee of the Pastoral Charge. The period of discernment may be concurrent with the term of any appointment. The Pastoral Charge shall establish a suitable time limit within which the period of intentional discernment is to be completed to the satisfaction of the Pastoral Charge. The period of discernment will be for the purpose of exploring and determining suitability for ministry by considering the person's genuine call to ministry, personal character, motives, faith, and general fitness for ministry in the United Church; (2007)
  - v. be in essential agreement with the doctrine of the United Church and be willing to abide by the Polity of the United Church and in particular the discipline of the Presbytery; and (2007)
  - vi. provide to the Pastoral Charge, at the person's expense, a current vulnerable sector (level 2) police records check. (2007)
- (b) Appointment. Appointments shall be to a specific ministry for a specified term to be determined by the Pastoral Charge; appointments may be renewed. A Congregational Designated Minister shall not be the only paid accountable minister serving the Pastoral Charge; there must be a member of the Order of Ministry or a Designated Lay Minister settled or appointed to the Pastoral Charge. (2007)
- (c) Interviews. A person who has been recommended by the Session or Church Board or Church Council to the Presbytery for recognition as a Congregational Designated Minister may be interviewed by the Conference Interview Board, which shall report to the Presbytery. The Presbytery Education and Students Committee shall then interview the applicant for the purpose of considering the person's genuine call to a specific area of ministry, and make a recommendation to the Presbytery regarding recognition. (2007)
- (d) The Presbytery may recognize a Congregational Designated Minister only after: (2007)



PRESBYTERY

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- i. the requirements in subsection (a) have been met to the satisfaction of the Presbytery; (2007)
- ii. after having completed the period of intentional discernment, the person has been recommended by the Session or Church Board or Church Council to the Presbytery for recognition as a Congregational Designated Minister; and (2007)
- iii. the person has submitted to the Presbytery documents and letters of reference regarding a genuine call to ministry, personal character, motives, education, faith, and general fitness for ministry, together with any other relevant information. (2007)

Recognition shall take place at a Presbytery service of worship. (2007)

- (e) the Official Board or Church Board or Church Council is the primary Court of accountability for a Congregational Designated Minister, and the Presbytery is the primary Court of discipline for a Congregational Designated Minister. (2007)
- (f) A Congregational Designated Minister does not retain that status after the term of their appointment, unless the appointment is renewed. (2007)
- (g) A person who has previously been recognized by the Presbytery as a Congregational Designated Minister may apply for a similar paid accountable ministry position in another Presbytery, provided that they possess the qualifications required for the position, and the requirements of subsection (d) need not be satisfied again. (2007)

346

**Candidates. It shall be the duty of the Presbytery to exercise faithful supervision of each Candidate; to enquire each year into the genuine call to ministry, personal character, motives, academic record, doctrinal beliefs, and general fitness for ministry of each Candidate; and to receive annual reports for each Candidate from the theological school.** (Basis 6.4.6) It shall be the duty of the Presbytery:

- (a) to receive a recommendation from its Education and Students Committee regarding applications from Inquirers to be received as Candidates;
- (b) to make a Decision regarding each application to be received as a Candidate, and to forward the appropriate documentation to the Conference Education and Students Committee and the appropriate General Council working unit. When the Presbytery has made a Decision to approve the application to become a Candidate, the Presbytery shall receive the Candidate at a service of covenanting at public worship in the Candidate's sponsoring congregation;
- (c) each year, upon receiving a satisfactory report for a Candidate enrolled in a theological school, to certify such Candidate to that theological school;
- (d) to receive an annual report on each Inquirer and Candidate, including a then-current vulnerable sector (level 2) police records check, which it is recommended that the Candidate obtain, at their own expense, every sixth year during the candidacy process; and (2007)

- (e) to recommend each approved Candidate to the Conference for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, after conducting an interview and determining that the Candidate has fulfilled the prescribed requirements. (2007)
- 347 Sacraments Elder. (2007)
- (a) The Presbytery shall identify Pastoral Charges without a settled or appointed member of the Order of Ministry or an appointed Designated Lay Minister who has been recognized by the Conference. (2007)
- (b) The Presbytery may invite the Session or Church Board or Church Council of such Pastoral Charge to recommend a suitable lay person to be considered for licensing as a Sacraments Elder. Such person must be a member of the Session or Church Board or Church Council. (2007)
- (c) The Presbytery shall assess the person so recommended, for their formation and accountability. The Presbytery shall require the person so recommended to take a course of preparation appropriate to their background and experience, in accordance with the policies established from time to time by the General Council or its Executive. (2007)
- (d) When the Presbytery is satisfied as to the formation and accountability of the person so recommended, the Presbytery may recommend to the Conference that the person be licensed as a Sacraments Elder. (2007)
- (e) The term of the licence shall not extend beyond the earlier of twelve (12) months, and the effective date of the settlement or appointment of a member of the Order of Ministry or the appointment of a Designated Lay Minister to the Pastoral Charge. (2007)
- (f) The Presbytery may request that the Conference renew the licence for a further term, subject to subsection (e). (2007)
- 348 Ecumenical Shared Ministries. (2007)
- (a) The settlement or appointment of Ministry Personnel of the United Church to an Ecumenical Shared Ministry shall be in accordance with the Polity of the United Church and subject to the policies established from time to time by the General Council or its Executive in relation to ecumenical shared ministry. (2007)
- (b) The appointment of ministry personnel of another participating denomination to an Ecumenical Shared Ministry shall be in accordance with the procedures of that denomination and subject to the policies established from time to time by the General Council or its Executive in relation to ecumenical shared ministry. (2007)
- (c) Ministry Personnel of the United Church settled in or appointed to an Ecumenical Shared Ministry shall be secure in their own denominational identity. They shall be respectful of the practices, needs, and traditions of the other denomination(s) participating in that ecumenical shared ministry. (2007)
- (d) It is expected that ministry personnel of another participating denomination appointed to an Ecumenical Shared Ministry be secure in

their own denominational identity. They shall be respectful of the practices, needs, and traditions of the United Church. (2007)

- (e) Ministry personnel of another participating denomination appointed to an Ecumenical Shared Ministry who choose to seek admission to the Order of Ministry of the United Church are governed by the provisions of section 031. (2007)

(next section: 350)

**Oversight of the Pastoral Relationship**

350 Pastoral Relationship Without Interruption. It shall be the duty of the Presbytery to see **that, as far as reasonably possible, every Pastoral Charge shall have a pastorate without interruption**, (Basis 9.2) by making where appropriate an appointment to a Pastoral Charge, Mission, or Outreach Ministry of one of the following: a Designated Lay Minister; a Candidate Supply, Intern Supply, or Student Supply; a Diaconal Supply or Ordained Supply; or a United Supply (including retired Supply and Interim Ministers). (2007)

351 Multiple Staff.

- (a) When a member of a Multiple Staff is settled or appointed by the Presbytery into one (1) or more Pastoral Charge(s), the Presbytery shall approve the delegating of duties and responsibilities to each member and shall ensure that all appropriate salaries, allowances, and benefits are negotiated with the Pastoral Charge(s) for services specifically identified in the position descriptions.
- (b) When members of a Multiple Staff are settled or appointed by the Presbytery into one (1) or more Pastoral Charge(s), there shall be an annual review of the conditions of work within the pastoral relationship(s) undertaken by the Ministry and Personnel Committee(s) of the Official Board(s) or Church Board(s) or Church Council(s) concerned.

352 Act of Covenant. **It shall be the duty of the Presbytery to provide an Act of Covenant through which a new relationship is established between an individual and a Pastoral Charge, the Presbytery itself, or a United Church related ministry accountable to the Presbytery.** (Basis 6.4.8)

- (a) When a member of the Order of Ministry is newly appointed as faculty of a United Church related theological school, there shall be an act of covenanting between that individual and the Presbytery of which that individual is a member. The covenant relationship between that individual and the Presbytery is distinct from any covenant relationship between that individual and the theological school. The act of covenanting between that individual and the Presbytery may take place on the occasion of the school's covenanting service.
- (b) The service to covenant for a specialized ministry shall be conducted by the Presbytery within the jurisdiction of which the ministry is to be

exercised. When more than one (1) Presbytery is involved, the service shall be conducted by mutual agreement among the Presbyteries concerned.

- 353 Licence to Administer Sacraments. When in receipt of an application from a Pastoral Charge that its settled or appointed Diaconal Minister, Designated Lay Minister, Candidate Supply, Intern Supply, Student Intern, Student Supply, or Diaconal Supply be licensed to administer the sacraments on the Pastoral Charge for the duration of the settlement or appointment, the Presbytery if in agreement shall forward the request to the Conference. In the case of a Designated Lay Minister who has been recognized by the Conference, a licence to administer the sacraments may, at the discretion of the Conference, permit the Designated Lay Minister to administer the sacraments within the jurisdiction of the Presbytery to which the Designated Lay Minister is accountable. (2007)
- 354 Oversight of Pastoral Relationship. **It shall be the duty of the Presbytery to have the oversight of the conduct of** all Ministry Personnel on its roll (including **members of the Order of Ministry** (Basis 6.4.15) and all those under Presbytery appointment) and **of the Pastoral Charges within its jurisdiction.** (Basis 6.4.1)
- 355 Pension Fund Regulations. The Presbytery Pension and Group Insurance Committee shall report as to the observance of pension fund regulations by each person who is Ministry Personnel on the roll of the Presbytery and by each Pastoral Charge within its jurisdiction. The Presbytery shall take such action as may be deemed advisable.
- 356 Death or Disability. **It shall be the duty of the Presbytery to consult at the earliest possible date with a Pastoral Charge or the Official Board or Church Board or Church Council when the person serving as Ministry Personnel dies, becomes disabled, or is unable to perform their duties due to an emergency. The Presbytery shall ensure that appropriate arrangements for pastoral care are made.** (Basis 6.4.12)
- 357 **A member of the Order of Ministry by his or her own action, and a Pastoral Charge through its constitutional representatives, may seek a change of pastoral relation by means of an application in writing to the Presbytery. If the Presbytery acts to declare a Vacancy based on such a request, this will be reported promptly to the Settlement Committee.** (Basis 9.4.2) (2007)

(next section: 360)

#### **Oversight of Ministry Personnel**

- 360 Admitting from Other Denominations. The Presbytery shall receive requests for recognition as a person eligible for appointment as Diaconal Supply or

Ordained Supply, preparatory to entering the admission process, and shall carry out its obligations in section 031 regarding applications for admission to the Order of Ministry of the United Church from another denomination.

361 Re-Admission. The Presbytery shall receive applications from persons desiring to be re-admitted to the Order of Ministry of the United Church. The Presbytery shall make the necessary enquiries, ensure that the procedures for re-admission in section 032 have been followed, and submit the required documentation with its recommendation to the Conference.

362 Continuing Education. It shall be the duty of the Presbytery to oversee the continuing education of Ministry Personnel settled in or appointed to a Pastoral Charge, Mission, or Outreach Ministry within its jurisdiction.

363 Oversight of Ministry Personnel. **It shall be the duty of the Presbytery to have oversight of the conduct of** all Ministry Personnel on its roll (including **members of the Order of Ministry** (Basis 6.4.15) and all those under Presbytery appointment.) For purposes of this section, persons serving as Congregational Designated Ministers shall be treated as Ministry Personnel. (2007)

(a) In its exercise of care and oversight, the Presbytery shall act within the spirit and regulations to be found in sections 065 to 071, 333, and 363. In its exercise of discipline, the Presbytery shall act within the provisions of sections 072 to 077, section 314, and subsections 363(d), 363(f), 363(g), and 364(c).

(b) The Presbytery shall enforce the requirement of section 126, that all Ministry Personnel settled in or appointed to a Pastoral Charge shall provide, at their own expense, to the Ministry and Personnel Committee of the Pastoral Charge, a current vulnerable sector (level 2) police records check, no later than the completion of each six- (6) year period of the pastoral relationship. (2007)

(c) Initiation of Review. When there is a question regarding:

- i. the effectiveness of Ministry Personnel;
- ii. the failure of Ministry Personnel to maintain the peace and welfare of the church; or
- iii. a Ministry Personnel who refuses to recognize the authority of the Presbytery;

the case may be brought before the Presbytery for its consideration, by:

- iv. the Presbytery itself;
- v. another of the Ministry Personnel settled in or appointed to the Pastoral Charge;
- vi. the Pastoral Charge Supervisor;
- vii. the Session;
- viii. the Official Board or Church Board or Church Council; or
- ix. a Proposal properly transmitted with concurrence or non-concurrence through the Official Board or Church Board or Church

Council to the Presbytery and signed by ten (10) persons in full membership of the Pastoral Charge or Congregation.

The Presbytery shall initiate a review of the situation.

- (d) When the review in subsection (c) indicates that action is necessary, the Presbytery may make a Decision to do one (1) or more of the following:
- i. to discipline the Pastoral Charge;
  - ii. to require the Ministry Personnel to take a directed program for the improvement of pastoral skills, under the supervision of the Presbytery Pastoral Relations Committee. Upon initiation of this period, the Presbytery shall give notice to the Ministry Personnel in accordance with section 003 that the Presbytery will not approve that person's appointment or call to another Pastoral Charge unless convinced that there has been clearly identifiable improvement. Notice of this action shall be given to the Conference, which shall notify the appropriate General Council working unit;
  - iii. to require the Ministry Personnel to undergo a medical, psychiatric, and/or psychological examination by a qualified professional or professionals acceptable to the Presbytery, under the supervision of the Presbytery Pastoral Relations Committee. The Presbytery may require the Ministry Personnel to present pertinent information from that examination to the appropriate Committee of the Presbytery;
  - iv. to require the Ministry Personnel to take a directed program for rehabilitation and/or training in some other vocation, under the supervision of the Presbytery Pastoral Relations Committee. Upon initiation of this period of rehabilitation, the Presbytery shall give notice to the Ministry Personnel in accordance with section 003 that Presbytery will not approve that person's appointment or call to another Pastoral Charge. Notice of this action shall be given to the Conference, which shall notify the appropriate General Council working unit;
  - v. to dissolve the pastoral relationship;
  - vi. to declare that the Ministry Personnel shall be suspended from functioning as Ministry Personnel for a period normally not exceeding six (6) months. The Ministry Personnel shall be entitled to the minimum salary, housing, and other allowances, as established by the General Council, to be provided by the Pastoral Charge, for the period of suspension or six (6) months, whichever is the shorter period; or
  - vii. to take such other action as will promote the welfare of the Pastoral Charge and the Ministry Personnel.
- (e) While under the supervision of the Presbytery Pastoral Relations Committee, and either taking a directed program for the improvement of pastoral skills as mentioned in paragraph (d)ii. or undergoing a medical and/or psychiatric examination as mentioned in paragraph (d)iii. or taking a directed program for rehabilitation and/or training in some other vocation as mentioned in paragraph (d)iv., the Ministry Personnel may be serving the same Pastoral Charge, on leave from that Pastoral

Charge, or left without Pastoral Charge, and the Ministry Personnel shall be entitled to the support outlined in paragraph (d)vi. for a period not to exceed six (6) months.

- (f) In the event that the Ministry Personnel refuses or neglects to take a directed program for the improvement of pastoral skills as mentioned in paragraph (d)ii., refuses or neglects to undergo a medical and/or psychiatric examination or refuses to supply the pertinent information as mentioned in paragraph (d)iii., or refuses or neglects to take a directed program for rehabilitation and/or training in some other vocation as mentioned in paragraph (d)iv., the Presbytery may recommend to the Conference that the name of the Ministry Personnel be removed from the rolls of Presbytery and Conference and be placed on the Discontinued Service List (Disciplinary), or may make a Decision to remove the name of the Ministry Personnel from the rolls of Presbytery and Conference (if not already effected by the termination or conclusion of the Presbytery Appointment) and to place that name on the Discontinued Lay Ministry Appointment List, as the case may be. In such instances the support outlined in paragraph (d)vi. shall be discontinued.
- (g) At the end of the period of suspension, if employment in the United Church is not approved, the Presbytery shall recommend to the Conference that the name of the Ministry Personnel be removed from the rolls of Presbytery and Conference and be placed on the Discontinued Service List (Disciplinary), or shall make a Decision to remove the name of the Ministry Personnel from the rolls of Presbytery and Conference (if not already effected by the termination or conclusion of the Presbytery Appointment) and to place that name on the Discontinued Lay Ministry Appointment List, as the case may be.
- (h) When the Presbytery fails to take satisfactory action of care, oversight, and/or discipline, such measures may be initiated by the Conference in accordance with sections 329 and 422.1.

364 Charged with a Criminal Offence. For purposes of this section, persons serving as Congregational Designated Ministers shall be treated as Ministry Personnel. (2007)

- (a) A person serving as Ministry Personnel who is charged with a criminal offence shall immediately so inform the Presbytery Pastoral Relations Committee (or any other Committee fulfilling that function). The Chairperson of the Presbytery, the Chairperson of the Pastoral Relations Committee of the Presbytery (or any other Committee fulfilling that function), and the Secretary of the Presbytery: (2007)
  - i. shall make a Decision as to what is the responsible local body, which in the case of a Pastoral Charge shall be the Official Board or Church Board or Church Council;
  - ii. shall consult with that responsible local body after consultation with the Official Board or Church Board or Church Council of the Pastoral Charge or employing body (or other bodies that they consider to be appropriate);

- iii. shall consult with the person charged;
  - iv. shall then make a Decision whether it would be inappropriate for the person to continue to function as Ministry Personnel pending the final disposition of the matter; and
  - v. shall give notice of this Decision in accordance with section 003 to the person, the Official Board or Church Board or Church Council or employing body, the responsible local body, and the Presbytery.
- (b) Should the Decision be that further ministry would be inappropriate, the person shall immediately refrain from functioning as Ministry Personnel.
- (c) At any time prior to or as soon as practicable after the final disposition of the criminal charge, the Presbytery, after consultation with the appropriate Conference staff person and after obtaining legal advice from or through the General Council office, shall:
- i. proceed with the disposition of a complaint made against the person under section 072;
  - ii. make a complaint against the person under section 072;
  - iii. initiate a Formal Hearing under section 075 into the fitness of the person for ministry;
  - iv. proceed under subsection 363(d); or
  - v. make a Decision that it is appropriate for the person to resume functioning as Ministry Personnel.

### 365 Exercise of Functions of Ministry.

- (a) This section applies to:
- i. Ministry Personnel in an appointment other than to a Pastoral Charge;
  - ii. Ministry Personnel retained on the roll without settlement or appointment;
  - iii. Ministry Personnel for whom a Pastoral Charge is one into which they were formerly settled or appointed; and
  - iv. retired Ministry Personnel other than ones then serving as United Supply.
- (b) If Ministry Personnel to whom this section applies wish to continue to exercise their ministry within the United Church, they may do so only under the oversight and discipline of the Presbytery; this is done through a formal association with a Pastoral Charge. If they wish to exercise any of the functions of ministry, they shall do so on behalf of a Pastoral Charge and with the approval of the Session or Church Board or Church Council of that Pastoral Charge.
- (c) If Ministry Personnel to whom this section applies receive a request concerning Baptism, Holy Communion, weddings, or funerals, they shall refer the request to a member of the Order of Ministry who has been settled in or appointed to that Pastoral Charge.



- (d) If Ministry Personnel to whom this section applies wish to preside at the Sacraments of Baptism or Holy Communion or at a wedding or a funeral, this may be done only with the permission of that Session or Church Board or Church Council and after consultation with a member of the Order of Ministry who has been settled in or appointed to that Pastoral Charge.

365.1 Retirees.

- (a) It shall be the duty of the Presbytery to care for retired members of the Order of Ministry on its rolls.
- (b) Ministry Personnel may retire as early as age fifty-five (55) and receive a discounted pension. Between ages sixty (60) and sixty-five (65) but after thirty-five (35) years of service, Ministry Personnel may retire and receive a non-discounted pension based on pension credits accrued to the date of retirement. Ministry Personnel who retire at age sixty-five (65) or older receive a non-discounted pension regardless of the number of years of service. The latest date on which Ministry Personnel may start to receive a pension is January 1st following their sixty-ninth (69th) birthday, regardless of whether the Ministry Personnel has retired by or continues to serve in paid accountable ministry after that date. (2007)
- (c) Retired members of the Order of Ministry remain under the oversight and discipline of the Presbytery in their exercise of any functions of Ministry Personnel. (2007)

366 Resignations. It shall be the duty of the Presbytery to receive and transmit to the Conference the Resignation of a member of the Order of Ministry. A member of the Order of Ministry who desires to resign from the ministry of the United Church shall present a written Resignation to the Presbytery, which shall forward it with its recommendation to the Conference for action.

367 On to Discontinued Service List (Disciplinary). The name of a member of the Order of Ministry may be removed from the rolls of Presbytery and Conference and placed on the Discontinued Service List (Disciplinary) by Decision of the Conference:

- (a) on the recommendation of a Formal Hearing Committee pursuant to paragraph 075(k)v.; or
- (b) on the recommendation of a Formal Hearing Committee pursuant to subsection 075(l) together with subsections 363(f) or (g); or  
provided that there has been a Formal Hearing by a Formal Hearing Committee of a Conference, or the member has waived the requirement of a Formal Hearing, or there has been a process that contains safeguards equivalent to those of a Formal Hearing;
- (c) on the recommendation of the Presbytery for one (1) or more of the reasons indicated in subsection 314(d);
- (d) on the recommendation of the Presbytery pursuant to subsections 363(f) or (g); or

- (e) on the recommendation of the Presbytery as a result of the member having been convicted of a criminal offence.

Such person shall not be recognized as Ministry Personnel of the United Church, nor shall they perform the functions of its diaconal or ordained ministry.

(2007)

**367.1** On to Discontinued Service List (Voluntary). The name of a member of the Order of Ministry may be removed from the rolls of Presbytery and Conference and placed on the Discontinued Service List (Voluntary) by Decision of the Conference:

- (a) at the member's own request when accepted by the Presbytery.

Such person shall not be recognized as Ministry Personnel of the United Church, nor shall they perform the functions of its diaconal or ordained ministry unless specifically stipulated otherwise by the Conference.

(2007)

**368** Discontinued Lay Ministry Appointment List.

- (a) When a Presbytery terminates the appointment of a Congregational Designated Minister or a Designated Lay Minister as an act of discipline, the Presbytery shall make a Decision whether to place the name of the person on the Discontinued Lay Ministry Appointment List.

(2007)

- (b) When the Presbytery places the name of a person on the Discontinued Lay Ministry Appointment List, the person shall be notified by the Presbytery, immediately, in writing, by assured delivery (registered mail). The person shall be informed of the right to appeal the Decision and shall be offered such pastoral support as may be appropriate.

- (c) Any former lay pastoral minister, lay pastoral minister-in-training, staff associate, Congregational Designated Minister, or Designated Lay Minister whose name has been placed on the Discontinued Lay Ministry Appointment List may seek the removal of their name from the list by making application, in writing, to the Presbytery that placed their name on the list.

(2007)

- (d) When a Presbytery receives an application from a member in good standing of the United Church to remove their name from the Discontinued Lay Ministry Appointment List, notice of the application shall be forwarded immediately to the appropriate General Council working unit. The applicant shall be interviewed by the Presbytery Education and Students Committee, and may be referred by that Committee to the Conference Interview Board. Should the Presbytery Education and Students Committee determine that the applicant is fit for ministry, it shall forward to the Presbytery a recommendation that the name be removed from the Discontinued Lay Ministry Appointment List. Should the Presbytery Education and Students Committee determine that the name of the applicant should not be removed from the Discontinued Lay Ministry Appointment List, the Committee shall recommend to the Presbytery that the application be denied. The Secretary of the Presbytery shall advise the applicant, the appropriate Conference staff person, and the appropriate General Council working unit of its Decision.

- (e) When the application is denied, a subsequent application from the person shall not be considered for a period of three (3) years from the date of the Decision by the Presbytery.

369 Letters of Good Standing. The Presbytery shall issue a letter of good standing upon the request of any Ministry Personnel on its roll who is in good standing. Prior to issuing a letter of good standing, the Presbytery shall receive from the Ministry Personnel, at the Ministry Personnel's own expense, a current vulnerable sector (level 2) police records check. The letter of good standing shall confirm: (2007)

- (a) that the person is not currently under the discipline of the Presbytery, such that there are no outstanding orders or unfulfilled conditions imposed by the Presbytery with respect to such person; and
- (b) that the person's name is not on the Discontinued Service List (Disciplinary) or the Discontinued Service List (Voluntary) or the Discontinued Lay Ministry Appointment List, as applicable.

### Organization

370 Chairperson.

- (a) The Presbytery shall elect a Chairperson annually from among its members. In a year in which the Conference meets, the Chairperson shall be elected at a regular Presbytery meeting at least thirty (30) days before the meeting of the Conference, to take office at the rise of the Conference. In a year in which the Conference may not be meeting, the Chairperson shall be elected at a regular Presbytery meeting, to take office no later than June 30th.
- (b) The duties of the Chairperson of the Presbytery shall be to constitute meetings, to preside at meetings, to preserve order, to take the vote, to announce decisions, to direct generally its business, and to perform such other duties as may be assigned by the Presbytery or a higher Court. The Chairperson shall be ex officio a member of all Presbytery Committees during the term of office. A Chairperson who is a Diaconal Minister or a lay person shall have the right to administer the Sacrament of Holy Communion at regular meetings of the Presbytery and its Executive while in office.
- (c) When the Chairperson is absent, or is a party concerned in any matter before the Court, the Presbytery shall choose a temporary Chairperson, who for the time being shall have all the rights and functions of the Chairperson, but in signing documents shall add to their signature the words "Acting Chairperson."
- (d) In the event of the death, removal, or permanent disability of the Chairperson, the Presbytery shall elect a Chairperson to complete the unexpired term.

371 Secretary. The Presbytery shall elect from among its members a member of the United Church as Secretary. The Secretary shall continue in office at the pleasure of the Court. It shall be the duty of the Secretary:

- (a) to keep a record of the proceedings and to transmit it annually to the Conference for review;
- (b) to keep an accurate roll of the members;
- (c) to give certified extracts from the minutes when instructed or when they are applied for by a person having a constitutional right to receive them;
- (d) to send to the Executive Secretary of the Conference, by April 1st each year, the names of all Candidates for the Order of Ministry to be recommended for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, by the Conference; (2007)
- (e) to send to the Executive Secretary of Conference, annually:
  - i. the names of the Pastoral Charges, Missions, and Outreach Ministries, with the names of Ministry Personnel serving them, with their addresses, and the names of the Secretaries of the Official Boards or Church Boards or Church Councils, with their addresses;
  - ii. the names of members of the Order of Ministry in other United Church appointments;
  - iii. the names of Ministry Personnel who have retired and those who are seeking retirement;
  - iv. the names of members of the Order of Ministry who are recommended by the Presbytery to be retained on the rolls of Presbytery and Conference, with the relevant documents in each case;
  - v. the names of the Candidates for the Order of Ministry;
  - vi. the names and addresses of lay members of the Presbytery;
  - vii. the names and addresses of lay representatives to the Conference;
  - viii. the names of Ministry Personnel who have died during the year, together with their obituaries;
  - ix. the names of Pastoral Charges six (6) months or more in arrears to the pension fund; and
  - x. a report on the oversight of Pastoral Charges within its jurisdiction;
- (f) to notify forthwith the appropriate General Council working unit of the death of any Ministry Personnel;
- (g) to fulfil the secretarial duties of the Presbytery in relation to sections 058 to 063 with reference to the pastoral relationship;
- (h) to perform such other secretarial duties as may be assigned by the Presbytery; and
- (i) to have custody of all documents and papers belonging to the Presbytery subject to its order, save such as have been forwarded to the Archives Committee.

372 Treasurer. The Presbytery may elect a Treasurer to receive and to disburse any monies under its control, subject to its instructions.

373 Sub-Executive. Unless the Presbytery otherwise determines, the Executive may appoint a Sub-Executive with such of its duties and powers,

exercisable between meetings of the Executive, as the Executive shall determine. The actions of the Sub-Executive shall be reported through the Executive to the Presbytery for information and for record in the minutes.

- 374 Commission. The Presbytery or its Executive may act by Commission. The Commission shall report its Decision to the appointing body in keeping with its terms of reference for record in the minutes. Such Decision is not debatable.
- 375 Nominations Committee. The Presbytery shall appoint a standing Committee on Nominations.
- 376 Standing Committees. The Presbytery shall appoint such standing Committees, groupings of Committees or persons, and special Committees as are deemed necessary from time to time to do the work of the Presbytery, and to relate to the standing Committees of the Conference and the working units and standing Committees of the General Council.

(next section: 380)

#### **Suggested Presbytery Standing Committees**

- 380 Archives Committee.
- (a) Meetings. The Committee shall meet at least once a year and shall report to the Conference Archives Committee annually.
  - (b) Membership and Officers. The Committee shall consist of a Convenor, the Secretary of the Presbytery, and not fewer than two (2) other members, one (1) of whom shall be an active member of the Order of Ministry.
  - (c) Duties. It shall be the duty of the Committee:
    - i. to encourage the keeping of full and accurate records by the Presbytery and all its Committees and by the Sessions or Church Boards or Church Councils and all boards, Committees, and organizations of the Pastoral Charges within its jurisdiction. The Committee shall be responsible for the inspection and the certification of all records of the Pastoral Charges within the jurisdiction of the Presbytery. Each Pastoral Charge shall submit annually a list of all records in its possession, a record of which shall be kept by the Committee;
    - ii. to gather and forward all non-current records of the Presbytery and Congregations, in consultation with the Conference archivist;
    - iii. to work with the Conference Archives Committee and the General Council Committee on Archives and History in the development of criteria and guidelines for the designation of United Church historic sites, and to seek appropriate designation of particular sites within the jurisdiction of the Presbytery;

- iv. to encourage Ministry Personnel and office bearers of the United Church to recognize the importance of recording fully and accurately, in registers and minute books, the events, proceedings, and decisions of Pastoral Charges and their organizations, and the Committees of the Presbytery; and
- v. to organize, in all Congregations of the Presbytery, historical Committees whose duties shall be to prepare accurate histories of the Congregation and to maintain a record of all aspects of their life and work, in registers, minute books, pictures, tape-recordings, and a written historical chronicle of the Congregation.

**381** Communication Committee.

- (a) Membership. The Committee shall include members interested in and competent in the various media of communication, to such extent as is reasonable in the circumstances of the Presbytery.
- (b) Duties. It shall be the duty of the Committee:
  - i. to give leadership and guidance in Congregations and in the Presbytery in the use of the mass media for the provision of information about the United Church;
  - ii. to encourage Congregations to use the publications and resources of the United Church, particularly The United Church Observer;
  - iii. to promote and cultivate the use of audio-visual media in meetings and in worship;
  - iv. to develop understanding within the United Church of the nature and potential of modern communication; and
  - v. to work with persons vocationally engaged in the media to increase their understanding of and commitment to the expression of the concerns of humankind in modern society.

**382** Education and Students Committee.

- (a) Membership and Officers. The Committee shall consist of at least four (4) people, and wherever possible an equal number of lay persons and members of the Order of Ministry. The Committee shall have a Convenor and Secretary appointed by the Presbytery.
- (b) Duties. It shall be the duty of the Committee:
  - i. to assist members of the Order of Ministry, Sessions, and Official Boards or Church Boards or Church Councils to seek out persons who by their personal character, faith, and witness may have a call to Christian ministry and may be suitable to become Candidates for the Order of Ministry;
  - ii. to support the work of the Discernment Committee in Pastoral Charges; to appoint one (1) or two (2) members of the Presbytery to each Discernment Committee, who shall call its first meeting; to report to the Presbytery the recognizing of an Inquirer and the formation of each Discernment Committee; to exercise oversight of

## PRESBYTERY

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- the discernment process; and to hear regular reports about the work of the Discernment Committee through its representatives; (2007)
- iii. to arrange for an Inquirer to meet with the Conference Interview Board;
  - iv. to receive an application from an Inquirer to be received as a Candidate and to consider the report from the Discernment Committee, the Session or Church Board or Church Council, and the Conference Interview Board; and to interview each Inquirer regarding suitability for ministry;
  - v. to recommend that the Presbytery:
    - (1) receive an acceptable Inquirer as a Candidate;
    - (2) receive each Candidate in an appropriate service of covenanting; and
    - (3) certify each Candidate to a United Church theological school for study;
  - vi. to supervise and to nurture each Candidate throughout the candidacy period;
    - (1) to receive and review each year a written report from each Candidate, a report from the theological school concerning academic work, and any internship reports;
    - (2) to contact the Candidate's faculty advisor on an annual basis;
    - (3) to conduct an annual interview considering the genuine call to ministry, personal character, motives, academic record, doctrinal beliefs, and general fitness for ministry of each Candidate, taking the greatest care to ascertain the suitability of a Candidate to be continued as such; and
    - (4) to make a recommendation to the Presbytery as to the continuance of each Candidate;
  - vii. to receive, assess, and make a Decision regarding each application from a Candidate for an internship;
  - viii. to receive from the theological school notification (Testamur) for each Candidate who has completed the required course of study; and to examine each Candidate and, if satisfied, to recommend to the Presbytery that such Candidate be recommended to the Conference for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination; (2007)
  - ix. to receive applications from, to interview, and to examine all persons recommended or volunteering to the Presbytery for admission or re-admission to the Order of Ministry, for appointment as Designated Lay Ministers, for recognition as Congregational Designated Ministers, for appointment as Licensed Lay Worship Leaders, or for other Presbytery appointment; to refer them to the Conference Interview Board as required; to consult as required with the appropriate General Council working unit; and to make recommendations to the Presbytery regarding training, length of term, licensing, and other relevant matters; (2007)

- x. where the Presbytery has made an initial appointment of a Diaconal Supply or Ordained Supply, to request that the Pastoral Charge appoint some of its members to the Appointment Advisory Committee, and to appoint one (1) presbyter to the Appointment Advisory Committee. The Appointment Advisory Committee shall formulate recommendations regarding the suitability of the Diaconal Supply or Ordained Supply to enter into the admission process and the suitability of the Diaconal Supply or Ordained Supply for ministry in the United Church;
  - xi. where an applicant for admission to the Order of Ministry of the United Church proceeds to the admission process, to continue the supervision of the applicant through the appointment of an Educational Supervisory Team comprising at least two (2) lay representatives and at least two (2) members of the Order of Ministry. A primary responsibility of the Educational Supervisory Team shall be to determine the suitability of the applicant to engage in any ministry of education, service, and pastoral care or word, sacrament, and pastoral care in the United Church; and
  - xii. to study carefully sections 020 to 035, 342 to 344, 346, 360, and 361 of the By-Laws.
- (c) Interviews. The Committee shall interview each Inquirer or Candidate, either by a team of no fewer than three (3) persons or, at the option of the Committee, by the Committee itself. Where the person being interviewed is an Inquirer or Candidate for the diaconal ministry of education, service, and pastoral care, every effort should be made to have a Diaconal Minister involved in the interviews. The same procedure should be followed with respect to interviews of potential Designated Lay Ministers or Congregational Designated Ministers. In each case where an interview team is used rather than the Committee, the team shall make a recommendation with respect to the person interviewed to the Committee and the Committee shall determine the report to be made to the Presbytery.

(2007)

### 383 Extra Appeals Committee.

- (a) Membership. It is recommended that the Convenors of the Presbytery Finance Committee and the Presbytery Stewardship Committee be members of the Extra Appeals Committee.
- (b) Duties. It shall be the duty of the Committee to investigate thoroughly and to make recommendations to the Presbytery concerning any proposal to solicit funds from the Pastoral Charges of the Presbytery for any purpose other than the Mission and Service Fund. The Committee shall acquaint itself with the financial demands already authorized within the Presbytery, and advise as to the necessity and relative worth of the proposal. If the Committee's recommendation is for authorization of the appeal, it shall also recommend the time for beginning and completing it, and as to the possibility of combining it with other appeals currently authorized or to be recommended. It may also advise as to the organization required to conduct the appeal successfully.



384

Finance Committee.

- (a) Membership and Officers. The Presbytery shall elect the Convenor and the Treasurer of the Committee and such other members as it may determine.
- (b) Duties. It shall be the duty of the Committee:
  - i. to frame and present a budget annually to the Presbytery, which shall include:
    - (1) the operating expenses of the Presbytery and its Committees;
    - (2) the Conference assessment; and
    - (3) annual support of other agencies or institutions, undertaken by the Presbytery;
  - ii. to recommend to the Presbytery a basis of assessment on Pastoral Charges to meet the budget;
  - iii. to transmit the assessments to the Pastoral Charges and to collect their contributions;
  - iv. to make disbursements in accord with the budget approved by the Presbytery, or otherwise as directed by the Presbytery; and
  - v. to keep accounts. A detailed statement of receipts and expenditures, for which an Audit has been performed, shall be presented to the Presbytery annually. Interim financial statements shall be given as required by the Presbytery.

(2007)

385

Committee on Inter-Church and Inter-Faith Relations.

- (a) Membership and Officers. The Committee shall have a Convenor and shall include lay persons and youth in its membership.
- (b) Duties. It shall be the duty of the Committee:
  - i. to promote within the Presbytery a knowledge of and concern for ecumenical affairs, and to assist Ministry Personnel and Pastoral Charges in ecumenical outreach, including the establishment of ecumenical affairs Committees in the Pastoral Charge;
  - ii. to work with other Committees or organizations within the Presbytery when ecumenical activities are being planned, and to promote the use of ecumenical materials (literature and audio-visuals) in the Presbytery, its Pastoral Charges, Congregations, and organizations;
  - iii. to promote and support, where feasible and desirable, the formation of local councils of churches and inter-faith organizations;
  - iv. to encourage inter-church activities, including the sharing of common worship, within the community;
  - v. to have particular concern to foster understanding and co-operation with parishes of the Roman Catholic Church, evangelical groups, and the leaders and members of the Jewish community;
  - vi. to initiate the holding of ecumenical consultations, workshops, and the use of the communications media for ecumenical outreach;

(2007)

- vii. to interpret to the Presbytery and the Pastoral Charges the functions, work, and studies of the World Council of Churches and the Canadian Council of Churches;
- viii. to report regularly to the Presbytery concerning its work; and
- ix. to co-ordinate its work as far as possible with the Conference Committee on Inter-Church and Inter-Faith Relations and to report regularly to it concerning ecumenical concerns and activities.

**386** Manse Committee.

- (a) Membership and Officers. The Manse Committee shall have as its Convenor a member of the Presbytery, and the membership of the Committee shall include representatives from the Presbyterian United Church Women and a person with knowledge and competence in the building trades.
- (b) Duties. It shall be the duty of the Committee:
  - i. to keep an accurate record of the type of construction, state of repair, size, and age of all manses within the Presbytery;
  - ii. to keep an up-to-date record of the furnishings and equipment owned by the Pastoral Charge in all manses within the Presbytery;
  - iii. to report annually to the Presbytery on the condition of each manse and the furnishings and equipment owned by the Pastoral Charge, and to make appropriate recommendations;
  - iv. to communicate to the Manse Committee of the Official Board or Church Board or Church Council of a Pastoral Charge the recommendations of the Presbytery concerning the manse on such Pastoral Charge;
  - v. to inspect manses after improvements have been completed, and to report its findings to the Presbytery;
  - vi. to encourage the formation and maintenance of active Manse Committees on all Pastoral Charges within the Presbytery that own a manse, in accordance with section 243; and
  - vii. to arrange for the visitation of the manse when a change in the pastoral relationship is about to take place, and to report to the Pastoral Charge and the Joint Search Committee. The report shall contain such recommendations as the Committee sees fit to make. A call may not be issued until the Joint Search Committee is assured that the recommendations have been adequately addressed.

**387** Mission in Canada Committee.

- (a) Committees Related. Presbyteries are free to determine the number, membership, and names given to Committees related to mission in Canada, but such Committees should be clearly identified.
- (b) Duties. The duties of the Committee should include the following:
  - i. promoting the work of worship, evangelism, education, and leadership training;

- ii. developing over-all policies and strategies for the United Church within the jurisdiction of the Presbytery, and making recommendations to the Presbytery;
- iii. receiving statements on the policy and work of the relevant General Council working units, and forwarding reports and recommendations to the appropriate General Council working units;
- iv. providing for the exchange of information about the initiation and supervision of programs, plans, and purposes for organizations, Pastoral Charges, special ministries, and institutions within the Presbytery;
- v. receiving requests for financial assistance towards budgets of Pastoral Charges, special ministries, and institutions within the jurisdiction of the Presbytery, and making recommendations to the Presbytery and the appropriate Conference Committee;
- vi. making recommendations to the appropriate Conference Committee regarding the expenditure of funds for the purchase and maintenance of Real Property for which a General Council working unit has responsibility; and
- vii. making recommendations to the appropriate Conference Committee regarding loan and grant requests from the Capital Assistance Fund of the appropriate General Council working unit.

388 Committee on the Oversight of Pastoral Charges.

- (a) Duties. The duties of the Committee are detailed in section 332.

389 Pastoral Relations Committee.

- (a) Membership and Officers. The Committee shall consist of the Presbytery's representatives on the Settlement Committee and at least three (3) other persons appointed by the Presbytery. The Committee shall include at least two (2) members of the Order of Ministry and two (2) lay persons. The Presbytery shall appoint one (1) of the representatives on the Settlement Committee as Convenor of the Committee.
- (b) Duties.
  - i. The Committee shall seek to maintain a close relationship between the Presbytery and the Pastoral Charges through the Ministry and Personnel Committee of the Official Board or Church Board or Church Council, and it shall, on behalf of the Presbytery, oversee the pastoral relationship of Ministry Personnel and Pastoral Charges in the Presbytery.
  - ii. The Committee shall be available for advice and consultation with members of Pastoral Charges and with Ministry Personnel regarding the pastoral relationship. Such consultations shall be considered confidential and the matters discussed shall not be disclosed unless permission is granted by the person(s) providing such information, except in such cases where the safety or well-

- being of individuals would be jeopardized, when the matter shall be taken to the Presbytery. (2007)
- iii. The Convenor, or appointee, shall preside over a meeting of a Pastoral Charge duly called to consider the pastoral relationship.
  - iv. When a member of the Order of Ministry or a Pastoral Charge has applied in writing for a change in pastoral relations, the Committee shall consult with either or both and, on the basis of the information obtained, it shall recommend to the Presbytery whether the application shall be approved, and it shall recommend to the Presbytery such other actions as it may deem advisable. (2007)
  - v. The Committee may recommend to the Presbytery that an appointment be made to a specific ministry for a specified term. When the specified term is to extend beyond June 30th, the Committee shall consult with the Conference Settlement Committee before making a recommendation to the Presbytery. The continuance of a Presbytery appointment shall be contingent on a favourable report of an annual review being received by the Presbytery Pastoral Relations Committee. (2007)
  - vi. When a needs assessment has been initiated by the Presbytery, the Committee shall appoint two (2) representatives of the Presbytery to serve on the Joint Needs Assessment Committee. The first meeting of the Joint Needs Assessment Committee shall be convened by a Presbytery representative.
  - vii. When a Vacancy in a Pastoral Charge has been declared by the Presbytery, the Committee shall appoint two (2) representatives of the Presbytery to serve on the Joint Search Committee. The first meeting of the Joint Search Committee shall be convened by a Presbytery representative.
  - viii. When the need for an Interim Ministry has been determined, the Committee shall work with the Pastoral Charge to identify the special needs, goals, and objectives for the Interim Ministry, to develop the terms of the appointment, and to ensure agreement on the process of accountability of the Interim Minister, the length of the appointment, the process of evaluation, and the procedures for termination or a request for a change prior to the identified end date of the appointment. A report of this information shall be given to the Presbytery for information.
  - ix. Where a request that the Presbytery appoint an Interim Minister is approved, the Committee shall either appoint two (2) representatives of the Presbytery to an Interim Ministry Transition Committee to recommend an appointment or appoint one (1) or more representatives of the Presbytery to work with the Official Board or Church Board or Church Council of the Pastoral Charge to recommend an appointment, and the Committee shall make a recommendation as to whether the appointment requires an act of covenant.
  - x. Following each period of Interim Ministry, the Committee shall interview the Interim Minister and meet with the Interim Ministry

Transition Committee, for the purpose of evaluating the Interim Ministry. (2007)

- xi. Where a request that the Presbytery appoint a Supply for up to one (1) year is approved, the Committee shall either appoint two (2) representatives of the Presbytery to a Joint Search Committee to recommend an appointment or appoint one (1) or more representatives of the Presbytery to work with the Official Board or Church Board or Church Council of the Pastoral Charge to recommend an appointment, and the Committee shall make a recommendation as to whether the appointment requires an act of covenant.
- xii. The Committee shall recommend to the Presbytery the appointment of a Pastoral Charge Supervisor for each Pastoral Charge that is without a settled or appointed member of the Order of Ministry or an appointed Designated Lay Minister who has been recognized by the Conference, and that is being served by a Designated Lay Minister who has not yet been recognized by the Conference, a Candidate Supply, an Intern Supply, a Student Supply, or a Diaconal Supply or Ordained Supply, or in any other situation where the Presbytery deems the appointment of a Pastoral Charge Supervisor appropriate. (2007)
- xiii. The Committee shall scrutinize and act where needed on unrealistic estimates of all moving costs, and shall keep a record of the actual final costs of every move that terminates within the jurisdiction of that Presbytery involving a member of the Order of Ministry.

390 Pension and Group Insurance Committee.

- (a) Membership and Officers. The Committee shall consist of five (5) or more members, at least two (2) of whom shall be members in good standing with the pension and group insurance plans, with one (1) named as Convenor.
- (b) Duties. It shall be the duty of the Committee:
  - i. to present to the Presbytery and to Pastoral Charges matters of current interest with respect to the pension and group insurance plans;
  - ii. to report with respect to the work of the appropriate General Council working unit;
  - iii. to take an active interest in the welfare of the members of the plans and the recipients of pensions living within the jurisdiction of the Presbytery, and, where investigation discloses a need to do so, to make recommendations to the appropriate General Council working unit for compassionate assistance;
  - iv. to conduct an annual visitation of pensioners living within the jurisdiction of the Presbytery;
  - v. to report to the Presbytery as to the observance of the regulations by any members of the plans or Pastoral Charges or other employers, and especially any who are six (6) months or more in arrears with

respect to payments to the plans. The Presbytery shall take whatever action is deemed necessary to rectify such arrears;

- vi. to assist the members of the plans with disability and retirement benefit applications, and to facilitate the Presbytery in procedures concerning postponement of retirement; and
- vii. to discharge such other duties as the Presbytery may assign to it.

### 391 Property Committee.

- (a) Membership. The Committee should, if possible, include persons experienced in real estate, the building trades, the financing of projects, and property insurance.
- (b) Duties. It shall be the duty of the Committee:
  - i. to investigate and to recommend to the Presbytery concerning the proposal of a Pastoral Charge or Congregation that seeks Presbytery approval to purchase or to lease Real Property, or to erect, enlarge, rebuild, or acquire a building for any purpose;
  - ii. to encourage Pastoral Charges or Congregations considering a building project and requiring counsel to use the services of the appropriate General Council working unit;
  - iii. to report to the Presbytery concerning any unused church property or any seeming neglect of church property within the jurisdiction, in which the United Church has a reversionary interest;
  - iv. to study the Presbytery statistics on valuation and insurance of congregational properties, and to assist Pastoral Charges or Congregations, where needful, to secure proper valuations and to place adequate insurance; and
  - v. to become thoroughly familiar with sections 250 to 262, 265 to 272, and 335, and Appendix II of *The Manual*.

### 392 Stewardship Committee.

- (a) General. There shall be in each Presbytery a Stewardship Committee.
- (b) Membership. The size of the Committee shall be as determined by the Presbytery, but it shall generally be representative of the life and work of the Presbytery and shall include three (3) representatives appointed by the Presbyterian United Church Women and a representative of the Mission in Canada Committee. The Committee may include in its membership persons who are not members of the Presbytery.
- (c) Officers. The Convenor of the Committee shall be:
  - i. appointed at the last regular meeting of Presbytery in the calendar year, and hold office until a successor is appointed; and
  - ii. a member of the Executive of the Presbytery, the standing Committee on Congregational Life and Work or its equivalent, and the Finance Committee.

- (d) Duties. It shall be the duty of the Committee:
- i. to keep under review the overall stewardship level of the Pastoral Charges within the jurisdiction of the Presbytery so that the full potential of the Presbytery may be realized through its Pastoral Charges;
  - ii. to interpret to the Presbytery why the funds are needed and how they will be expended;
  - iii. to keep in perspective and under review the proportions of money spent locally and regionally in relation to the amount provided by the Pastoral Charges of the Presbytery for the wider work of the United Church through the Mission and Service Fund, and to consult periodically with the Pastoral Charges to this end;
  - iv. to ensure that concern for the mission of the United Church in all its aspects is promoted in the Pastoral Charges among all age groups and by all media available;
  - v. to consult with the Convenors of other Committees of the Presbytery concerning the dissemination of information and the stimulation of the use of study materials available through the relevant General Council working units;
  - vi. to ensure that each Pastoral Charge is properly organized with a Stewardship Committee, and to encourage each Pastoral Charge within the Presbytery to secure financial commitments and participation in the mission of the church. To this end the Committee shall encourage Pastoral Charges to organize periodic visitations for stewardship purposes and to consult with representatives from the Committees having the responsibility for stewardship services within Pastoral Charges;
  - vii. to report at each meeting of the Presbytery the amount of money received by the appropriate General Council working unit for the Mission and Service Fund from each Pastoral Charge within the Presbytery, and to see that the report includes, at least annually, the amounts received for regional projects; and
  - viii. to analyze annually the proportions spent locally and regionally as compared with the amount forwarded to the Mission and Service Fund.

**393** World Outreach Committee.

- (a) Membership. The Committee shall include persons committed to the mission of the church in its global dimensions. It may include liaison persons with other Committees of the Presbytery.
- (b) Duties. It shall be the duty of the Committee:
  - i. to stimulate concern, awareness, and involvement in the church's mission in its global dimensions;
  - ii. to interpret the policies and programs of the appropriate General Council working unit;

## BY-LAWS

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- iii. to provide the Presbytery with accurate, timely, and relevant information on world-wide mission projects with partner churches;
- iv. to inform the Presbytery of the need for people (both lay and members of the Order of Ministry) to work in mission projects with partner churches; and
- v. to co-operate with other bodies engaged in mission interpretation within the jurisdiction of the Presbytery.

(next section: 400)



## THE CONFERENCE

### Meetings

400 Regular Meetings. **It shall be the duty of the Conference to meet at least every third year, or more frequently, as determined by the Conference, provided that the Conference shall meet in the same calendar year as, but prior to, a meeting of the General Council.** (Basis 7.6.1(1)) (2007)

401 Special Meetings. In cases of emergency, a special meeting for transacting specified business requiring immediate attention may be called by the President and the Executive Secretary of the Conference. Only the business specified in the notice may be considered at such special meeting. An adjourned special meeting must be held before the next regular meeting, and may consider only the business for which it was originally called.

402 Calling of Meetings. The date and place of meeting shall be determined by the Conference or its Executive.

403 Quorum. The Quorum shall include members from at least two (2) Presbyteries.

(next section: 410)

### Membership

410 Membership. The Conference shall consist of:

- (a) **the members of the Order of Ministry who are on the roll of the Presbyteries within its jurisdiction;** (Basis 7.1.1)
- (b) **the lay members of the United Church appointed by a Presbytery as Designated Lay Ministers to serve a Pastoral Charge or other Presbytery Recognized Ministry** within the jurisdiction of the Conference; (Basis 6.2.1) (2007)
- (c) **the lay members of the United Church who are Candidates appointed by a Presbytery to serve a Pastoral Charge, Mission, or Outreach Ministry** within the jurisdiction of the Conference; (Basis 6.2.2)
- (d) **the lay members of the United Church appointed to administrative or program staff positions** by a Presbytery, a Conference, the General Council, or a General Council working unit; (Basis 6.2.4)
- (e) lay members of the United Church elected by Presbyteries, **of whom at least a majority shall have been previously elected by a Pastoral Charge to represent them at Presbytery.** (Basis 6.4.13) The number of lay members elected by Presbyteries shall be at least equal to the number of members pursuant to subsections (a), (b), (c), and (d). Where the number of members pursuant to subsections (a), (b), (c), and (d)

exceeds the number of lay members elected by Presbyteries, the Conference shall, in accordance with regulations determined by the Conference in consultation with the Presbyteries within its jurisdiction, appoint sufficient lay members so that the number of lay members elected by Presbyteries is at least equal to the number of members pursuant to subsections (a), (b), (c), and (d);

(2007)

- (f) **the Chairpersons of Conference Committees and the President of the Conference United Church Women**, or appropriate delegate from an alternative structure, **who are not members of any Presbytery but who, at the discretion of the Conference, may be added to its membership;** (Basis 7.3) and
- (g) **representatives of lay organizations which may be recognized by the Conference from time to time, with the number of representatives to be determined by the Conference or its Executive.** (Basis 7.5)

411 Corresponding Members. Those **persons who are** Corresponding Members of the **Presbytery under** section 311 **shall be** Corresponding Members of the **Conference.** (Basis 7.4)

412 Roll. The roll of Conference shall be determined before the election of Commissioners to the General Council.

(next section: 420)

### Duties and Powers

420 General. **It shall be the duty of the Conference:** (Basis 7.6)

- (a) **to receive and dispose of appeals and Proposals, subject to the usual right to appeal;** (Basis 7.6.3)
- (b) **to deal with matters referred to it by the General Council;** (Basis 7.6.7)
- (c) to receive and consider a report from the Conference United Church Women and all other lay organizations as described in subsection 410(g); and
- (d) **to have oversight of the religious life of the United Church within its jurisdiction, and to adopt such measures as may be judged necessary for its promotion.** (Basis 7.6.9)

420.1 Assessments. The Conference shall have the right to assess the Presbyteries within its jurisdiction an amount sufficient to meet Conference expenses.

421 Action by General Council. Where, in the opinion of the General Council, the functioning of a Conference is ineffectual or the Conference fails to take appropriate action, or where the Conference requests the General Council to take action on its behalf, the General Council shall adopt such measures as it may deem necessary.

- 422 Presbyteries. It shall be the duty of the Conference:
- (a) **to determine the number and boundaries of the Presbyteries within its jurisdiction, to have oversight of them, and to review their records;** (Basis 7.6.2)
  - (b) to receive the reports of the Presbyteries concerning the religious life and work of the United Church within its jurisdiction. The Presbytery shall send to the Executive Secretary of the Conference, annually, before April 15th, a report concerning the religious life and work of its Pastoral Charges and the oversight exercised by the Presbytery. These reports shall be retained and studied by the Conference; and
  - (c) to receive from the Presbyteries within its jurisdiction information on the amalgamation, realignment, reconstitution, relocation, or disbanding of Pastoral Charges, Congregations, or Missions, the closing or opening of preaching appointments, and the reception of any congregation of another communion into the United Church.

422.1 Where, in the opinion of the Conference, the functioning of a Presbytery is ineffectual or the Presbytery fails to take appropriate action, or where the Presbytery requests the Conference to take action on its behalf, the Conference shall adopt such measures as it may deem necessary.

- 423 General Council. It shall be the duty of the Conference:
- (a) **to elect to the General Council an equal number from each of two (2) groups:**
    - i. **members of the Order of Ministry and Designated Lay Ministers, with the proportion of each being determined by their numbers; and** (2007)
    - ii. **lay members other than Designated Lay Ministers;** (Basis 7.6.8) (2007)

subject to the following:

    - iii. Commissioners to the General Council shall be members within the jurisdiction of the Conference that elected them both at the time of election and at the time when the General Council is convened;
    - iv. the Conference may elect as a lay Commissioner any member of the United Church in any Pastoral Charge within the jurisdiction of the Conference, who is not ineligible Overseas Personnel;
    - v. the Conference may elect as a Commissioner any member of the Order of Ministry on the roll of the Conference, who is not ineligible Overseas Personnel;
    - vi. **Overseas Personnel who are appointed by the United Church, whether Order of Ministry or lay, and whether in Canada or overseas, shall not be eligible for election as Commissioners by a Conference;** (Basis 8.4) (2007)

vii. the total number of Commissioners that the Conference shall elect to the General Council shall be determined by multiplying the total number of Commissioners to be elected by all the Conferences by the average of the ratios of the number of (1) resident members, (2) identifiable givers, (3) households under pastoral care, and (4) Ministry Personnel in the Conference to the number in the whole (national) United Church. This calculation may be expressed by the following formula:

$$\frac{\text{Conf RM} + \text{Conf IG} + \text{Conf Hh} + \text{Conf Min}}{\frac{\text{Nat RM}}{4} + \frac{\text{Nat IG}}{4} + \frac{\text{Nat Hh}}{4} + \frac{\text{Nat Min}}{4}} \times N = \text{TCC}$$

- where RM = number of resident members
  - IG = number of identifiable givers
  - Hh = number of households under pastoral care
  - Min = number of Ministry Personnel who have been appointed to Pastoral Charges, Missions, Outreach Ministries, or special ministries
  - N = total number of Commissioners representing all Conferences, established by the General Council from time to time
  - TCC = total number of Commissioners to be elected by the Conference, one-half (1/2) of whom shall be members of the Order of Ministry and Designated Lay Ministers, and one-half (1/2) of whom shall be lay members other than Designated Lay Ministers (2007)
- Where the answer (TCC) is not an even whole number, the result shall be rounded to the nearest even whole number;

viii. notwithstanding the foregoing, each Conference shall elect as Commissioners at least eight (8) members of the Order of Ministry and Designated Lay Ministers, and an equal number of lay members other than Designated Lay Ministers; and (2007)

ix. the Conference shall determine the method by which the Commissioners shall be elected. The Conference shall also elect a number of alternate Commissioners. The Conference may not delegate the election;

(b) to elect, every three (3) years, one (1) member, alternately lay and Order of Ministry, to a six- (6) year term as a member of the Executive of the General Council. The Executive Secretary of the Conference shall forward the name of the person so elected to the General Secretary of the General Council. The Conference shall also name alternate members to the Executive of the General Council; and

(c) to forward the names of persons nominated by the Conference for membership on Committees of the General Council where such membership requires election by the General Council.

424 Ordination and Commissioning, and Admission. It shall be the duty of the Conference:

CONFERENCE

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- (a) **to commission to the diaconal ministry of education, service, and pastoral care, or ordain, each Candidate for the Order of Ministry as examined and approved who has fulfilled the prescribed requirements and has been recommended by a Presbytery;** (Basis 7.6.5) (2007)
- (b) through its Education and Students Committee, to satisfy itself regarding readiness for ministry by examining the genuine call to ministry, personal character, motives, academic record, doctrinal beliefs, and general fitness for ministry of each Candidate. The Conference shall be assured that each Candidate is in essential agreement with the statement of doctrine, will agree to be subject to transfer and settlement in the United Church, and will abide by the Polity of the United Church;
- (c) to appoint a time when all the Candidates who are accepted shall be commissioned to the diaconal ministry of education, service, and pastoral care, or ordained. When any Candidate through illness or other emergency is unable to be present, the Conference, after approving of such Candidate, may appoint a Commission with power to commission the Candidate to the diaconal ministry of education, service, and pastoral care, or ordain the Candidate, at such time and place as it may determine; and (2007)
- (d) **to admit to the Order of Ministry of the United Church a diaconal minister or the equivalent or an ordained minister from another denomination, subject to the regulations of the General Council.** (Basis 7.6.6)

425 Pastoral Relations. **It shall be the duty of the Conference to see that, as far as reasonably possible, every Pastoral Charge within its jurisdiction shall have a pastorate without interruption, and that, as far as reasonably possible, every effective member of the Order of Ministry shall have a Pastoral Charge, and to effect this through a Settlement Committee.** (Basis 7.6.4)

426 Executive. **It shall be the duty of the Conference to appoint an Executive.** (Basis 7.6.1) The Executive shall have such duties and powers as the Conference may determine. When the Executive acts for the Conference between its regular meetings, the actions shall be reported to the Conference for information and for record in the minutes. The powers of such Executive do not extend to such items as are expressly excluded in subsections 423(a) and 430(a).

426.1 Settlement Committee. It shall be the duty of the Conference:

- (a) to elect from among the members of the Conference the Chairperson of the Settlement Committee, who shall be eligible for re-election from time to time;
- (b) to elect from among the members of the Conference the Secretary of the Settlement Committee, who shall be eligible for re-election from time to time. The Secretary shall be a voting member of the Committee;

- (c) to elect one (1) Diaconal Minister as a member at large of the Settlement Committee, wherever possible; and
- (d) to receive from the Settlement Committee:
  - i. a complete list of its Decisions regarding settlement;
  - ii. the names of all members of the Order of Ministry transferred into or out of the Conference;
  - iii. the name of each person whose name has been placed on the Discontinued Service List (Disciplinary) or the Discontinued Service List (Voluntary) by Decision of the Conference. The Executive Secretary shall see that the names are reported to the appropriate General Council working unit; and
  - iv. the recommendation of the Committee as to which Presbytery within the Conference a member of the Order of Ministry who is left without settlement or Presbytery Appointment shall be designated.

427 Ministry Personnel. It shall be the duty of the Conference:

- (a) to deal with all matters submitted by a Presbytery that affect the status, faith, character, or professional conduct of a member of the Order of Ministry or a person serving as Ministry Personnel;
- (b) to make a Decision whether to recognize a Designated Lay Minister recommended by the Presbytery and the Conference Education and Students Committee;
- (c) to deal with the Resignation of a member of the Order of Ministry received from a Presbytery; and
- (d) to conduct a service in memory of the members of the Order of Ministry and lay members of the Conference who have died since the preceding meeting of the Conference. The obituaries of deceased members of the Order of Ministry, prepared by the Committee appointed for that purpose, may be read at this service. The Executive Secretary of the Conference shall publish these obituaries in the Conference record of proceedings.

(2007)

427.1 Licence to Administer Sacraments. It shall be the duty of the Conference:

- (a) to consider an application from a Presbytery to grant a licence to a Diaconal Minister to administer the sacraments within a specified assignment for the duration of that appointment. Such licence may be granted where:
  - i. the Diaconal Minister is part of a team where the administration of the sacraments is seen as part of the shared function of the team;
  - ii. the Diaconal Minister is the only member of the Order of Ministry on the Pastoral Charge;
  - iii. the Diaconal Minister is involved in pastoral care functions such as chaplaincy in hospitals or other institutions or visitation to shut-ins;or

- iv. the position description and the needs of the context in some other way are deemed to warrant it; and
- (b) to consider an application from a Presbytery to grant a licence to a Designated Lay Minister, Candidate Supply, Intern Supply, Student Intern, Student Supply, or Diaconal Supply in a Presbytery Appointment to administer the sacraments on a specific Pastoral Charge for the duration of their appointment. (2007)
- (c) In the case of a Designated Lay Minister who has been recognized by the Conference, a licence to administer the sacraments may, at the discretion of the Conference, permit the Designated Lay Minister to administer the sacraments within the jurisdiction of the Presbytery to which the Designated Lay Minister is accountable. (2007)
- (d) An Ordained Supply whose ordination is recognized and accepted by the United Church shall be authorized to administer the sacraments. A Diaconal Supply whose commissioning to the diaconal ministry of education, service, and pastoral care is recognized and accepted by the United Church may be recommended by the Presbytery to the Conference for authorization to administer the sacraments. (2007)
- (e) to consider an application from a Presbytery to grant a licence as a Sacraments Elder to a person whom the Presbytery has recommended, for a term not to extend beyond the earlier of twelve (12) months, and the effective date of the settlement or appointment of a member of the Order of Ministry or the appointment of a Designated Lay Minister to the Pastoral Charge. (2007)

**427.2** On to Discontinued Service List (Disciplinary). The name of a member of the Order of Ministry may be removed from the rolls of Presbytery and Conference and placed on the Discontinued Service List (Disciplinary) by Decision of the Conference:

- (a) on the recommendation of a Formal Hearing Committee pursuant to paragraph 075(k)v.; or
- (b) on the recommendation of a Formal Hearing Committee pursuant to subsection 075(l) together with subsections 363(f) or (g); or,  
provided that there has been a Formal Hearing by a Formal Hearing Committee of a Conference, or the member has waived the requirement of a Formal Hearing, or there has been a process that contains safeguards equivalent to those of a Formal Hearing:
- (c) on the recommendation of the Presbytery for one (1) or more of the reasons indicated in subsection 314(d);
- (d) on the recommendation of the Presbytery pursuant to subsections 363(f) or (g); or
- (e) on the recommendation of the Presbytery as a result of the member having been convicted of a criminal offence.

Such person shall not be recognized as Ministry Personnel of the United Church, nor shall they perform the functions of its diaconal or ordained ministry.

- 427.3 On to Discontinued Service List (Voluntary). The name of a member of the Order of Ministry may be removed from the rolls of Presbytery and Conference and placed on the Discontinued Service List (Voluntary) by Decision of the Conference:
- (a) at the member's own request when accepted by the Presbytery.
- Such person shall not be recognized as Ministry Personnel of the United Church, nor shall they perform the functions of its diaconal or ordained ministry unless specifically stipulated otherwise by the Conference.
- 428 Application of Property.
- (a) Where there has been an amalgamation and the Presbytery has declared property to be surplus, such surplus property shall be applied, either before or after the completion of the amalgamation, for such purpose for the benefit of the United Church as the Conference may determine.
  - (b) Where a Congregation has ceased to exist as of a specified date, either by the Presbytery approving a resolution passed by the Congregation to disband as of the specified date or by the Presbytery making a Decision to disband the Congregation as of the specified date, all of its Property, Real and Personal, shall after that date be applied for such purpose for the benefit of the United Church as the Conference may determine after having consulted with the Presbytery. (2007)
- 429 Incorporated Ministries. (2007)
- (a) No person shall organize for the purpose of establishing any corporation or organization:
    - i. that will or can carry on any activities related to those of the United Church; or
    - ii. that uses the name of The United Church of Canada in full or in part; or
    - iii. that holds itself out as being in connection with or in any way related to the United Church; or
    - iv. that incurs liability for indebtedness; or
    - v. that engages in activities that might incur public liability in any way in connection with the United Church or any part thereof;

without having requested and received the prior written consent of the Conference within the jurisdiction of which the activity of the incorporated ministry will take place (or the prior written consent of the General Council where the activity of the incorporated ministry will extend beyond the jurisdiction of a single Conference) and the administrative approval of the General Council office. No incorporation without proper consent will be recognized by the United Church. (2007)
  - (b) It shall be the duty of the Conference to receive, from:
    - i. Pastoral Charges;
    - ii. Presbyteries; or



CONFERENCE

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- iii. other bodies within its jurisdiction, the objectives of which are in accord with those of the United Church;
- applications for incorporation, and to consider such applications, ensuring:
- iv. that such incorporation is essential for the fulfilment of the objectives of the applicant, and that no other Committee or body or Board of Trustees is reasonably able to substitute for the corporation; and
  - v. that the applications and the proposed by-laws comply with the requirements as set out in the policies established from time to time by the General Council or its Executive. (2007)
- (c) When the activity of the incorporated ministry will not extend beyond the jurisdiction of the Conference, the Conference shall make a Decision whether to consent to incorporation. Such consent shall not be given until written administrative approval as to form and content has been secured from the General Council office. (2007)
- (d) When the activity of the incorporated ministry will extend beyond the jurisdiction of the Conference, consent to incorporation shall be sought from the General Council. (2007)
- (e) The United Church recognizes three (3) categories of defined relationships with incorporated ministries:
- i. United Church incorporated ministries, with which the United Church has a close and vital relationship;
  - ii. incorporated partnership ministries, in which the United Church is a partner; and
  - iii. legacy incorporated ministries, which originated with the United Church, but which have since distanced themselves from the United Church;
- all as more particularly set out in the policies established from time to time by the General Council or its Executive. (2007)
- (f) The Conference shall be responsible for oversight of both the incorporation and the ongoing activities of incorporated ministries the activity of which will not extend beyond its jurisdiction. The nature of that oversight will depend upon the categorization of the relationship with the incorporated ministry, as set out in the policies established from time to time by the General Council or its Executive. (2007)
- (g) The following incorporated ministries are excepted from the oversight of the Conference:
- i. Observer Publications Inc., in respect of which the General Council shall be responsible for oversight;
  - ii. incorporated ministries the activity of which will extend beyond the jurisdiction of a single Conference, in respect of which the General Council may assume responsibility for oversight or assign that responsibility to one (1) or more Conferences; and

- iii. other incorporated ministries that have requested and received from the General Council an exception whereby the General Council has assigned responsibility for oversight to one (1) or more Courts. (2007)

### Organization

- 430 President.
- (a) The Conference shall elect from among its members a President, who shall hold office for a term of one (1) or two (2) years. The Conference may not delegate the election of a President.
  - (b) The Conference may elect a President-Elect who shall normally succeed to the office and be installed at the next annual meeting.
  - (c) The President shall be ex officio a member of all Conference Committees during the presidential term of office.
  - (d) A President who is a Diaconal Minister or a lay person shall have the right to preside at services of commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, and to administer the Sacrament of Holy Communion at regular meetings of the Conference and its Executive while in office. (2007)
- 431 Duties of President. The duties of the President shall be:
- (a) to constitute the meetings of the Conference;
  - (b) to preside, to preserve order, to take the vote, and to announce Decisions;
  - (c) to direct the business of the Conference;
  - (d) immediately after calling the roll, to cause to be reported to the Conference the names of members of the Order of Ministry transferred into and out of the Conference; and
  - (e) to perform such other duties as may be assigned by the Conference or the General Council.
- 432 Acting President. In the event of the death, removal, or permanent disability of the President, the latest predecessor in office who is a member of the Conference shall act as President for the remainder of the term; except that in a Conference where there is a President-Elect, that person shall succeed to the office to complete the unexpired term of the predecessor, and then continue in office in the succeeding term.
- 433 Executive Secretary. The Executive Secretary shall be appointed by the General Council Executive according to the procedures adopted by the General Council. The appointment shall be made only after consultation with the Conference. The Executive Secretary shall be a member of the United Church. (2007)
- 433.1 Duties of Executive Secretary. It shall be the duty of the Executive Secretary:

## CONFERENCE

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- (a) to keep a record of the proceedings of the Conference and to transmit the same to each General Council for review;
- (b) to conduct the necessary correspondence pursuant to the proceedings of the Conference;
- (c) to keep an accurate roll of the members;
- (d) to send to the lead staff of the appropriate General Council working unit all Decisions by the Conference that affect the status of any member of the Order of Ministry on its roll;
- (e) to ensure that all applications for transfer, and the names of all Candidates for the Order of Ministry who are recommended by their Presbyteries for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, are sent to the Secretary of the Transfer Committee each year, in order that all such names shall be before the Transfer Committee; (2007)
- (f) to supply the Settlement Committee with the list of the Pastoral Charges and Missions and the list of the members of the Order of Ministry on the rolls of the Presbyteries within the Conference;
- (g) to prepare for the Settlement Committee a list of Pastoral Charges that are in arrears to the pension plan;
- (h) after the Settlement Committee has presented its report, to compile a complete list, by Presbytery, of each Pastoral Charge and Mission, with the name and designation of the person settled in or appointed to that Pastoral Charge or Mission. The list shall also include the name of the Secretary of the Official Board or Church Board or Church Council;
- (i) to compile a list, by Presbytery, of the lay members of the Conference and their addresses;
- (j) to compile a list, by Presbytery, of each Candidate for the Order of Ministry;
- (k) to have printed and distributed the Conference record of proceedings, including the lists noted in subsections (h), (i), and (j), and to send a copy to the General Secretary of the General Council;
- (l) to have custody of all documents and papers belonging to the Conference, subject to its order, save such as have been forwarded to the Archives Committee;
- (m) to give certified extracts from the minutes when instructed or when they are applied for by a person having a constitutional right to receive them;
- (n) to rule on questions of interpretation of Conference policies and procedures as these pertain to the discharge of its duties and the exercise of its powers. All such rulings shall be duly recorded and reported in writing for information to the General Secretary of the General Council within one (1) month; and
- (o) to perform such other secretarial duties as may be assigned by the Conference.

433.2 List. The Executive Secretary of the Conference shall compile the list of its Presbyteries and Pastoral Charges as follows. The Presbyteries, and the

Pastoral Charges within the Presbyteries, shall be arranged in alphabetical order. Where two (2) or more Pastoral Charges are in one (1) place they shall be listed under that place name in alphabetical order of the Pastoral Charges. A grant-receiving Pastoral Charge, or a Pastoral Charge the name of which is not one of the preaching appointments of that Pastoral Charge, should be clearly indicated by an asterisk or other sign. The names of Ministry Personnel shall immediately follow the name of each Pastoral Charge. The names of all members of the Order of Ministry not in pastoral work shall be listed at the end of the roll of the Presbytery to which they are attached by action of the Conference. The names and addresses of Candidates for the Order of Ministry should be inserted at the end of the Presbytery roll to which they are attached.

- 434 Program Staff. It shall be the duty of the Conference: after consultation with the appropriate General Council working unit, to appoint Conference program staff persons, who shall be accountable to the Conference; and to arrange a service of covenant, with the involvement of the appropriate Presbytery, Pastoral Charge, or Congregation.
- 435 Treasurer. The Conference may elect a Treasurer to receive and to disburse any monies under its control, subject to its instructions.
- 436 Executive. It is recommended that the Executive of the Conference, appointed pursuant to section 426, include at least one (1) of the two (2) representatives from the Conference to the Executive of the General Council.
- 436.1 Sub-Executive. Unless the Conference otherwise determines, the Executive may appoint a Sub-Executive with such of its duties and powers, exercisable between meetings of the Executive, as the Executive shall determine. The actions of the Sub-Executive shall be reported through the Executive to the Conference for information and for record in the minutes.
- 437 Commission. The Conference or its Executive may act by Commission. The Commission shall report its Decision to the appointing body in keeping with its terms of reference for record in the minutes. Such Decision is not debatable. The powers of such Commission do not extend to such items as are expressly excluded in subsections 423(a) and 430(a).
- 438 Boards. The Conference, after being authorized and empowered by resolution of the General Council, may establish boards, Committees, or other unincorporated bodies, including City Mission Boards and Church Extension Boards, for any of the purposes of the United Church within its jurisdiction, and may define the membership, organization, duties, powers, and rights thereof.
- 439 Standing Committees. The Conference shall appoint such standing Committees as are deemed necessary, and in particular such Committees as

may relate to the working units and standing Committees of the General Council.

- (a) It is recommended that the Chairpersons of these Committees be continued in office for at least two (2) or three (3) years.
- (b) The Standing Committee on Nominations shall consist of a member or Corresponding Member from each Presbytery to provide liaison, and such other members as the Conference may deem advisable.

### Settlement Committee

(See also section 064.)

440 Meetings. The Settlement **Committee shall meet at least annually.** (Basis 9.4.1)

441 Membership.

- (a) The Settlement Committee shall consist of the Chairperson, the Secretary, and wherever possible one (1) Diaconal Minister, all of whom shall be elected by the Conference, and **one (1) member of the Order of Ministry and one (1) lay member appointed by each Presbytery.** (Basis 9.4) The President of the Conference and an appropriate Conference staff person shall be ex officio members of the Settlement Committee.
- (b) Each Presbytery, at a regular meeting previous to the annual meeting of Conference, shall appoint its two (2) representatives.
- (c) When any member of the Settlement Committee appointed by a Presbytery dies, resigns from the Committee, moves outside the jurisdiction of the Presbytery, or ceases to be a member of the Presbytery, or being a member of the Order of Ministry engages in secular work, there shall be a vacancy on the Committee. A member of the Order of Ministry applying for a transfer out of the Conference shall cease to be a member of the Committee when the transfer becomes effective. When such a vacancy occurs, the Presbytery shall elect a person to fill the vacancy.

442 The Settlement Committee shall receive information from the Convenor of each Presbytery Pastoral Relations Committee concerning any Vacancy in a Pastoral Charge within its jurisdiction, and it shall immediately communicate the same to the Secretary of the Transfer Committee.

443 A Candidate for the Order of Ministry recommended for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, who has been placed in the Conference by the Transfer Committee shall not be available for call, but shall be under the authority of the Settlement Committee for their first placement to a full- or part-time ministry. Such authority shall not apply to:

(2007)

- (a) Diaconal Ministers who having served five (5) years in full-time ministry are recommended for ordination; or
- (b) Ordained Ministers who having served five (5) years in full-time ministry are recommended for commissioning to the diaconal ministry of education, service, and pastoral care. (2007)

Such persons are free to accept a call.

444 The Settlement Committee shall receive from the Executive Secretary of the Conference the names of all the Pastoral Charges together with the names of all the members of the Order of Ministry on the rolls of the Presbyteries that constitute the Conference. There shall be indicated on the list of names received from the Executive Secretary of the Conference such Pastoral Charges as are in arrears to the pension fund. The Settlement Committee shall not be required to settle a member of the Order of Ministry on a Pastoral Charge that either has failed to pay its assessment to the pension fund or has not guaranteed the payment of the pension assessment in extending a call.

445 **It shall be the duty of the Settlement Committee to consider all applications for settlement from members of the Order of Ministry or from Pastoral Charges, Presbytery Accountable Ministries, or Presbytery Recognized Ministries within the jurisdiction of the Conference which are transmitted by Presbyteries.** (Basis 9.4.1)

446 It shall be the duty of the Settlement Committee to act on each recommendation transmitted by a Presbytery regarding a call issued to a member of the Order of Ministry.

447 **The Settlement Committee shall have authority to initiate communications with members of the Order of Ministry and with Pastoral Charges, other Presbytery Accountable Ministries, and other Presbytery Recognized Ministries, in order to effect settlements.** (Basis 9.7.1)

448 **When a Pastoral Charge, with a vacancy declared by the Presbytery, fails to extend a call by the end of the Pastoral Year (June 30th), the Settlement Committee may make the settlement.** (Basis 9.7) Where the Pastoral Charge desires further time in which to issue a call, such extension shall be at the discretion of the Settlement Committee.

449 The Settlement Committee shall be consulted by a Presbytery Pastoral Relations Committee before that Committee recommends to the Presbytery that an appointment be made to a specific ministry, where a Vacancy has been declared for longer than one (1) Pastoral Year.

450 When considering a call issued to a member of the Order of Ministry to an Outreach Ministry or a Pastoral Charge that receives a Mission Support

grant, the Settlement Committee shall not approve a settlement that will require a larger grant, without the consent of the Conference.

451 A member of the Order of Ministry called to a Pastoral Charge in another Conference must be transferred to that Conference before the call can be finalized and the Warrant to Covenant issued. (2007)

452 The Settlement Committee shall report to the annual meeting of the Conference:

- (a) a complete list of its Decisions regarding settlement;
- (b) the names of all members of the Order of Ministry transferred into or out of the Conference;
- (c) the name of each person whose name has been placed on the Discontinued Service List (Disciplinary) or the Discontinued Service List (Voluntary) by Decision of the Conference; and
- (d) the recommendation of the Committee as to which Presbytery within the Conference a member of the Order of Ministry who is left without settlement or Presbytery Appointment shall be designated.

453 **While settlements shall ordinarily be made at the annual meeting, the Settlement Committee shall have authority, through its Executive, to effect settlements during the Pastoral Year.** (Basis 9.4.3) (2007)

454 Executive. The Executive of the Settlement Committee shall consist of the Chairperson, the Secretary, the President of the Conference, the appropriate Conference staff person, and the Chairpersons of the Presbytery Pastoral Relations Committees concerned.

### Interview Board

455 Appointment. The Conference or its Education and Students Committee shall appoint an Interview Board.

456 Membership. Where resources permit and other matters make it feasible, the membership of the Interview Board shall include: (2007)

- (a) at least one (1) of each of a Diaconal Minister in the active pastorate, an Ordained Minister in the active pastorate, a Designated Lay Minister, and a Congregational Designated Minister;
- (b) a person qualified in supervision;
- (c) an appropriate Conference staff person as a non-voting staff resource;
- (d) a professional counsellor or equivalent;
- (e) at least four (4) lay persons who have had a significant experience of life and work in the church;
- (f) such additional specifically qualified persons as the Chairperson, in consultation, may seek to call on from time to time;

- (g) a representative from the Presbytery of the interviewee as a Corresponding Member at the point of final assessment; and
- (h) a Chairperson and a Secretary appointed by the Conference or its Education and Students Committee.

457 Purpose. The purpose of the Interview Board shall be:

- (a) to assist Inquirers and others referred to it in assessing their vocational goals and/or general suitability for membership in the Order of Ministry; and
- (b) to assist Presbyteries or other referring bodies in determining the suitability of those referred to it to function as Ministry Personnel in the United Church.

458 Responsibilities. The responsibilities of the Interview Board shall be:

- (a) to set up a standard procedure for assessment and supportive measures if required for those referred to it, who shall include:
  - i. Inquirers who have made application to be received as a Candidate, and potential Shorter Course applicants. Shorter Course applicants should be seen before admission to theological school;
  - ii. those seeking admission or re-admission to the Order of Ministry;
  - iii. lay persons applying for recognition as a Designated Lay Minister or a Congregational Designated Minister; and (2007)
  - iv. persons recognized as eligible for initial appointment as Diaconal Supply or Ordained Supply;
- (b) to gather in advance of the interview the packet of information used, including personal information form and two (2) reference letters;
- (c) to interview each person referred, either by a team of no fewer than three (3) persons or, at the option of the Board, by the Board itself. Where the interviewee is an Inquirer or Candidate for the diaconal ministry of education, service, and pastoral care, every effort should be made to include a Diaconal Minister on the interview team. In each case where an interview team is used rather than the Board, the team shall make a recommendation with respect to the interviewee to the Board, and the Board shall determine the report to be made to the referring Committee or Court with respect to the interviewee; (2007)
- (d) to be consistent in its use of assessment instruments, namely, if used with any interviewee, then with all;
- (e) to report confidentially to the referring Committee or Court and to the interviewee at the same time, in person with the interviewee whenever possible, with one of the following: recommended, recommended with suggestions, recommended with conditions, or not recommended. Where specific suggestions or conditions are indicated, a second interview in a year's time is advised; and
- (f) to ensure that the costs of the interviewee's travel and assessment are paid with funds from the Presbytery, the Conference, and the appropriate General Council working unit on a pre-arranged basis.



Expenses related to interviews of applicants for admission to the Order of Ministry and of prospective appointees as Diaconal Supply or Ordained Supply are the responsibility of the interviewee.

(next section: 460)

### **Suggested Conference Standing Committees**

460

Archives Committee.

- (a) Meetings. The Conference Archives Committee shall meet at least once a year at the call of the Chairperson.
- (b) Membership. Each Conference shall appoint annually an Archives Committee consisting of a Chairperson, who may be the Archivist, the Archives Convenors of the Presbyteries within the Conference, the Archives Convenor for the Conference United Church Women, the Executive Secretary of the Conference, and three (3) other members.
- (c) Duties. It shall be the duty of the Committee:
  - i. to have oversight of the Conference archives in co-operation with the General Council Committee on Archives and History, and to arrange for the preservation of the historically significant records of the Conference in appropriate places such as theological colleges, church-affiliated universities or schools, the Central Archives, or provincial archives;
  - ii. to present annually to the appropriate body of Conference a budget for work of the Committee. The budget presented shall make adequate provision for the proper care and maintenance of the Conference archives collections, including any necessary salaries for employees;
  - iii. to appoint, in conjunction with the General Council Committee on Archives and History, an Archivist, who shall be ex officio a member of the Conference Committee, and who shall have responsibility, under the direction of the Committee and in accordance with professional archival standards and procedures, for sorting and cataloguing the material in the Conference archives, and for making accessible to official United Church bodies and to individuals information necessary for the preparation of historical studies relating to the United Church;
  - iv. to arrange for the gathering of archival material into the Conference archives, both directly from church bodies and individuals and through the Presbytery Archives Committees within the Conference;
  - v. to co-operate with the General Council Committee on Archives and History in the development and use of consistent professional standards and procedures by Conference archivists across the United Church, and on all other matters of common concern;
  - vi. to work with the General Council Committee on Archives and History in the development of criteria and guidelines for the

designation of United Church historic sites, and to seek appropriate designation of particular sites within the jurisdiction of the Conference. Each Conference shall designate at least one (1) church building within the Conference as a Conference historic site where special services may be held annually;

- vii. to stimulate interest in the history of churches within the Conference, and in the history of the United Church, and to encourage and assist in historical research; and
- viii. to encourage ecumenical studies in Canadian church history, and the archival resources that will support these studies.

461 Communication Committee.

- (a) Membership. The Committee shall include in its membership the Convenors of the Presbytery Communication Committees, and a suitable number of other members chosen for their special competencies related to the needs of the Conference.
- (b) Duties. The duties of the Committee shall be to encourage and to aid Presbytery Committees in fulfilling their opportunities and to serve the Conference in its communication needs, both during the sessions of the Conference and at appropriate times throughout the year.

462 Education and Students Committee.

- (a) Duties. It shall be the duty of the Committee:
  - i. to receive annually from the Presbyteries reports on all Inquirers and Candidates, and to report their names to the appropriate General Council working unit;
  - ii. to receive the Presbytery reports on each Candidate recommended for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination; (2007)
  - iii. to examine separately each Candidate recommended for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, either by a team of no fewer than three (3) persons or, at the option of the Committee, by the Committee itself. Where the person being interviewed is a Candidate for the diaconal ministry of education, service, and pastoral care, every effort should be made to include a Diaconal Minister on the interview team. In each case where an interview team is used rather than the Committee, the team shall make a recommendation with respect to the person interviewed to the Committee, and the Committee shall determine the report to be made to the Conference Executive and the Conference as provided in paragraph iv. below; (2007)
  - iv. to report, to the Conference Executive for information and to the Conference for action, its recommendation concerning each Candidate for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination; (2007)
  - v. to receive and to consider a recommendation from a Presbytery to recognize a Designated Lay Minister, to conduct an interview of the

Designated Lay Minister, and to make a recommendation to the Conference; and (2007)

- vi. to review the Presbytery reports on a diaconal minister or equivalent or an ordained minister from another denomination recommended for admission to the Order of Ministry of the United Church by a Presbytery of the Conference, to conduct a final interview of the applicant, and, if satisfied, to recommend that they be admitted by the Conference.

463 Extra Appeals Committee.

- (a) Membership. The Committee shall include in its membership the Chairpersons of the Presbytery Extra Appeals Committees. It is recommended that the Chairpersons of the Finance Committee and the Stewardship Committee of the Conference also be included.
- (b) Duties. It shall be the duty of the Committee to investigate thoroughly and to make recommendations to the Conference concerning any proposal to solicit funds from the Pastoral Charges of more than one (1) Presbytery within the Conference for any purpose other than the Mission and Service Fund. The Committee shall acquaint itself with the financial demands already authorized within the Conference and within the Presbyteries concerned. It shall also consult the lead staff of the appropriate General Council working unit, before advising the Conference as to the necessity and relative worth of the proposal. If the Committee's recommendation is for authorization of the appeal, it shall also recommend the time for beginning and completing it, and as to the possibility of combining it with other appeals currently authorized or to be recommended. It may also advise as to the organization required to conduct the appeal successfully.

464 Finance Committee.

- (a) Conference Fund. There shall be established by the Conferences of the United Church a unified plan of finance for meeting the needs of the Conference and of those agencies and departments of the United Church that can claim to serve the Conference as a whole. These needs shall be met through a central fund to be known as the Conference Fund.
- (b) Participants. The participants in the Conference Fund shall be the following:
  - i. the Conference, for operating expenses;
  - ii. such standing Committees as the Conference shall from time to time determine;
  - iii. special Committees appointed by the Conference; and
  - iv. such other agencies and institutions as may be decided by the Conference on the recommendation of the Finance Committee.
- (c) Administration. The Conference Fund shall be administered by a Finance Committee to be named by the Conference, which Committee

shall be responsible to, and under the direction of, the Conference or its Executive.

- (d) Membership. The Finance Committee shall consist of:
  - i. the Chairperson and at least four (4) other members to be elected by the Conference;
  - ii. the Treasurer of the Conference;
  - iii. the Chairperson of the Conference Stewardship Committee;
  - iv. the Executive Secretary of the Conference; and
  - v. one (1) member to be appointed by each Presbytery, preferably the Convenor of the Presbytery Finance Committee or the Treasurer of the Presbytery.
- (e) Officers. The Committee shall elect its own Secretary.
- (f) Executive. There shall be an Executive composed of the Chairperson of the Committee, the Secretary of the Committee, the Treasurer of the Conference, and at least four (4) other members. The Executive shall have power to act for the Committee between meetings of the Committee.
- (g) Budget Submissions. Each participant in the Conference Fund shall prepare annually a budget setting forth its estimated requirements for the ensuing calendar year, together with a financial statement for the previous year for which an Audit has been performed, for submission to the Finance Committee not later than April 15th of each year. The Finance Committee shall have authority to request from participants in the Conference Fund such information as it may require. (2007)
- (h) Annual Meeting. The annual meeting of the Finance Committee shall be held before the annual meeting of the Conference. The Executive of the Committee shall present to this meeting the Conference budget with recommendations.
- (i) Report and Budget. The Finance Committee shall prepare a report of its work annually for the approval of the Conference. Its report and its budget, when adopted, shall constitute the financial report and budget of the Conference.
- (j) Presbytery Allocations. The Finance Committee shall be authorized to allocate annually the amount required for the next ensuing year to the Presbyteries and/or Pastoral Charges, assigning each a specified allocation.
- (k) Receipts and Disbursements. The Treasurer shall receive contributions to the Conference Fund, and shall make disbursements in accordance with the appropriations approved by the Conference and otherwise at the direction of the Conference Executive.
- (l) Donations. Participants in the Conference Fund may, with the permission of the Finance Committee, receive donations from individuals, churches, or church groups, or grants from General Council working units, but such receipts shall be reported to the Finance Committee.

- (m) Priority Claims. Operating expenses of the Conference and its Committees shall have first claim on the Conference Fund, and the Finance Committee shall have authority to recommend other priority claims upon the Conference Fund for the approval of the Conference.

465 Committee on Inter-Church and Inter-Faith Relations.

- (a) Membership. The Committee shall consist of a Chairperson, the Convenors or representatives of the Presbytery Committees on Inter-Church and Inter-Faith Relations where possible, and an adequate number of laity, including youth, representatives of the Women's Ministries Network, and representatives of other lay organizations that are represented on the Conference.
- (b) Duties. The duties of the Committee shall include:
- i. promotion within the Conference of a knowledge of and concern for ecumenical affairs, and assistance to the Presbyteries and ecumenical movements in the area;
  - ii. promotion of the use of ecumenical materials, both literature and audio-visuals, throughout the Conference;
  - iii. promotion and support, where feasible and desirable, of the formation of regional or local councils of churches and inter-faith organizations;
  - iv. encouragement of inter-church activities, including the sharing of common worship;
  - v. establishing co-operative relationships with churches and groups not members of the Canadian Council of Churches, such as the Roman Catholic Church, evangelical groups, and the Jewish communities within the Conference;
  - vi. holding ecumenical consultations and workshops;
  - vii. using communications media for ecumenical outreach;
  - viii. assisting the Presbyteries in understanding the functions, work, and studies of the World Council of Churches and the Canadian Council of Churches;
  - ix. presentation of ecumenical concerns to the annual or biennial Conference meetings;
  - x. co-ordination of its work as far as possible with the appropriate General Council Committee; and
  - xi. reporting regularly to the Conference concerning ecumenical concerns and activities within the Conference.

465.1 Interim Ministry Committee.

- (a) Membership. The Committee shall include Ministry Personnel with experience serving as Interim Ministers and lay persons with experience of Interim Ministry.

(b) Procedures for Designation.

- i. A member of the Order of Ministry or a Designated Lay Minister wishing to be available for appointment as an Interim Minister must be recommended by the Presbytery of which they are a member. An application seeking designation as an Interim Minister shall be submitted, in writing, to the Presbytery. The Presbytery shall forward the applications of those applicants that it recommends, to the Committee. (2007)
- ii. The Committee shall interview the applicant seeking designation as an Interim Minister, determine their suitability for Interim Ministry, and determine appropriate Interim Ministry training and education.
- iii. The Committee shall make a recommendation to the Conference Executive, for or against the designation of the applicant as an Interim Minister. The Conference Executive shall make a Decision and shall notify the applicant, in writing, of the Decision.
- iv. Following the first period of Interim Ministry, the Committee shall interview the Interim Minister, evaluate the effectiveness of the Interim Minister, and make a recommendation to the Conference Executive, for or against the continued designation of the person as an Interim Minister, with or without conditions. The Conference Executive shall make a Decision and shall notify the person, in writing, of the Decision. (2007)
- v. Following each subsequent period of Interim Ministry, the Committee shall interview the Interim Minister and evaluate the effectiveness of the Interim Minister. (2007)
- vi. Designation as an Interim Minister shall be valid for the earlier of five (5) years or the removal of designation by Decision of the Conference Executive acting on the recommendation of the Committee. (2007)
- vii. If an Interim Minister wishes to renew their designation as an Interim Minister for a further five (5) years, the Committee shall interview the Interim Minister, evaluate the effectiveness of the Interim Minister, and make a recommendation to the Conference Executive, for or against the continued designation of the person as an Interim Minister, with or without conditions. The Conference Executive shall make a Decision and shall notify the person, in writing, of the Decision. (2007)
- viii. If designation as an Interim Minister either has lapsed or has been removed, then the applicant seeking re-designation as an Interim Minister must proceed in accordance with paragraphs i., ii., and iii. (2007)
- ix. The Committee shall provide annually to the appropriate General Council working unit a list of those persons designated as Interim Ministers.

(c) Other Duties. It shall be the duty of the Committee:

- i. to provide for consultation about and co-ordination of Interim Ministry policies and procedures for the Presbyteries within its jurisdiction; and

- ii. to liaise with other Conference Interim Ministry Committees and the appropriate General Council working unit on policy matters.

466 Internship Committee.

- (a) Appointment. The Conference or its Education and Students Committee shall appoint an Internship Committee, to oversee the internship program within that Conference and to ensure that each internship provides an effective learning experience in the educational process for ordination.
- (b) Responsibilities. The responsibilities of the Committee shall be:
  - i. to recruit and to encourage internship sites within Pastoral Charges and institutions;
  - ii. to encourage supervisors to take appropriate training recognized by the appropriate General Council working unit, and to offer additional training for supervisors;
  - iii. to assess applications from Pastoral Charges and institutions that have been approved by the Presbytery, and to transmit those that are approved by the Committee to the appropriate General Council working unit;
  - iv. to assign Candidates seeking an internship to one of the internship sites within the Conference that has been approved by the appropriate General Council working unit;
  - v. to organize and to hold orientation events for supervisors, interns, and lay supervision teams;
  - vi. to oversee the internship experiences of Pastoral Charges, supervisors, and interns. This will include a review of the internship evaluations, on-site visits, and consultations;
  - vii. to consider applications from Candidates for internship equivalency, such as Intern Supply, Student Supply, and self-designed internships; to approve the learning setting and the supervisor; and to make recommendations to the appropriate General Council working unit regarding the learning setting and the supervisor;
  - viii. to make decisions, in consultation with the appropriate General Council working unit, regarding the termination of an internship, unresolved conflicts, and the accountability of the supervisor and the lay committee; and
  - ix. to work in consultation with the Presbytery Education and Students Committee in each Presbytery within the jurisdiction of the Conference and with the appropriate General Council working unit.

467 Mission in Canada Committee.

- (a) Committees Related. Conferences are free to determine the number, membership, and names given to Committees related to mission in Canada. Such Committees should be clearly identified.
- (b) Membership. Membership of such Committees should be composed at least one-half (1/2) of lay persons, and should include representatives

from lay organizations such as the Women's Ministries Network, the United Church Men, couples clubs, and youth groups.

- (c) Duties. Duties of such Committees should include the following:
- i. promoting the work of worship, evangelism, education, and leadership training;
  - ii. assisting Presbyteries in the development of over-all policies and strategies for the United Church within their jurisdiction, and making recommendations to the Conference and the appropriate General Council working units;
  - iii. receiving statements on the policy and work of the relevant General Council working units, and forwarding reports and recommendations to the appropriate General Council working units;
  - iv. providing for the exchange of information about and the support of programs, plans, and purposes for organizations, Pastoral Charges, special ministries, institutions, and Presbyteries within the Conference;
  - v. co-operating with the Conference Staff Committee in the provision of support and advice for Conference staff related to the work of the relevant General Council working units;
  - vi. reviewing requests from Presbyteries for financial assistance toward budgets of Pastoral Charges, special ministries, and institutions within their jurisdiction, and making decisions within nationally established guidelines regarding the distribution of resources made available by General Council working units;
  - vii. making recommendations to the appropriate General Council working unit regarding the expenditure of funds for the purchase and maintenance of Real Property for which the unit has responsibility; and
  - viii. making recommendations to the appropriate General Council working unit regarding loan and grant requests from the Capital Assistance Fund of the appropriate General Council working unit.

#### 468 Pension and Group Insurance Committee.

- (a) Membership. The Committee shall consist of a Chairperson, the Convenors of the Presbytery Pensions and Group Insurance Committees, and such other members as are deemed by the Conference to be necessary, of whom there shall be at least one-half (1/2) who shall be members in good standing with the pension and group insurance plans.
- (b) Duties. It shall be the duty of the Committee:
- i. to promote the interests of the pension and group insurance plans in the Conference;
  - ii. to report with respect to the work of the relevant General Council working unit;
  - iii. to promote in the Presbyteries within the jurisdiction of the Conference an active interest in the welfare of the members of the



plans and the recipients of pensions living within the jurisdiction of those Presbyteries, particularly in situations of need or emergency warranting application for compassionate assistance;

- iv. to organize and to promote an annual visitation of pensioners living within the jurisdiction of the Presbyteries of the Conference;
- v. to work with those Presbyteries where any members of the plans, Pastoral Charges, or other employers are six (6) months or more in arrears with respect to payments to the plans;
- vi. to receive and to report to the Conference the actions of the Presbyteries concerning disability and retirement applications and postponed retirements; and
- vii. to discharge such duties as the Conference may assign to it.

469 Stewardship Committee.

- (a) Membership. The size of the Committee shall be as determined by the Conference, but it shall include the Convenors of the Stewardship Committees of the Presbyteries, the Conference staff related to the relevant General Council working unit, three (3) representatives from the Women's Ministries Network, one (1) representative from each of the Communication Committee, the Extra Appeals Committee where it exists, and the World Outreach Committee, and two (2) representatives from the Mission in Canada Committee.
- (b) Chairperson. The Chairperson of the Committee shall also be a member of the Conference Executive, a member of the Conference Finance Committee, and a member of the Conference Extra Appeals Committee.
- (c) Duties. There shall be in each Conference a Stewardship Committee, which shall have the following duties:
  - i. to give leadership to the Conference, with the co-operation of the Conference Committees relating to the General Council working units, in initiating and developing plans for raising the Mission and Service Fund by cultivating approved methods of church finance, and promoting knowledge of the work of the United Church and its General Council working units through all the media at its disposal;
  - ii. to ensure that the proportions of money spent locally and regionally in relation to the amount provided for the wider work of the United Church through the Mission and Service Fund are kept in perspective and under review within the Presbyteries, and to consult periodically with the Convenors of Stewardship Committees of the Presbyteries to this end;
  - iii. to ensure that the principles and practice of Christian stewardship are promoted in the Presbyteries and their Pastoral Charges. This shall be done in consultation with the Conference Committee on Education for Mission;
  - iv. to consult with the Convenors of the Stewardship Committees in the Presbyteries concerning the dissemination of information and the stimulation of the use of study materials available through the relevant General Council working units; and

- v. to present to the Conference the plans and policies of the relevant General Council working units, for information.

470 World Outreach Committee.

- (a) Membership. The membership of the Committee should include a Chairperson, the Presbytery World Outreach Committee Convenors or interpreters, and representatives of the Conference United Church Women and of other adult and young adult organizations.
- (b) Responsibility. The responsibility of the Committee is to interpret world outreach, and more specifically:
  - i. to stimulate concern for the world-wide mission of the church;
  - ii. to interpret the policies and programs of the relevant General Council working unit;
  - iii. to bring to the Conference timely and up-to-date information on world outreach plans and developments;
  - iv. to inform the Conference as to the opportunities and need for Overseas Personnel, including lay persons; and
  - v. to co-operate with the Mission in Canada Committee and the Committee on Education for Mission in securing an adequate presentation to the Conference of the total mission of the United Church.

(next section: 500)

## THE GENERAL COUNCIL

### Meetings

- 500 Regular Meetings. The **regular meeting** of the General Council **shall be held every third year, except that the General Council or its Executive shall have the power, in circumstances that it deems exceptional, to defer the date of the regular meeting to the fourth year or to advance the date of the regular meeting to the second year.** (Basis 8.5) It shall be constituted with public worship and the Sacrament of Holy Communion and a formal declaration by the Moderator.

### Membership

- 501 Commissioners. The General Council shall consist of the following Commissioners who shall be members of the United Church:
- (a) **an equal number, elected by the Conference, from each of two (2) groups:** (Basis 8.1)
    - i. **members of the Order of Ministry and Designated Lay Ministers, with the proportion of each being determined by their numbers; and** (Basis 8.1.1) (2007)
    - ii. **lay members other than Designated Lay Ministers;** (Basis 8.1.2) (2007)
  - (b) an equal number of members of the Order of Ministry and members of the laity elected by Overseas Personnel;
  - (c) **the immediate Past Moderator;** (Basis 8.2)
  - (d) **the retiring Moderator;** (Basis 8.2)
  - (e) **the General Secretary of the General Council;** (Basis 8.2)
  - (f) **the chairperson or alternate of each General Council Division;** (Basis 8.3) and (2007)
  - (g) **three (3) of the General Council Secretaries.** (Basis 8.3) (2007)
- 502 Election of Commissioners.
- (a) By Conferences. Conferences shall elect Commissioners as provided in subsection 423(a), and shall also elect a number of alternate Commissioners.
  - (b) By Overseas Personnel. **Overseas Personnel appointed by the United Church who are members of the United Church shall be entitled to representation at each General Council on the basis of one (1) Commissioner for every eighteen (18) such Overseas Personnel, but in any case at least three (3) Commissioners, chosen as follows:** (Basis 8.4)
    - i. **Normally one-half (1/2) of such Commissioners shall be members of the Order of Ministry and one-half (1/2) shall be members of the laity, and at least one (1) Commissioner shall be from each of the major geographic areas of work.** (Basis: 8.4.1) (2007)

- ii. **Such Commissioners shall be elected by ballot from the Overseas Personnel who will be on home assignment in Canada at the time of the meeting of the General Council.** (Basis 8.4.2)
- iii. The appropriate General Council working unit shall furnish the General Secretary of the General Council with a list of all its Overseas Personnel who will be on home assignment in Canada at the time of the meeting of the General Council, and the General Secretary of the General Council, in consultation with the lead staff of the appropriate General Council working unit, shall prepare the ballot, send out the same, receive the returned ballots, and report the result thereof to the lead staff of the appropriate General Council working unit and to the elected Commissioners.

### Procedures

503 Committees. The General Council shall appoint at its first regular business session:

- (a) a Committee on the Roll, which shall report at as early a date as possible;
- (b) a Business Committee, which shall report from time to time on the business coming before the General Council, and suggest the order in which it shall be considered. This report, as adopted or amended by the General Council, becomes the business order of the day. Any business introduced from the floor may be referred to the Business Committee for a place on the agenda of the General Council. Notwithstanding the adoption of the report of the Business Committee, the General Council may fix “orders of the day” in case of business of special importance; and
- (c) such other Committees as will facilitate the deliberations of the General Council.

(next section: 505)

### Powers

505 Powers. **The General Council shall have full power:** (Basis 8.6)

- (a) **to legislate on matters respecting the doctrine, worship, membership, and government of the United Church, subject to the following conditions:**
  - i. **First, that before any rule or law relative to these matters can become a permanent law of the United Church, it must receive the approval of a majority of the Presbyteries, and, if advisable, Pastoral Charges also. It shall be considered advisable to obtain the approval of a majority of Pastoral Charges also only if the General Council has determined that the proposed rule or law involves a substantive change that, in the opinion of the General Council:**

(2007)

- (1) **alters the nature of the Courts of the Church;** (2007)
- (2) **significantly changes the structures of the Church;** (2007)
- (3) **redefines the Church’s understanding of ministry;** (2007)
- (4) **affects the articles of faith except for gender language applied to human beings;** (2007)
- (5) **changes the baptismal formula or vows made upon commissioning to the diaconal ministry of education, service, and pastoral care, or ordination;** (2007)
- (6) **moves a section from the Basis of Union to these By-Laws; or** (2007)
- (7) **alters the Church’s understanding of membership.** (2007)

- ii. **Second, that no terms of admission to full membership shall be prescribed other than those laid down in the New Testament.**
- iii. **And third, that the freedom of worship at present enjoyed in the negotiating Churches shall not be interfered with in the United Church.** (Basis 8.6.2(1))

Further:

- iv. When any proposed law or rule is to be submitted to the Presbyteries, the General Council shall authorize a Remit. The General Council, directly or through its Executive, shall direct the General Secretary of the General Council to prepare the Remit and all necessary documents, and determine the dates within which the vote shall be taken and returns received and reported to the Executive. Presbyteries shall consider such Remit at either a regular meeting or a special meeting called for that purpose. Replies to the Remit must be in the affirmative or the negative without qualification.
- v. If a majority of the Presbyteries express approval, the General Council may enact the proposed law or rule. If a majority of the Presbyteries do not express approval, the General Council shall not enact the proposed law or rule, but a subsequent General Council may again issue a Remit to the Presbyteries. (2007)
- vi. If the General Council desires to make effective a rule or law that is being submitted to the Presbyteries, pending the final action of the next General Council, it may determine by two-thirds (2/3) of the votes cast that the said rule or law shall come into effect upon a fixed date, provided that the Executive of the General Council declares that two-thirds (2/3) of the Presbyteries have given their approval.
- vii. When the General Council decides that it is advisable to issue a Remit concerning a proposed law or rule to Pastoral Charges also, it shall determine the conditions and methods of procedure under which their judgement shall be obtained;

(b) **to receive and dispose of Proposals;** (Basis 8.6.4)

(c) **to dispose of appeals;** (Basis 8.6.5)

- (d) **to prescribe and regulate the courses of study for Candidates for the Order of Ministry and to regulate the admission of diaconal ministers (or their equivalent) and ordained ministers from other denominations;** (Basis 8.6.3)
- (e) to approve or deny a request for an exception to the prescribed educational requirements for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, and to approve or deny a request for special courses leading to commissioning to the diaconal ministry of education, service, and pastoral care, or ordination. Such requests shall be presented to the General Council through the appropriate General Council working unit on the recommendation of a Presbytery and a Conference; (2007)
- (f) to regulate the re-admission of persons to the Order of Ministry;
- (g) **to have charge of the colleges of the United Church, and to take what measures are deemed advisable for the promotion of Christian education;** (Basis 8.6.7)
- (h) to extend and to revoke the privilege of a United Church related theological school to issue a Testamur;
- (i) **to determine the missionary policy of the United Church, and to provide for the conduct of its missions;** (Basis 8.6.6)
- (j) **to legislate on all matters respecting property, subject to the limitations elsewhere provided in the Basis of Union, and subject also to the approval of the Conference in which the property is situated.** (Basis 8.6.2(2)) Sales or mortgages of properties administered by General Council working units shall be approved by the Executive or the Sub-Executive of the General Council, or by the property officer in accordance with resolutions passed from time to time by the Executive or the Sub-Executive;
- (k) in respect of incorporated ministries: (2007)
  - i. to oversee Observer Publications Inc.; (2007)
  - ii. to oversee both the incorporation and the ongoing activities of incorporated ministries the activity of which will extend beyond the jurisdiction of a single Conference, provided that the General Council may assign responsibility for oversight to one (1) or more Conferences; and (2007)
  - iii. upon request, to assign responsibility for oversight of other incorporated ministries to one (1) or more Courts; (2007)
- (l) **to determine the number and boundaries of the Conferences, have oversight of them, and review their records.** (Basis 8.6.1) Where, in the opinion of the General Council, the functioning of a Conference is ineffectual or the Conference fails to take appropriate action, or where the Conference requests the General Council to take action on its behalf, the General Council shall adopt such measures as it may deem necessary;
- (m) to appoint the General Secretary of the General Council, whose appointment may not be delegated to the Executive of the General Council;

- (n) to adopt personnel policies for General Council and Conference staff;
- (o) to appoint an Executive, and to determine its powers;
- (p) **to appoint Committees and officers for the different departments of Church work, and to receive their reports and give them instruction and authority;** (Basis 8.6.8) Members of General Council Committees, excluding those with ex officio membership, shall not serve continuously on the same Committee for more than three (3) consecutive terms. In exceptional circumstances, this may be extended one (1) additional term. In this subsection a term shall mean the period of time elapsing between the rise of a regular meeting of the General Council and the rise of the next regular meeting of the General Council;
- (q) to appoint the Judicial Committee;
- (r) to appoint such other Committees as the General Council from time to time shall deem necessary;
- (s) **to correspond with other Churches;** (Basis 8.6.9) and
- (t) **in general to enact such legislation and adopt such measures as may tend to promote true godliness, repress immorality, preserve the unity and well being of the Church, and advance the kingdom of Christ throughout the world.** (Basis 8.6.10)

(next section: 510)

### Organization

#### 510 Moderator.

- (a) Appointment. The General Council shall elect from among its members the Moderator, who shall be its presiding officer as well as the senior elected executive officer of the United Church.
- (b) Committee Membership. The Moderator shall be ex officio a member of the Committees appointed by the General Council and the Permanent Committees of the Executive of the General Council.
- (c) Nominations. Nominations for the office of Moderator made by Conferences or Presbyteries shall be accepted by the General Secretary of the General Council at least two (2) months prior to the next General Council. These nominations are to be accompanied by biographical notes concerning each nominee, which biographical notes shall be printed with the nominations in the agenda of the General Council. This is not to be understood as precluding nominations from the floor of General Council itself. The election shall be by a majority ballot.
- (d) Meeting. A meeting shall be arranged early in the term of the Moderator, by the General Secretary of the General Council, with the Moderator, the Chairperson of the Moderator's Advisory Committee, and the General Council Ministers, to establish ongoing working relationships, and to clarify roles, responsibility, and authority.
- (e) Relief from Ordinary Duties. The Moderator if employed by the Church may be relieved of ordinary duties during the term of office, as may be

arranged by the General Council with the Moderator and with the Pastoral Charge or General Council working unit served by the Moderator. The arrangement shall include a definite determination of the financial responsibility of the General Council with respect to the Moderator and the Pastoral Charge or General Council working unit served by the Moderator.

- (f) Administer Communion. A Diaconal Minister or lay person in the office of Moderator shall have the right to administer the Sacrament of Holy Communion at regular meetings of the General Council, its Executive, and its Sub-Executive, while in office.
- (g) Term. The Moderator shall continue in office for a term of three (3) years, which shall be deemed to be the period of time elapsing between the installation at one General Council and the installation of a successor at the next General Council.
- (h) Review. The role and remuneration of the Moderator, and the needs of the United Church in relation to the role of the Moderator, shall be reviewed by the Executive of the General Council at least every ten (10) years, and the Executive of the General Council shall seek ways in which the United Church may benefit from the accumulated wisdom and experience of past Moderators.

**511** Duties of Moderator. It shall be the duty of the Moderator:

- (a) to give leadership to the United Church, especially in spiritual things, quickening in the hearts of the people a sense of God as revealed in Christ, and heartening and strengthening the whole United Church;
- (b) to visit throughout the United Church, giving sympathetic guidance and counsel in all its affairs, and to report thereon to the General Council and its Executive;
- (c) to be the primary spokesperson for the United Church and representative of the United Church; and
- (d) to preside at the meetings of the General Council, its Executive, and its Sub-Executive.

**512** General Secretary. The General Council shall appoint a General Secretary of the General Council, who shall be a member of the United Church. The General Secretary of the General Council shall continue in office until a successor is appointed.

(2007)

**513** Duties of General Secretary. The primary duty of the General Secretary of the General Council is to be the senior staff and administrative officer of the General Council, its Executive, and its Sub-Executive. No other responsibilities should be laid upon or assumed by the General Secretary that would interfere with effective functioning in this primary area. The General Secretary must assist the Executive of the General Council to discharge its responsibilities as set out in section 524, and especially subsection 524(a). In discharging this primary duty, the General Secretary shall be responsible for the following, inter alia:



GENERAL COUNCIL

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- (a) the preparatory work for the meetings of the General Council, its Executive, and its Sub-Executive, including the preparation of agendas, printed reports, and other documentation that facilitate deliberation on matters of policy;
- (b) to record and to circulate a report of the deliberations of the General Council, its Executive, and its Sub-Executive;
- (c) through the structures of the United Church, including Presbyteries, Conferences, and General Council working units, to arrange for the implementation of the decisions of the General Council, its Executive, and its Sub-Executive, and in this regard to be the co-ordinating officer for the United Church;
- (d) to facilitate the work of the Committees and Commissions of the General Council, and to arrange for adequate staff, without necessarily assuming the secretarial responsibilities;
- (e) to call together regularly the General Council Ministers and to call together regularly the lead staff of the General Council working units, for the purpose of co-operation and co-ordination within the United Church. The primary purposes of such meetings shall be to implement policy decisions set out by the General Council, its Executive, or its Sub-Executive, and to initiate definitive recommendations for the consideration of the General Council, its Executive, or its Sub-Executive. The General Secretary of the General Council shall be the permanent presiding officer of these meetings;
- (f) to make rulings on questions of jurisdiction or interpretation with respect to all matters of the Polity, procedures, and practice of the United Church;
- (g) to prepare, together with the Manual Committee, changes to *The Manual* that are required because of policy established from time to time by the General Council or by its Executive on referral from the General Council, for consideration by the General Council. The General Secretary shall prepare any *Manual* revisions for publication, and answer all enquiries with respect to the provisions of *The Manual*;
- (h) to prepare, for submission to the Executive of the General Council, the annual budget of the United Church as it relates to interdenominational bodies, inter-church relationships, the General Council office, and any other matters related to the work of that office; (2007)
- (i) to have custody of the seal of the United Church and of the records, documents, and papers of the General Council;
- (j) to provide a newly elected Moderator with an orientation handbook and information about the budget for the work of the Moderator, and to convene the meeting referred to in subsection 510(d);
- (k) to have responsibility for the oversight of the routine work connected with the office of the Moderator;
- (l) to be ex officio a member of any Committee appointed to direct the work of planning or research;
- (m) subject to this section, to represent the United Church in inter-church relationships only as required by the General Council;

- (n) to be a general liaison officer for the Courts of the United Church with special reference to such regional offices as may be established; and
- (o) to perform such other duties as the General Council may direct.

514 General Council Ministers. There shall be General Council Ministers, the number to be determined from time to time by the General Council. They shall have the following specific duties:

- (a) to be corresponding members of the Executive of the General Council;
- (b) to act for the General Secretary of the General Council when assigned by the General Secretary; and
- (c) to perform such other duties as the General Council or the General Secretary of the General Council may direct.

515 Execution of Documents Under Seal. There shall be an official seal for the United Church. When it is required to affix the seal to any document, except where otherwise provided by any Act respecting the United Church, it shall be attested by the signatures of any two (2) of the following officers: the Moderator, the General Secretary of the General Council, the General Council Ministers, and the Executive Officer, Finance (any one (1) of whom shall for this purpose be entitled to temporary custody of the seal and to affix the same); or by any one (1) thereof, together with any one (1) of six (6) other persons to be appointed by the Executive of the General Council.

(next section: 520)

**Executive of the General Council**

520 Composition. There shall be an Executive of the General Council, which shall be composed as nearly as practicable of an equal number from each of two (2) groups: (2007)

- (a) members of the Order of Ministry and Designated Lay Ministers; and (2007)
- (b) lay members other than Designated Lay Ministers. (2007)

521 Membership. The Executive of the General Council shall consist of:

- (a) the Moderator, the immediate Past Moderator, and the General Secretary of the General Council;
- (b) twenty-six (26) members, two (2) elected by each Conference, one (1) of whom shall be a lay member as described in subsection 520(b), to be elected for two (2) terms; (2007)
- (c) the Chairpersons of each of the Permanent Committees of the Executive of the General Council;
- (d) four (4) members at large, two (2) of whom are to be youth and young adult representatives, to be elected for two (2) terms;
- (e) two (2) persons, one (1) of whom shall be a lay member as described in subsection 520(b), from the francophone constituency; (2007)

- (f) two (2) persons, one (1) of whom shall be a lay member as described in subsection 520(b), from the ethnic ministries constituency; (2007)
- (g) a representative to the Central Committee of the World Council of Churches when a member of the United Church; and
- (h) the Chairperson of the General Council Business Committee.

522 Corresponding Members. The following shall be Corresponding Members of the Executive of the General Council:

- (a) the Chairperson of the General Council Committee on Theology and Faith;
- (b) the Chairperson of the General Council Agenda and Planning Committee;
- (c) an elected officer of the National United Church Women;
- (d) the General Council Ministers;
- (e) the Executive Secretaries of the Conferences and the Speaker of the All Native Circle Conference;
- (f) the Chairperson of the Board of Directors of The United Church Observer;
- (g) the Chief Archivist; and
- (h) a global partner representative.

Other persons may at any time be invited to be Corresponding Members of the Executive of the General Council when their expertise, wisdom, and input are required or desired by the Executive of the General Council.

523 Transfer from Conference. A member of a Conference who is transferred from the Conference that such member has represented shall cease to be a member of the Executive, and the vacancy shall be filled for the unexpired term by that Conference, its Executive, or its Sub-Executive.

524 Duties and Powers. The Executive, which shall report its proceedings to the General Council, shall have the following duties and powers:

- (a) to study, to promote, and to protect the general interests of the United Church; to ensure that, so far as possible, the decisions and recommendations of the General Council are carried out; to survey all the enterprises of the United Church; to receive and review at least annually reports from the General Council working units submitted through the Permanent Committees, from the Permanent Committees themselves, and from the other Committees appointed by the General Council or its Executive, with a view to securing the best possible measure of co-operation and effectiveness in the conduct of the United Church's work; to make recommendations to a Permanent Committee or to any other Committee appointed by the General Council or its Executive, and to make recommendations to the General Council;
- (b) to deal with matters referred to it by the General Council, and to appoint Committees from among its members, or otherwise, for such purposes as the General Council may direct;

- (c) to do any act or thing of a routine or emergency nature that the General Council has power to do, except in any case in which the General Council has decided it should not exercise such powers; (2007)
- (d) to receive recommendations from the General Secretary of the General Council together with the Manual Committee, with regard to those changes to *The Manual* that are required because of policy established from time to time by the General Council or by its Executive on referral from the General Council, and to make changes in *The Manual* that clarify ambiguity or intent, reorganize text, move or group sections, or change format. Where in the opinion of the General Council Executive the policy or its intention is clear, the General Council Executive shall authorize the necessary changes to *The Manual*, such changes to take effect not less than ninety (90) days following the release of the record of proceedings of the immediately preceding General Council. Where in the opinion of the General Council Executive the policy or its intention is unclear, the General Council Executive shall refer the matter to the next General Council for clarification;
- (e) to oversee and facilitate the issuance of, and the response to, Remits, but in no case to authorize a Remit;
- (f) to appoint an Advisory Committee to confer with the Moderator in regard to matters relating to the duties of that office;
- (g) to appoint a Deputy Moderator, normally the immediate Past Moderator, who shall perform temporarily the duties of the Moderator in the event of the Moderator dying, resigning, or being unable to act by reason of absence or otherwise;
- (h) in the case of the death, resignation, removal, or temporarily incapacitating disability of the General Secretary of the General Council, to appoint an Acting General Secretary of the General Council. In the case of the temporarily incapacitating disability of the General Secretary of the General Council, such appointment shall extend only for the duration of the incapacity. In all other cases, such appointment shall extend until a new General Secretary of the General Council takes office or the appointment is terminated;
- (i) to adopt personnel policies for General Council and Conference staff;
- (j) to appoint Permanent Committees, and to receive their reports and give them instruction and authority;
- (k) to appoint senior staff of the General Council and the General Council working units, and Conference Executive Secretaries. Those appointed shall be accountable to the General Council. Conference Executive Secretaries shall be appointed according to the procedures adopted by the General Council; the appointment shall be made only after consultation with the Conference. The General Council Executive shall arrange a covenanting service for senior staff of the General Council and the General Council working units, and Conference Executive Secretaries;
- (l) to authorize the General Council working units to sell or to mortgage property of the United Church administered by such units upon such terms as it shall approve;

GENERAL COUNCIL

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- (m) to determine the annual budget of the United Church and its distribution, upon recommendation of the Permanent Committee on Finance, except insofar as the General Council itself may determine;
- (n) to exercise general supervision and control of the unified plan of finance;
- (o) to consider any proposal to solicit funds from the Pastoral Charges of more than one (1) Conference for any purpose other than the Mission and Service Fund. Such proposal shall be submitted to the lead staff of the appropriate General Council working unit, by the party seeking to solicit funds. The lead staff of the appropriate General Council working unit shall review any such proposal, and shall consult with the appropriate Committees of the relevant Conferences, including consulting as to the time frame for the appeal, before making recommendations to the Executive of the General Council; (2007)
- (p) to be the legal administrator of the pension plan;
- (q) to appoint the Board of Trustees for the pension plan;
- (r) to amend the constitution of the pension plan upon the recommendation of the Board of Trustees for the pension plan, and to amend the group insurance plan contract upon the recommendation of the appropriate General Council working unit;
- (s) to call special meetings of the General Council;
- (t) to supervise and to regulate the office accommodation of the General Council working units;
- (u) to sanction loans and overdrafts on the bank accounts of the United Church;
- (v) to fill vacancies in its membership, having regard to representation from Conferences; and
- (w) to make rules and regulations for the transaction of its business.

525

In the area of educational institutions related to the United Church, the duties of the General Council Executive shall include:

- (a) considering any proposed incorporation, amendment to the charter (or equivalent), or dissolution of any such educational institution;
- (b) subject to the charter of the educational institution concerned and to the protocols agreed to by the United Church and the educational institution, confirming or acknowledging or refusing to confirm or to acknowledge:
  - i. the establishment or the disestablishment of Chairs; and
  - ii. the making or terminating of appointments;
- (c) subject to the charter of the educational institution concerned and to the protocols agreed to by the United Church and the educational institution, consulting with governing boards of educational institutions as to the appointment of principals;

- (d) where required by the charter of the educational institution and subject to the protocols agreed to by the United Church and the educational institution, appointing principals and faculty members; and
- (e) where required by the charter of the educational institution and subject to the protocols agreed to by the United Church and the educational institution, making appointments to the governing boards of any educational institution.

The General Council Executive may refer any matter pertaining to the discharge of the foregoing duties to the General Council for decision.

526 Sub-Executive. It shall be the duty of the Executive to appoint a Sub-Executive with such of its duties and powers, exercisable between meetings of the Executive, as the Executive shall determine. The actions of the Sub-Executive shall be reported through the Executive to the General Council for information and for record in the minutes.

527 Commission. The General Council or its Executive may act by Commission. The Commission shall report its Decision to the appointing body in keeping with its terms of reference for record in the minutes. Such Decision is not debatable.

(next section: 532)

#### **Committee on Archives and History**

532 Meetings. The General Council Committee on Archives and History shall meet at the call of the Chair at least once each year.

533 Membership. The Committee shall be composed of:

- (a) a Chairperson appointed by the General Council;
- (b) the General Secretary of the General Council;
- (c) the General Council Archivist, who shall serve as Secretary to the Committee;
- (d) the Chairperson of the Archives Management Committee;
- (e) two (2) representatives of the academic community; and
- (f) one (1) representative from the Archives Committee of each Conference.

534 Accountability. The Committee shall be accountable to the General Council for the co-ordination and promotion of archival and historical activity in and for the United Church and all its Conferences, and for policies affecting the same.

535

Duties. The duties of the Committee shall be:

- (a) to assist Conference and Presbytery Archives Committees in the general supervision and co-ordination of their work with that of the Central Archives of the United Church;
- (b) to encourage all Conferences of the United Church to make adequate financial provision for the care of their Conference archives;
- (c) to encourage the development and use of consistent professional standards and procedures by Conference archivists across the United Church;
- (d) to stimulate interest in the history of the United Church, to assist students in theological colleges and universities in historical research, and to make accessible to official United Church bodies and to individuals information necessary for the preparation of historical studies relating to the United Church;
- (e) to promote a knowledge of, and interest in, the history of the United Church by publishing or assisting in the publication of historical studies and other literature pertaining thereto;
- (f) to co-ordinate the development of criteria and guidelines in encouraging Presbyteries and Conferences to be aware of, and to seek appropriate designation of, United Church historic sites within their jurisdiction, and to be the denomination's agent in relation to possible United Church related national monuments;
- (g) to encourage Ministry Personnel and office bearers of the United Church to recognize the importance of recording fully and accurately, in registers and minute books, the events, proceedings, and decisions of Pastoral Charges and their organizations, and the Courts, working units, and Committees of the United Church;
- (h) to impress upon the United Church the importance of the systematic preservation of the historically significant records of the United Church;
- (i) to encourage ecumenical studies in Canadian church history, and the archival resources that will support these studies;
- (j) to encourage factual accuracy of official historical publications of the United Church, prior to their publication; and
- (k) to recommend to the General Council persons for United Church appointments to the Archives Management Committee.

536

Executive. The Committee shall appoint an Executive.

- (a) Membership. The Executive shall consist of the Chairperson, the General Council Archivist, the General Secretary of the General Council or designate, and two (2) other members elected by and from the Committee.
- (b) Duties. The Executive shall have power to perform such duties as may be assigned to it by the Committee, including the appointment of working groups to carry out specific tasks, and facilitating General Council budget requests.

537 Archives Management Committee. There shall be an Archives Management Committee, consisting of representatives of both the General Council and Victoria University, which shall be responsible for the policy affecting, and the oversight of, the operations of the Central Archives in accordance with the then current agreement between the United Church and the University.

538 Archivist. The General Council Archivist shall be the archivist of the United Church, serving the Committee on Archives and History and the Archives Management Committee in relation to their respective mandates; shall be official custodian of the records, documents, and papers relating to the United Church as a whole and its antecedent denominations, the records of the General Council and its working units, Committees, Task Groups, and Commissions, and the records of the Conferences that decide to deposit their archives in the Central Archives; and shall be responsible for promoting historical activities and studies about, for, and in the United Church, primarily through the regular services of the Central Archives on the one hand, and through the resources of the Committee on Archives and History as well as the United Church's historians on the other.

(next section: 540)

#### **Judicial Committee**

540 Membership. The General Council shall elect four (4) persons from each Conference, two (2) being members of the Order of Ministry and two (2) being lay members of the United Church, who shall constitute a Committee to be known as the Judicial Committee. Each member shall serve for up to three (3) terms. After consultation with the Conference concerned, a vacancy may be filled by the General Council at any meeting thereof by the election of a person for the unexpired term. If a vacancy shall occur during an interval between two (2) regular meetings of the General Council, it shall be filled by the Executive or the Sub-Executive of the General Council, until the next ensuing General Council.

541 Officers. The General Council shall elect one (1) member of the Judicial Committee as the Chairperson thereof. The General Secretary of the General Council shall be the Secretary to the Judicial Committee.

542 Executive. There shall be an Executive of the Judicial Committee composed of ten (10) members.

543 Duties of the Executive. The duties of the Executive shall be:

- (a) to determine whether an Appeal meets the requirements for an Appeal hearing;
- (b) to appoint panels, with at least one (1) member of the Executive to be a member of each panel, to hear Appeals under subsections 545(a) and (b);



- (c) to appoint panels from the Executive to hear Appeals under subsections 545(c), (d), and (e);
- (d) to provide appropriate orientation, interpretation, and guidance to each panel, which duty shall be the joint responsibility of the member of the Executive on the panel and the Executive Secretary of the Conference involved or such other person as the Conference may designate;
- (e) to study the procedures of panels and to make recommendations to the Executive of the General Council as required, recognizing that the Decisions of panels are final;
- (f) to receive the records of all panels and to report to the General Council all actions of the Judicial Committee; and
- (g) to monitor the implementation of the procedures for the resolution of conflicts set out in sections 065 to 077.

544 Constitution and Meetings of Panels. The time and place of meetings and the constitution of the appropriate panels of the Judicial Committee shall be determined from time to time by the Executive of the Judicial Committee.

545 Panels for Appeals.

- (a) Appeals from Decisions as a result of a Formal Hearing by a Session or Official Board or Church Board or Church Council or a Presbytery shall be heard by a panel of three (3) members of the Judicial Committee who shall not be from the Presbytery in which the matter arose.
- (b) Appeals from Decisions by a Conference, whether or not as a result of a Formal Hearing, shall be heard by a panel of three (3) members of the Judicial Committee who shall not be from the Conference in which the matter arose.
- (c) Appeals from Decisions by a Committee of the General Council, whether or not as a result of a Formal Hearing, shall be heard by a panel of five (5) members of the Judicial Committee who shall not be members of the Committee in which the matter arose.
- (d) Appeals from Decisions by the Executive or the Sub-Executive of the General Council, whether or not as a result of a Formal Hearing, shall be heard by a panel of seven (7) members of the Judicial Committee who shall not be members of the Executive or the Sub-Executive.
- (e) Appeals from rulings of the General Secretary of the General Council on questions of jurisdiction or interpretation shall be heard by a panel of five (5) or seven (7) members of the Judicial Committee.

546 Panel Officers. The panel of persons hearing each matter shall appoint a Presiding Officer and a Secretary from among its members. The Secretary shall:

- (a) keep or cause to be kept a full and correct record of the proceedings of the panel of the Judicial Committee and of its Decisions;
- (b) transmit to each Party concerned, in each case submitted to it, a copy of the Decision of the panel (which is a Decision of the Judicial

Committee), certified to be correct by the Presiding Officer of the panel; and

- (c) file with the General Secretary of the General Council a complete record of the case, certified by the Presiding Officer of the panel.

**547** Procedural Matters.

- (a) No member of the Judicial Committee who took part in any aspect of the matter from which an Appeal is being taken shall sit on the hearing of that matter.
- (b) All members appointed to a panel must be present throughout the hearing for which they are appointed.
- (c) Any person or Court appearing before the Judicial Committee or any panel thereof shall have the right to appear in person or by an advocate or legal counsel. Such representative shall not be a member of the Judicial Committee. Any person or Court appearing by an advocate or legal counsel may be present at the hearing.
- (d) All hearings of the Judicial Committee and all panels thereof shall be conducted pursuant to the provisions of subsections 076(s) and (t), as if the hearing were an Appeal Hearing.
- (e) Notwithstanding the provisions of section 003.1, the Judicial Committee and all panels thereof shall have power to take such evidence as it may deem necessary, either in person orally or by commission report, statutory declaration, or otherwise which shall be stipulated in each case.
- (f) The agreement of a majority of the members of the panel of the Judicial Committee hearing any matter shall be necessary to reach a Decision.
- (g) Decisions of a panel of the Judicial Committee shall be Decisions of the Judicial Committee.
- (h) The necessary expenses of each panel of the Judicial Committee, including stenographic or other assistance when required, shall be provided by the General Council.

**548** Review. The Decision of the Judicial Committee with respect to Appeals and all matters of law and jurisdiction submitted to it shall be binding on all parties until the date of the final Decision of the General Council. Any Decision of the Judicial Committee may be reviewed, but not re-heard, by the General Council to which it has been reported, and may be affirmed, reversed, modified, suspended, or remitted to the Committee for further hearing. If any matter shall not be reviewed by the General Council to which it has been reported, or if it shall be reviewed and no Decision shall be reached, the Decision of the Judicial Committee shall be deemed to be the final Decision of the General Council.

**549** Decisions Not Subject to Appeal. Decisions that are not subject to Appeal are as follows:

- (a) elections;

GENERAL COUNCIL

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- (b) Decisions about an individual with respect to the inquiry or candidacy process;
- (c) Decisions about an individual with respect to the recognition process for Congregational Designated Ministers or Designated Lay Ministers; (2007)
- (d) Decisions about an individual with respect to the admission or re-admission process; (2007)
- (e) initiation of calls and settlements;
- (f) initiation of appointments;
- (g) implementation of a Decision pending an Appeal;
- (h) determination of whether an Appeal meets the requirements for an Appeal hearing;
- (i) acceptance or rejection of a medical certificate;
- (j) a Decision by a Pastoral Charge to request a change in the pastoral relationship;
- (k) the disposition by a Presbytery of a request from a member of the Order of Ministry for a change in the pastoral relationship;
- (l) a Decision by a Court whether to hold a Formal Hearing;
- (m) a Decision by a Formal Hearing Committee whether to hold a Formal Hearing;
- (n) a Decision by a Court to make a complaint; or
- (o) a Decision by a Presbytery to initiate a review of the situation under subsection 363(c).

Although a Decision about an individual with respect to the inquiry or candidacy process, the recognition process for Congregational Designated Ministers or Designated Lay Ministers, or the admission or re-admission process, may not be appealed, the individual may request that the appropriateness of the procedures used to arrive at the Decision be addressed through the General Council's approved policies and procedures for conflict resolution, other than a Formal Hearing. The individual may appeal the appropriateness of the procedures used to arrive at the Decision, but only if the matter is not resolved through the policies and procedures for conflict resolution. (2007)

(next section: 600)

## GENERAL COUNCIL OFFICE

### General Matters

- 600 The ongoing work of the General Council shall be carried out by working units of the General Council office. The General Council working units are to give faithful and effective support to the many activities of the United Church.
- 601 The General Council or its Executive shall determine, from time to time, the following in respect of each of those General Council working units:
- (a) number of working units;
  - (b) name;
  - (c) internal organization of the unit; and
  - (d) duties of the unit.
- 602 Permanent Committees. The General Council or its Executive or its Sub-Executive shall determine, from time to time, the following in respect of each of the Permanent Committees of the Executive of the General Council:
- (a) number of Permanent Committees;
  - (b) name;
  - (c) number of members of the Permanent Committee;
  - (d) Chairperson and membership of the Permanent Committee; and
  - (e) mandate of the Permanent Committee.
- 603 Duties of Permanent Committees. Permanent Committees shall be a resource to the Executive of the General Council, to make possible and effective the role of the Executive of the General Council. Permanent Committees shall not manage the work of the General Council working units. The duties of a Permanent Committee shall be:
- (a) to review work coming before the Executive of the General Council;
  - (b) to be the means by which all the work of the working units is prioritized and comes to the Executive in a coherent, integrated, and manageable form;
  - (c) to co-ordinate and present policy recommendations;
  - (d) to make Decisions as delegated in the area assigned, and to delegate other functions to working units, sub-committees, or other Task Groups;
  - (e) to ensure and to model the principle of collaboration between staff and elected members;
  - (f) to advise and to guide the Executive of the General Council on matters relevant to the mandate of the Permanent Committee; and
  - (g) to carry out other duties as requested.

604 Committees and Task Groups. For the purpose of carrying out its responsibilities, a Permanent Committee may establish and thereafter maintain such Committees as are deemed necessary, the members being chosen for their special qualifications; and may establish Task Groups for carrying out specific time-limited mandates.

605 Property. Sales or mortgages of properties administered by General Council working units shall be approved by the Executive or the Sub-Executive of the General Council, or by the property officer in accordance with resolutions passed from time to time by the Executive or the Sub-Executive. Where the property is set apart or used for the purposes of a Conference, the approval of such Conference or its Executive shall also be obtained.

(next section: 630)

### **Mission and Service Fund**

630 Unified Plan. There shall be a co-operative and unified plan for financing the work of the United Church through a Mission and Service Fund comprising the general contributions from members and Adherents of the United Church and the portion raised by Women's Ministries Network for the work of the United Church, under the direction of the General Council. The working units established by the General Council, the General Council office, and such other bodies as the General Council or its Executive may authorize from time to time, shall participate in the Mission and Service Fund.

631 Plan Provisions. The plan shall provide for:

- (a) the preparation by each General Council working unit of its estimated annual requirements and their adjustment for submission to the General Council or its Executive;
- (b) a united appeal to the whole United Church for the entire amount required, with provision for special appeals for emergency situations, with the consent of the Executive of the General Council;
- (c) a proposal to each Conference, Presbytery, and Pastoral Charge for either a specified objective or the acceptance of a proportionate responsibility for the entire amount required;
- (d) making known to the United Church the needs of the work, cultivating and organizing the liberality of the membership, and promoting approved methods of church finance;
- (e) an equitable distribution of the revenue in order to meet fairly and adequately the needs of each General Council working unit; and
- (f) a consistent organized program of education for mission and stewardship in all grades and organizations of the Congregations through Presbytery and Conference Committees.

632 Treasury. There shall be one treasury of the United Church for receiving and disbursing the revenue of the various departments of the United Church participating in the Mission and Service Fund.

633 Operation. The responsibility for the operation of the Mission and Service Fund shall be vested in the Executive of the General Council, which shall determine the annual budget of the United Church and its distribution to the various General Council working units.

(next section: 710)

### Transfer Committee

710 Meetings. The Transfer Committee shall meet annually prior to the annual meetings of the Conferences. An additional meeting may be held at a later date as arranged by the Chairperson and the Secretary.

711 Membership. The membership of the Transfer Committee shall consist of:

- (a) the Chairpersons of the Conference Settlement Committees or their alternates;
- (b) two (2) members at large, appointed by the Executive of the General Council, of whom one (1) shall be a Diaconal Minister if no other member of the Committee is a Diaconal Minister, and one (1) of whom shall be a lay person;
- (c) three (3) student observers, who are Candidates and who are not in their first or final year of candidacy, selected one (1) by each of three (3) United Church theological schools upon the request of the Secretary of the Transfer Committee;
- (d) a Secretary, who shall be an executive staff person and who has been designated by the lead staff of the appropriate General Council working unit; and
- (e) a Chairperson, who shall be selected by the Transfer Committee to serve in addition to those members listed in subsections (a) to (d).

712 Duties. The Transfer Committee shall:

- (a) **transfer members of the Order of Ministry and Candidates from one Conference to another** as authorized by the Basis of Union and the enactments of the General Council; (Basis 9.8.1)
- (b) ensure that each application for transfer received by the Secretary of the Transfer Committee has consideration at its annual meeting; and
- (c) take account of the expressed wishes of the Settlement Committees, members of the Order of Ministry, Candidates to be transferred, and Pastoral Charges.

713

Authority.

- (a) The Transfer Committee shall have authority to transfer:
  - i. a member of the Order of Ministry who, upon commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, was approved to pursue further study and who has completed that study; and (2007)
  - ii. a Candidate not yet recommended for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, to a Conference of their choice, provided the Presbyteries and the Conferences concerned give consent. (2007)
- (b) **The Transfer Committee shall have the authority to transfer each Candidate for the Order of Ministry recommended for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, and each member of the Order of Ministry who upon commissioning to the diaconal ministry of education, service, and pastoral care, or ordination was approved to pursue further study, upon completion of that study, to the Conference where, in the judgement of the Transfer Committee, their skills and gifts best match the needs and gifts of Presbytery Accountable Ministries, (Basis 9.9) and to such special ministries as have been authorized by the General Council and which the Transfer and Settlement Committees concerned determine to fill. Experience in the pastorate shall normally be considered a prerequisite for appointment to a special ministry.** (2007)
- (c) **This authority of the Transfer Committee will not apply to:**
  - i. **Diaconal Ministers who having served five (5) years in full-time ministry are recommended for ordination; or**
  - ii. **Ordained Ministers who having served five (5) years in full-time ministry are recommended for commissioning to the diaconal ministry of education, service, and pastoral care. (Basis 9.9)** (2007)

Such persons are free to accept a call.
- (d) The transfer of a Candidate recommended for commissioning to the diaconal ministry of education, service, and pastoral care, or of a Candidate recommended for ordination, made by the Transfer Committee shall become effective at 12:01 a.m. on the day following the commissioning of the Candidate to the diaconal ministry of education, service, and pastoral care, or the ordination of the Candidate. (2007)
- (e) The Transfer Committee, while recognizing that transfers shall normally be made effective at the beginning of the Pastoral Year (July 1st), shall give authority to the Secretary of the Committee to effect transfers between meetings of the Committee, providing that the Presbyteries and the Conferences concerned have given approval to the request. All such transfers shall be reported to the Transfer Committee and recorded in its report.
- (f) Each member of the Order of Ministry desiring a transfer to another Conference, and each Pastoral Charge extending a call to a member of the Order of Ministry from another Conference, shall make application

in writing for such transfer through the Presbytery with which they are enrolled. Each member of the Order of Ministry not in a Pastoral Charge and desiring transfer to another Conference shall also send a copy of such application to the Presbytery into which enrolment is desired. The Secretary of such Presbytery shall immediately report the action of the Presbytery concerning such application for transfer to the Secretary of the Transfer Committee, and shall notify the Settlement Committees concerned.

- (g) The Transfer Committee shall have authority to enact any necessary regulations to make effective the discharge of the duties and powers given to it by the Basis of Union and the enactments of the General Council.

(next section: 720)

### **Program of Study for Candidates for Ordination**

**720** Education. The education of a Candidate for the ordained ministry shall normally consist of:

- (a) an undergraduate program leading to the Bachelor's degree, in a university recognized by the appropriate General Council working unit, followed by a three (3) year program of preparation for ministry leading to the Testamur of the United Church; or
- (b) admission to a United Church native ministry theological centre, followed by a five (5) year program of preparation for ministry leading to the Testamur of the United Church.

**721** Pre-Theology.

- (a) During their pre-theological education, Candidates should seek advice from a United Church related theological school as to the content of their pre-theological program of study, and keep in active association with a Congregation of the United Church. It is the mutual responsibility of the Candidates and the appropriate Presbytery and Conference Committees to ensure that these provisions are implemented.
- (b) During the pre-theological undergraduate course of study, the Candidate is encouraged to engage in regular and systematic reading of the Bible and/or to take a general course in Bible in a Religious Studies Department of a Faculty of Arts.
- (c) In selecting their undergraduate courses, Candidates should have in mind the acquiring of a knowledge of the world in which we live; that is, the world of people and ideas, the world of nature, and the world of human affairs. This could best be done by including such subjects as English literature, philosophy, history, political science, psychology, sociology, a modern language, a biblical language, and one of the physical sciences.



- 722 Internship. Each Candidate for ordained ministry shall, prior to ordination, satisfactorily complete the internship program of the United Church according to the guidelines set out by the General Council. An internship is a full-time ministry position that involves learning goals, reflection on the practice of ministry, regular supervision, an internship lay committee, and formal evaluation. Internships are available only to Candidates for the Order of Ministry. The Presbytery Education and Students Committee shall have responsibility to determine whether an internship is satisfactorily completed.
- 722.1 Ministry-Based Education Programs for Ordination. For those Candidates in ministry-based education programs for ordination, the practice of ministry component according to the guidelines as set out by the General Council replaces the requirement for internship. The Presbytery Education and Students Committee shall have responsibility to determine whether the applicable education for ordination program is satisfactorily completed.
- 723 Shorter Course.
- (a) Permission. Notwithstanding the normal requirements, a well-qualified Candidate for the ordained ministry may be permitted, on the recommendation of the Presbytery and with the approval of the appropriate General Council working unit, to take the Shorter Course.
  - (b) Considerations. In making such a decision concerning admission to the Shorter Course, the appropriate General Council working unit shall take into account previous life and academic experiences, family and financial responsibilities, and age (normally thirty-five (35) years of age or over).
  - (c) Components. The Shorter Course shall consist of one (1) year of Arts at a recognized university, three (3) years of theology at a theological school that grants the Testamur of the United Church, and satisfactory completion of the internship program of the United Church.
  - (d) Certificate of Matriculation. In all these cases, the Candidate shall present to the Presbytery and to the appropriate General Council working unit a certificate of matriculation acceptable to a Canadian university. This requirement shall be regarded as fulfilled for Candidates who have satisfied the requirements of a recognized Canadian university by being admitted to study in the Faculty of Arts on the grounds of maturity.
  - (e) Arts Courses. The Candidate must complete five (5) year-long courses, or the equivalent number of semester courses, with standing at the undergraduate level of a recognized Canadian university or Arts college. The equivalent of at least one (1) year-long course shall have been completed within two (2) years prior to application to the Shorter Course. These five (5) courses are to be selected under the guidance of the staff of the theological school with which the Candidate is registered or the Chairperson of the Conference Education and Students Committee.

- 724 Program of Study. The preparation for ordained ministry in the United Church entails an encounter between the Christian tradition and the times which we live. Therefore it is important to provide a program of study that integrates learning in the following areas:
- (a) biblical studies, including their critical interpretation;
  - (b) theology, both historical and current;
  - (c) Christian ethics and church in society;
  - (d) church history, including Canadian church history;
  - (e) mission, ecumenics, and culture;
  - (f) religious pluralism, including the social dimension of religion and world religions;
  - (g) theology and practice of ministry, including homiletics, pastoral care, Christian worship, Christian education, leadership, and personal and pastoral identity;
  - (h) field education; and
  - (i) church administration and United Church Polity.
- The study of the Greek and Hebrew languages is recommended.
- 725 Method of Teaching. The method of teaching, whether by lecture or seminar, or by the tutorial system, shall be left to the individual college.
- 726 Completion. The satisfactory completion of a three (3) year course covering the above mentioned subjects shall constitute the basic education requirements for the diploma leading to ordination.
- 727 Recognized School.
- (a) A Candidate shall normally enrol in and graduate from a theological school related to the United Church or a program of training recognized by the General Council through the appropriate General Council working unit.
  - (b) Any Candidate seeking permission to take basic theological training outside Canada or in a theological school not related to the United Church shall seek the prior approval of the Presbytery through the Committee responsible for Candidates. If the Presbytery supports the request, it shall obtain the concurrence of the Conference Education and Students Committee and the appropriate General Council working unit. In considering such a request, the Presbytery, the Conference, and the working unit shall be guided by the United Church's need for ministers who are trained for ministry in the United Church and who have knowledge and an appreciation of the United Church's Polity, ethos, traditions, and theologies. It shall be the responsibility of the Candidate to provide evidence that the alternate educational program will meet the United Church's need. Such requests shall be granted only in exceptional cases.
  - (c) Candidates who have taken a complete program of theological studies in a theological school not related to the United Church shall be

required to take the equivalent of at least one (1) year of full-time studies in a theological school related to the United Church prior to being recommended for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination. In exceptional cases this requirement may be modified or waived on recommendation of the Presbytery and with the approval of the Conference and the appropriate General Council working unit. It shall be the responsibility of the Candidate to provide evidence that the completed program of theological studies has met the United Church's need. (2007)

(d) When final approval to a request for exemption from subsection 727(a) is given, the Presbytery shall advise the Candidate of the full requirements to qualify for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, including satisfactory completion of the internship program of the United Church according to the guidelines set out by the General Council, prior to ordination. (2007)

(e) In the case of Candidates wishing to be educated in a program offered in French, a designated theological school related to the United Church, with a recommendation from the Presbytery, in consultation with the Conference, and with the concurrence of the appropriate General Council working unit, shall design a suitable training program to meet the United Church's educational requirements.

728 Academic Requirements. The provisions and procedures set forth in subsection 031(f) shall apply to students who have taken courses of study other than the courses required by the United Church and who wish to become Candidates for commissioning to the diaconal ministry of education, service, and pastoral care, or ordination, in the United Church. (2007)

729 Degrees. Normally the United Church accepts the Bachelor of Divinity or Master of Divinity as appropriate degrees for its Order of Ministry, provided that they are obtained from a college recognized by the appropriate General Council working unit on behalf of the United Church. Such degree courses should require a first degree from a recognized university as a condition for enrolment. Other degrees in theology that may be obtained by members of the Order of Ministry of the United Church are subject to approval by the appropriate General Council working unit.

**Program of Study for Candidates for Commissioning**

730 Education. The education of a Candidate for the diaconal ministry of education, service, and pastoral care shall normally consist of: (2007)

- (a) a three (3) year program of preparation for ministry leading to the Testamur of the United Church; or
- (b) a five (5) year non-residential program of preparation for ministry leading to the Testamur of the United Church.

- 731 Pre-Requisites. The pre-requisite for admission to theological education for the diaconal ministry of education, service, and pastoral care shall be: (2007)
- (a) an undergraduate program leading to a Bachelor's degree from a university recognized by the appropriate General Council working unit; or
  - (b) personal maturity arising out of life and work experience, and confirmation of admission to an accredited university; or
  - (c) personal maturity arising out of life and work experience, and admission to a United Church native ministry theological centre.

- 732 Program. Preparation for the diaconal ministry of education, service, and pastoral care requires an educational process that is congruent with the theology and practice of the diaconal ministry of education, service, and pastoral care. Therefore the program stresses the integration gained through academic studies, field education, and learning in community. The program for Candidates for the diaconal ministry of education, service, and pastoral care shall consist of: (2007)
- (a) Christian education, including educational theories and leadership development;
  - (b) pastoral care, including personal and social theories and context;
  - (c) social ministry, including social analysis and contextual theologies;
  - (d) biblical studies, theology, ethics, church history, and Christian worship, including sacraments and preaching;
  - (e) field education, with a minimum of two (2) terms in each of a congregational setting and a social ministry setting;
  - (f) diaconal history and diaconal vocational identity;
  - (g) personal and pastoral identity; and
  - (h) church administration and United Church Polity.

**Program of Preparation for Designated Lay Ministers**

- 733 Program. The educational program for a person applying to be recognized as a Designated Lay Minister shall be set by the appropriate General Council working unit in accordance with policies approved by the General Council or its Executive. (2007)

**Program of Study for Licensed Lay Worship Leaders**

- 734 Program. The normal program leading to licensing as a Licensed Lay Worship Leader shall extend over at least two (2) years, and shall include the study of theology and church history, Hebrew and Christian scriptures, preaching, and worship and pastoral skills. Lists of recommended books and seminar topics on each subject are available from the appropriate General Council working unit.

735 Oversight. The Presbytery shall have oversight of study programs for Licensed Lay Worship Leaders. It shall be the responsibility of a Committee of the Presbytery to assess the readiness of an applicant for licensing as a Licensed Lay Worship Leader.

(next section: 810)

## UNITED CHURCH WOMEN

### Presbyterial United Church Women

810 All the organizations of the United Church Women of the Congregations within the jurisdiction of the Presbytery shall have the right to be linked together in an organization known as the Presbyterial United Church Women. Where the Presbyterial United Church Women integrates with the Presbytery, the functions of the Presbyterial United Church Women should be assigned to the most appropriate grouping within the new pattern.

811 Purpose. The purpose of the Presbyterial United Church Women is:

- (a) to unite the United Church Women of the Congregation for the total mission of the Church; and
- (b) to strengthen and support the work of the United Church Women in the Congregations of the Presbytery, by providing opportunities for spiritual growth, Christian fellowship, and leadership development.

The Presbyterial United Church Women shall function with flexibility to meet the needs of its constituency and, in co-operation with the Presbytery, develop whatever new forms may be required.

812 Responsibilities. The Presbyterial United Church Women should:

- (a) endeavour to carry out the purposes of the United Church Women as stated in the constitution, and to further its interests and work;
- (b) support, strengthen, and co-ordinate the United Church Women in the Congregations within the jurisdiction of the Presbytery;
- (c) foster and establish relationships with women in those Congregations that do not have a United Church Women organization; and
- (d) develop relationships with the Presbytery, with the Presbytery organization of the men of the United Church, and with comparable organizations of other denominations.

813 Organization.

- (a) Executive. The Presbyterial United Church Women operates through an Executive. The Executive includes the Past President, the President or team of Presidents, other officers as required, Chairpersons of Committees, portfolio Secretaries, members at large as required, and representatives from Committees or groups of the Presbytery as may be determined. Presidents, or their representatives, of the United Church Women of the Congregations within the jurisdiction of the Presbytery may be voting or Corresponding Members as determined.
- (b) Responsibilities of the Executive. The Executive shall:
  - i. review and evaluate periodically the work of the Presbyterial United Church Women;

- ii. do overall planning for the United Church Women within the jurisdiction of the Presbytery;
- iii. co-ordinate the program of the Presbyterian United Church Women with the work of the Presbytery;
- iv. ensure the transfer of the functions of the Presbyterian United Church Women to appropriate groupings when the Presbyterian United Church Women and the Presbytery integrate;
- v. plan the annual meeting and other meetings as necessary to carry on the work of the Presbyterian United Church Women;
- vi. receive reports from the United Church Women of the Congregations;
- vii. recommend the nature and number of Committees needed to carry on the responsibilities of the Presbyterian United Church Women;
- viii. report annually to the Presbytery; and
- ix. arrange for nominations from the Presbyterian United Church Women to such Committees of the Presbytery as may be determined, and particularly to the Stewardship Committee, and to participate in joint Committees.

**814** Annual Meeting.

- (a) Voting Delegates. Four (4) representatives plus the Presidents of the United Church Women of the Congregations within the Presbyterian United Church Women shall be voting delegates at the annual meeting of the Presbyterian United Church Women. In Congregations desiring a Presbyterian relationship but not having a United Church Women organization, up to five (5) representatives named by the Session or Church Board or Church Council shall be voting delegates.
- (b) Corresponding Members. The members of each local United Church Women, and others as may be determined, shall be Corresponding Members at the annual meeting.
- (c) Duties and Powers. The annual meeting shall:
  - i. conduct the business of the Presbyterian United Church Women; and
  - ii. elect officers, an auditor, and delegates and alternates to the Conference United Church Women; and (2007)
  - iii. nominate representatives to appropriate Committees of the Presbytery.

(next section: 820)

**Conference United Church Women**

**820** All the organizations of the Presbyterian United Church Women, or their equivalent, within the jurisdiction of the Conference shall have the right to be linked together in an organization known as the Conference United Church Women. Where the Conference United Church Women integrates

with the Conference, the functions of the Conference United Church Women should be assigned to the most appropriate grouping within the new pattern.

- 821 Purpose. The purpose of the Conference United Church Women is:
- (a) to strengthen and support the Presbyterian United Church Women and other groups where desired;
  - (b) to provide an opportunity for spiritual growth, Christian fellowship, study, and leadership development; and
  - (c) to maintain close ties with all Conferences and General Council working units.

- 822 Responsibilities. The Conference United Church Women should:
- (a) endeavour to carry out the purposes of the United Church Women as stated in the constitution and to further its interests and work;
  - (b) support, strengthen, and co-ordinate the work of the Presbyterian United Church Women within the jurisdiction of the Conference;
  - (c) foster and establish liaison relationships with successor groups to the Presbyterian United Church Women where such have integrated their work with the work of Presbyteries;
  - (d) develop relationships with the Conference, with the Conference organization of the men of the United Church, and with comparable organizations of other denominations;
  - (e) seek ways in which areas of shared concern between the Conference United Church Women and the Conference may be addressed, such as joint Stewardship Committees;
  - (e) develop lines of communication with other Conference United Church Women or their equivalent, and with the appropriate General Council working unit;
  - (f) in consultation and co-operation with Presbyterian United Church Women and the appropriate General Council working unit, plan programs in harmony with and in support of the goals and objectives of the United Church;
  - (g) make recommendations to, and carry out recommendations from, the appropriate General Council working unit; and
  - (h) arrange for schools, regional conferences, leadership development, and the annual meeting of the Conference United Church Women.

- 823 Organization.
- (a) Executive. The Conference United Church Women operates through an Executive. The Executive includes the Past President, the President or team of Presidents, other officers as required, Chairpersons of Committees, portfolio Secretaries, members at large as required, and representatives from Committees or groups of the Conference as may be determined. The Presidents of the Presbyterian United Church Women



## OTHER CONSTITUTIONS

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within the jurisdiction of the Conference may be voting or Corresponding Members as determined.

- (b) Responsibilities of the Executive. The Executive shall:
- i. review and evaluate periodically the work of the Conference United Church Women;
  - ii. do overall planning for the United Church Women within the jurisdiction of the Conference in consultation with the Presbyterial United Church Women;
  - iii. co-ordinate the program of the Conference United Church Women with the work of the Conference and work towards whatever future pattern seems in the best interests of the United Church;
  - iv. ensure the transfer of the functions of the Conference United Church Women to appropriate groupings when the Conference United Church Women and the Conference integrate;
  - v. plan the annual meeting and other meetings as may seem necessary to carry on the work of the Conference United Church Women;
  - vi. receive reports of the Presbyterial United Church Women;
  - vii. recommend the nature and number of Committees needed to carry on the responsibilities of the Conference United Church Women;
  - viii. keep in touch with other Conference United Church Women or their equivalent, and with the appropriate General Council working unit, in order to maintain a national view;
  - ix. report annually to the Conference; and
  - x. arrange for nominations from the Conference United Church Women to such Committees of the Conference as may be determined, and particularly to the Stewardship Committee, and to participate in joint Committees.

### 824 Annual Meeting.

- (a) Voting Delegates. Voting delegates at the annual meeting of the Conference United Church Women shall be as set by the Conference United Church Women, but no fewer than six (6) representatives plus the President of each of the Presbyterial United Church Women. Where no organization of Presbyterial United Church Women exists, representation shall be as set by the Conference United Church Women, but no fewer than seven (7) representatives officially named by the successor body to the Presbyterial United Church Women.
- (b) Corresponding Members. The members of each Presbyterial United Church Women, and others as may be determined, shall be Corresponding Members at the annual meeting.

### **National United Church Women**

- 825 Purpose. The purpose of the National United Church Women is to strengthen and to support the Conference United Church Women or the

equivalent Conference structure, and other women's groups when desired in the Conference, in their relationship within the United Church.

826 Organization.

- (a) Members. The National United Church Women shall include the following members:
  - i. the President and Vice-President of each Conference United Church Women structure, or alternates designated by the Executive of the Conference United Church Women. In Conferences where there is no Conference United Church Women structure, two (2) representatives shall be appointed by the equivalent structure;
  - ii. two (2) representatives appointed by the Ethnic Ministries Council, each appointed in alternate years for two (2) terms, each term of (2) years duration;
  - iii. two (2) representatives appointed by the All Native Circle Conference for two (2) terms, each term of (2) years duration; and
  - iv. up to two (2) members at large appointed by the Executive for a two (2) year term.
- (b) Officers. The National United Church Women has as its officers a President and either the Past President or the President-Elect.
- (c) Executive. The National United Church Women operates through an Executive which shall:
  - i. plan the meeting of the National United Church Women; and
  - ii. carry out other functions as assigned to the Executive.

827 Responsibilities. The National United Church Women shall:

- (a) share concerns and insights of women in the United Church;
- (b) deal with resolutions coming from the Conference United Church Women or the equivalent Conference structure;
- (c) annually make appropriate decisions on the use of the capital and the interest of United Church Women trust funds;
- (d) function in co-operation with the appropriate General Council working unit;
- (e) establish relationships with national and international women's organizations; and
- (f) administer the United Church Women life membership pins and certificates.

(next section: 830)

**UNITED CHURCH MEN'S ORGANIZATIONS**

830 The men of the United Church shall be free, for whatever reasons they may have, to come together into organized groups, provided only that the aims and activities of such groups are not in conflict with those of the United Church. Indeed, they are strongly encouraged to do so, in order that the needs of men and the gifts of men may be recognized and appreciated within the total life and work of the United Church.

831 Purpose. The purpose of a men's organization may be, in whole or in part:

- (a) to deepen the spiritual life of men through worship, Bible study, and study and discussion of their Christian witness in their community, at their work, and in their homes;
- (b) to develop a greater knowledge of the church, its nature and mission; and
- (c) to provide opportunities for service and fellowship.

832 Nature. The nature of a men's organization is perhaps best determined in consultation with the Ministry Personnel serving with the Pastoral Charge or with the Official Board or Church Board or Church Council. Depending on the range of interests of the men, it may be desirable to form more than one (1) men's organization within a Pastoral Charge.

(next section: 835)

835 Presbytery Level. As at the Pastoral Charge level, men's organizations may form also at the Presbytery level. The purpose of such an organization may be to link the activities of men's organizations at the Pastoral Charge level, through rallies, conferences, and workshops, or, if independent thereof, to advance the purposes of section 831 at this wider level. The organization may take the form of a council or committee, and it may seek representation in the Presbytery.

(next section: 840)

840 Conference Level. As at the Pastoral Charge and the Presbytery levels, men's organizations may form also at the Conference level. The purpose of such an organization may be to link the activities of men's organizations at the Pastoral Charge or Presbytery levels, through rallies, conferences, and workshops, or, if independent thereof, to advance the purposes of section 831 at this wider level. The organization may take the form of a council or committee, and it may seek recognition by the Conference for representation therein.

(next section: 845)

845 National Association.

- (a) The National Association of United Church AOTS Men's Clubs has evolved over the years to bring a particular focus to the work of men in the United Church. Founded in 1923, the name AOTS is derived from the words of Jesus in Luke 22:27, "I am among you As One That Serves." Though rooted in the local men's club, AOTS functions also at the Presbytery and the Conference levels, as well as at the national level. A local men's organization in sympathy with the aims of AOTS is encouraged to seek affiliation with it. For interested men who are in a Pastoral Charge that does not have an affiliated AOTS men's club, a category of individual membership is available.
- (b) The aims of the National Association and of its member AOTS men's clubs are: to promote Christian fellowship; to deepen the spiritual life of men; and to develop an effective program of Christian service.
- (c) The National Association, through its member clubs, forms District (Presbytery) and Conference AOTS Councils, as may be necessary, to serve member clubs and to promote the aims of AOTS.
- (d) The National Association holds a national convention, normally every two (2) years, at which time the officers and members of the National Council are elected or confirmed.
- (e) The National Association communicates with the United Church through the appropriate General Council working unit.

(next section: 850)

**THE UNITED CHURCH OBSERVER**

850 General. *The United Church Observer* is published by a Board of Directors under the authority of the General Council. The determination of general policies is the responsibility of the Board of Directors.

851 Editorial Independence. In editorials, opinion articles, features, and news, *The United Church Observer* is expected to exercise editorial independence. While it will report on the life, decisions, and actions of the United Church, it is not expected always to promote the United Church's policy. It will function in accordance with the highest standards of ethical journalism.

852 Ethics and Standards. *The United Church Observer* adheres to the Statement of Ethics and Standards of Professional Practice of the Associated Church Press.

853 Aims. *The United Church Observer* must attempt at all times:

- (a) to inform the community of the United Church, its members and Adherents, about the United Church's life, work, policies, and programs;

## OTHER CONSTITUTIONS

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- (b) to stimulate the interest and commitment of its Church people by a vigorous presentation of our faith with its relevance to people, their needs and problems;
- (c) to inform its readership about the activities and directions of other churches and faiths, both in Canada and abroad;
- (d) to observe, report, and comment on Canadian and world concerns that affect, or should affect, its constituency;
- (e) to maintain as high a level of professionalism and quality as resources will allow; and
- (f) to balance its coverage in such a way as to represent the plurality of the United Church.

854 Corporation. *The United Church Observer* is published by Observer Publications Inc., incorporated under the statutes of Canada. The policies of the corporation are determined by a Board of Directors elected by and accountable to the members of the corporation. The members of the corporation shall be such individuals as are admitted by the Board of Directors.

855 Membership of Board of Directors. The Board of Directors shall consist of eleven (11) members. Directors to be nominated for election by the members of the corporation shall be approved by the Executive of the General Council acting as Supervising Court, in advance of their nomination for election by the members of the corporation. In addition, the Editor is ex officio a voting member of the Board of Directors. The majority of the elected members of the Board shall be members of the United Church.

856 Responsibilities of Board of Directors. Responsibilities of the Board of Directors shall be:

- (a) to appoint officers and to oversee the management of the magazine;
- (b) to establish and maintain policies for the efficient operation of the magazine;
- (c) to ensure and to protect the editorial independence of the magazine;
- (d) to review and approve the annual financial statement for which an Audit has been performed, for presentation to the annual meeting of members; (2007)
- (e) to interpret the publication, as required, to the United Church, and to report to the General Council at each of its meetings. Between General Councils, it is to report at least annually to the members of the corporation on the operation of the magazine;
- (f) to appoint, as required, appropriate Task Groups or Committees to carry out studies and proposals and to make appropriate recommendations;
- (g) to review and approve the annual budget, including the setting of subscription and advertising rates;
- (h) to review and to monitor monthly operating results; and

- (i) to minimize the amount of financial support required from the Mission and Service Fund and to support management's request for Mission and Service funds to meet the approved budget.

857 Publisher. The Chairperson of the Board of Directors, who shall be a member of the United Church, shall act as Publisher of *The United Church Observer*, and is appointed by the Board of Directors. Responsibilities of the Publisher shall be:

- (a) to act as senior elected officer (non-staff) of *The United Church Observer*;
- (b) to ensure that policies of the Board of Directors are implemented and maintained;
- (c) through the Editor to oversee the general operations and effectiveness of *The United Church Observer*; and
- (d) to report annually to the members of the corporation.

858 Editor. The Editor of *The United Church Observer* is appointed by the Board of Directors. Responsibilities of the Editor shall be:

- (a) to act as senior executive officer of *The United Church Observer*;
- (b) to carry out the general policies as established by the Board of Directors, and to be the principal channel of staff communication with the Board;
- (c) to effect the operating policies and practices of the magazine, and to supervise senior editorial and business staff positions;
- (d) to exercise independent editorial judgement within the above terms of reference; and
- (e) to exercise sound financial oversight of staff and budget as part of the search for financial independence for the magazine.

(end of sections)

## APPENDIX I

### THE UNITED CHURCH OF CANADA ACTS

	year	chapter
Dominion Act		
	14-15 George V	c. 100
Provincial Acts		
British Columbia	1924	c. 50
Alberta	1924	c. 41
Saskatchewan	1924	c. 64
Manitoba	1924	c. 129
Ontario	1925	c. 125
Quebec	1926	c. 97
New Brunswick	1924	c. 59
Prince Edward Island	1925	c. 19
Nova Scotia	1924	c. 122
Newfoundland and Labrador	1926	c. 3

## APPENDIX II

### SCHEDULE B

#### Trusts of Model Deed

And it is hereby declared that the said Trustees and their successors or the Trustee or Trustees for the time being acting in the trusts herein shall hold the said lands upon the following trusts:

##### COLUMN TWO

##### COLUMN ONE

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| 1. For the use and benefit of the said church, charge, circuit, preaching station or congregation, as the case may be (hereinafter called the congregation), as a part of The United Church of Canada, as well for the site of a church, chapel, meeting house, school, manse, parsonage or minister's dwelling or other place for religious, charitable, educational, congregational or social purposes, glebe or burial ground, as the said congregation may direct, as for the support and maintenance of public worship, and the propagation of Christian knowledge, according to the doctrine, discipline, by-laws, rules and regulations of The United Church of Canada. | 1. Upon trust to use the trust property for purposes directed by congregation and maintenance of public worship. |
| 2. And upon further trust, out of all monies received by them for that purpose, to build, erect, add to, alter, repair, enlarge or rebuild any of the buildings aforesaid from time to time as they may deem expedient, and where they deem it necessary, to take down and remove any of said buildings for any of the purposes aforesaid.   | 2. To erect and repair buildings.  |
| 3. And upon further trust, that they shall and will obey, perform and fulfill and suffer to be obeyed, performed and fulfilled with respect to the said lands, and to any building or buildings at any time thereon, or to any burial ground, the lawful orders and directions respectively of the Official Board of the said congregation, the Presbytery and Conference respectively within whose bounds and under whose ecclesiastical jurisdiction the said congregation shall from time to time be, and of the General Council of The United Church of Canada.  | 3. To obey all lawful orders and directions.   |



4. And upon further trust, to permit, in conformity with the doctrines, discipline, by-laws, rules and regulations of The United Church of Canada and not otherwise, the following:
4. To permit use of the trust property for church, manse and Sunday School purposes.
- (a) The use of the said church, chapel or meeting house, as a place of religious worship by a congregation of The United Church of Canada and for meetings or services of religious or spiritual character or such benevolent or congregational purposes as may be approved by the Session of such congregation, and the conduct of public worship and the various services and ordinances of religious worship therein by the minister of the said congregation or, with the approval of the Session or of the said minister, by any other minister of The United Church of Canada or by any minister of any other religious denomination;
  - (b) The performance of burial services in any burial ground or cemetery belonging to or under the control of the congregation;
  - (c) The use of the manse, parsonage or minister's dwelling or dwellings with the appurtenances thereof by the minister or ministers of the congregation free from payment of any rent;
  - (d) The use of any church, chapel, meeting house, school or other building for the purposes of a Sunday School at such hours and times as will not interfere with public worship; and
  - (e) The use of any buildings erected upon the said lands, other than a church, chapel or meeting house, for such purposes as may from time to time be approved by the Session of the congregation.
5. And upon further trust, to let any pews and seats at a reasonable rent, if so authorized by the Official Board of the congregation, with power to delegate any such letting to any person or persons whom they may appoint for that purpose; to let any buildings, not required for purposes of worship, at a reasonable rent; and if there shall be a burial ground or cemetery, to sell or let vaults, tombs or burial plots at a reasonable price or rent; and to account for and pay all monies incurred in the execution of these trusts, to the Treasurer of the congregation, or should there be no Treasurer, then to the Committee
5. To let and sell pews and burial plots and to let manses.

of Stewards of the congregation, or such person as shall be designated by the said Committee for the purpose of receiving the same. In case the Trustees are of opinion that any manse, parsonage or minister's dwelling is not required for the use of the minister or ministers of the congregation, or is not desirable for the use of such minister or ministers, they may, with the consent in writing of said minister or ministers, let the same and use and apply the rent derived therefrom towards paying the board and lodging of such minister or ministers or the rent for a more suitable and convenient residence for such minister or ministers.

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| <p>6. The Trustees or a majority of them may, but only with the consent in writing of the Presbytery within the bounds of which the lands are situated (such consent to be under the hand of the Presiding Officer or Secretary or Clerk thereof), sell the said lands or any part thereof either by public sale or private contract and either for cash or upon credit and upon such terms as to price and for such price and upon such terms as to payment or otherwise as they may deem expedient; mortgage, hypothecate or exchange the said lands or any part thereof; let any church, chapel or meeting house upon the same for such rent and upon such terms as they may deem expedient; and make all such conveyances, mortgages, leases and assurances as may be required to complete any such sale, mortgage, hypothecation, exchange or lease. The said Trustees after first paying or otherwise providing for all indebtedness of the Trustees shall apply the monies arising from such sale, mortgage, hypothecation, lease or exchange for the purposes of such congregation as the Official Board thereof shall direct, but should such congregation cease to exist as an organized body, such proceeds, less any expense incurred in the execution of these trusts, shall be paid to The United Church of Canada to be applied for such purposes for the benefit of The United Church of Canada as the Conference within the bounds of which the said lands are situate may determine under the by-laws, rules and regulations of the General Council. Every application by Trustees for the consent of a Presbytery as aforesaid shall be in writing and shall state the purpose for which the monies arising from such intended sale, mortgage, hypothecation, lease or exchange will be applied. Any decision of a Presbytery with regard to</p> | <p>6. The trustees shall have powers to sell, mortgage, exchange, or lease the trust property with the consent of the Presbytery.</p> |
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the sale, mortgage, hypothecation, lease or exchange of the said lands or any part thereof shall be subject to appeal to the Conference within the bounds of which the said lands are situate, at the instance of not fewer than any five members of the congregation affected thereby. In every case where the consent of such Presbytery or Conference has been obtained as aforesaid it shall not be incumbent upon the purchaser, mortgagee or lessee of the said lands or of any part thereof to enquire into the necessity, expediency or propriety of any such sale, mortgage, hypothecation, lease or exchange, or to see to the application of the monies paid to the Trustees. A certificate of the Secretary or Clerk of any Presbytery or Conference that any such consent has been given shall be sufficient and conclusive evidence of such consent.

7. The said Trustees shall keep a proper book or books of accounts showing all monies received and disbursed by them, and a book or books of minutes showing correctly all minutes of their meetings and of resolutions passed and proceedings taken thereat, and such book or books shall at all reasonable times be open for inspection by the minister in charge of the congregation and by the Chairman of the Committee of Stewards, and any person or persons named by them or either of them, and the said minister or the said Chairman and any person named by them or either of them as aforesaid shall have the right to make such copies or abstracts of or extracts from the said accounts or minutes, as he or they may desire, and upon request from the Committee of Stewards the Trustees shall submit all books of accounts and minutes, and all vouchers, receipts, papers and documents relating to the said accounts, for audit by the Committee of Stewards, or such person or persons as the said Committee may appoint for the purpose.

7. The trustees shall keep proper accounts and minutes.
8. Every meeting of Trustees for considering the making of any alteration of or addition to any building on the said lands, or any part thereof, or for considering the sale, mortgage, hypothecation, lease or exchange of the said lands, or any part thereof, except the letting or sale of pews, seats, vaults, tombs or burial plots, or for considering any litigation or legal proceedings in connection with the trust estate, shall be deemed a special meeting, and each member shall be entitled to seven days' notice of all special meetings and one day's notice of other meetings.

8. The trustees shall have seven days' notice of all special meetings and one day's notice of other meetings.

notice in writing thereof, specifying the time, place and purpose of such meeting. Such notice shall be either personally delivered to all Trustees, or mailed to or delivered to him or her at his or her usual place of abode or business. Ordinary meetings may be called at any time by giving at least one day's notice in writing to each Trustee in the manner aforesaid, or by public announcement at a service for public worship at least one day prior to such meeting. Meetings may be called by the minister in charge of the congregation, or by at least two of the Trustees. Notwithstanding anything herein contained no meeting or any business transacted thereat shall be invalid by reason of any lack or defect of service of notice arising from inability to ascertain the usual place of abode or business of any Trustee. All questions shall be determined by the majority vote of the Trustees present at a meeting, and the Chairman shall have a casting vote in the event of a tie. The minister of such congregation shall have the right to preside as Chairman at all meetings of the Trustees and may appoint a deputy to act as the Chairman, and in the absence of the minister and of any such deputy the Trustees present may elect a Chairman from among themselves.

9. The number of said Trustees shall not be fewer than three or more than fifteen, provided that where the number of existing Trustees is more than fifteen all such Trustees shall remain in office but that no vacancy in the office of Trustee shall be filled until the number of Trustees is reduced below fifteen, in which case the number shall not again exceed fifteen. In case any of the said Trustees or any Trustee appointed under this provision shall, during his or her term of office, die, resign or, having been, cease to be a member of The United Church of Canada in full communion, or remove to such a distance, or fail to attend meetings for such period not less than one year, as shall in the opinion of his or her co-trustees expressed by a two-thirds vote of said co-trustees, render it inexpedient for him or her to remain a Trustee, or in case the said congregation shall think it proper to remove a Trustee from his or her office as Trustee, it shall be lawful for the said congregation, at any meeting called by notice from the pulpit during public worship on each of the two next preceding Sundays on which public worship is held, to declare by the votes of two-thirds of the

9. The number of trustees shall not be fewer than three or more than fifteen, and vacancies shall be filled by election by the congregation, or in default of such election, by the Presbytery, and the property of a congregation which ceases to exist shall be subject to the trusts determined by Conference.

members then present that such Trustee has ceased to be a Trustee of the said congregation, and such person shall thereupon cease to be a Trustee, and at the same meeting it shall be lawful for the said congregation by a like vote to appoint a successor to such Trustee provided, however, that no Trustee who is personally liable for payment of any indebtedness in respect of the property of a congregation shall be removed without his consent unless indemnified to his satisfaction in respect of any such liability and unless at least eight days' notice in writing of such meeting shall have been mailed to each of the Trustees at his or her last known address, which notice shall state the business to be transacted at such meeting. If no successor shall be appointed at such meeting, a meeting may be called in like manner for the purpose of filling such vacancy, and at such meeting a new Trustee or new Trustees (as the case may require) shall be appointed by the votes of the majority of the members then present. The notice calling a meeting for the purpose of declaring or filling a vacancy or vacancies in the office of Trustee shall be read from the pulpit by the minister or person officiating as minister, at the request of any Trustee, or of any seven members of the congregation, and every such meeting may be adjourned from time to time by the vote of the majority of the members present. During any vacancy in the office of Trustee, the remaining Trustees, not being fewer than three in number, shall have all the powers of the full Board. A majority of the Trustees shall form a quorum save when the number of Trustees exceeds nine, in which case five shall form a quorum. The majority of the Trustees shall be members of The United Church of Canada.

A minute of every such appointment of a Trustee shall be entered in a book to be kept for the purpose, and signed by the person presiding at the meeting, and such minute so signed shall be sufficient evidence of the fact that the person or persons therein named was or were appointed and elected at such meeting, but any omission or neglect to make or sign such minute shall not invalidate such appointment or election.

And it is hereby further declared that in case there shall be at any time fewer than three Trustees, the Presiding Officer or Clerk of the Presbytery within whose bounds and under whose jurisdiction the said

congregation shall be, shall, with the remaining Trustee or Trustees, be the Trustees under these presents until the full Board is duly appointed, and at any time thereafter the Presbytery may cause notice to be given from the pulpit on two consecutive Sundays requiring the said congregation to proceed with the appointment of new Trustees. And if the said congregation shall not in the meantime have appointed new Trustees in the manner hereinbefore provided, it shall be lawful for the said Presbytery at any time after four weeks from the last giving of such notice, by resolution duly entered in the minutes of the Presbytery, to appoint new Trustees. Such appointment shall be communicated to the congregation by notice from the pulpit as soon as conveniently may be thereafter, and from the time of such communication the Trustee or Trustees so appointed shall be a Trustee or Trustees hereunder.

And it is further declared that if at any time there shall cease to be an organized congregation entitled to the use, benefit and enjoyment of the said lands, it shall be lawful at any time or times for the said Presbytery to fill any vacancy in the number of Trustees, and the said lands shall thenceforth be held subject to such trusts and for such purposes for the benefit of The United Church of Canada as the Conference within the bounds of which the said lands are situate may determine under the by-laws, rules and regulations of the General Council.

10. A Trustee shall not be responsible for the failure of any investment or security made or taken by the Trustees or for anything done in connection with the trust estate except for his own acts and to account for any monies coming into his own hands and shall not be liable for injury done by others to the said trust premises, or to any part thereof.
10. Trustees shall not be liable for involuntary loss.
11. In congregations existing previous to the Union which have not adopted the plan of organization prescribed for Pastoral Charges as provided by the Basis of Union, the words "Official Board" and "Committee of Stewards" and "Session" in this schedule shall mean such Board or Committee or other body respectively discharging similar functions in such congregations, as to which in case of doubt the opinion of the Presbytery to which such congregation belongs shall be final and conclusive.

## APPENDIX III

### THE RULES OF DEBATE AND ORDER

1. Presiding Officer

The function of the Presiding Officer is to preside, with all that that implies. The Presiding Officer should not attempt to control the decision of the Court, but may express opinions on any matter before the Court. If the Presiding Officer wishes to introduce a motion or to present a report, the Presiding Officer shall ask another member to preside, and while out of the Chair shall be an ordinary member of the Court and must not assume the chair until the matter is disposed of. The Presiding Officer does not vote except in the event of a tie.
2. Questions of Privilege and Order
  - (a) A point of order may be raised while a matter is pending or while another member has the floor. When a point of order is raised it must be dealt with by the Presiding Officer without debate. If a member has the floor when a point of order is raised by another member, that member must yield the floor until the Presiding Officer has made a ruling.
  - (b) Any member of the Court may appeal from a ruling of the Chair, but only at the time when the ruling is made. But where a ruling is a precedent the general question of its correctness may be brought up later when there is no business pending, but cannot then affect the business transacted under the ruling.
  - (c) When an appeal from a ruling is made, the Presiding Officer should state the point at issue, and may give reasons for the ruling. The Secretary shall then put the question in the following form: "Is the ruling of the Moderator (or such other title by which the Presiding Officer is known) sustained?" If the vote is a tie, the Presiding Officer is sustained. The Secretary shall declare the result.
3. Orders of the Day
  - (a) When an agenda has been adopted that does not specify the time for its items, such items are considered without time limit, unless the Court decides otherwise by a two-thirds (2/3) majority of those voting.
  - (b) When an agenda has been adopted that specifies the time for particular items, such time shall be strictly adhered to, unless the Court decides otherwise by a two-thirds (2/3) majority of those voting. A call for Orders of the Day requires no seconder.
4. Order of Priority on Motions
  - (a) To fix the time to adjourn.
  - (b) To adjourn.
  - (c) To take an immediate vote (two-thirds (2/3) vote required).

- (d) To limit or extend limits of debate (two-thirds (2/3) vote required).
- (e) To postpone definitely.
- (f) To commit or refer.
- (g) To amend.
- (h) To postpone indefinitely.
- (i) To deal with main motions.

5. Procedures on Motion

- (a) A member of the Court proposes a motion.
- (b) It is seconded. If there is no seconder, the motion fails.
- (c) When the motion is duly moved and seconded, the Presiding Officer states the motion and declares it open for discussion. If the mover has not already done so, the mover has the right to introduce the discussion.
- (d) A motion is out of order when it conflicts with a resolution previously passed at the same session unless it is a motion to reconsider.
- (e) Without the permission of the Court, no member may speak more than once on any motion or on any amendment thereto.
- (f) The mover of a motion has the right of reply before any vote is taken thereon or on any amendment thereto. Even when the Court has directed that an immediate vote be taken on a motion, the mover still has the right of reply.
- (g) When a motion has two (2) or more clearly defined parts or points of issue, and any two (2) members request that it be divided, a separate vote must be taken on each part.
- (h) Any motion may be withdrawn but only with the consent of its mover and seconder.
- (i) After a motion is under consideration a question of order cannot be raised against it unless the motion is ultra vires.

6. Procedure on Amendments

- (a) Any member except the mover or the seconder of the motion may move a relevant amendment thereto.
- (b) An amendment must be seconded, and if there is no seconder it fails.
- (c) A motion is amended by striking out certain words or clauses, adding certain words or clauses, or striking out all after the word "Resolved" (or the word "that"), and inserting another motion that will dispose of the matter. An amendment that merely negatives a motion before the Court is out of order.
- (d) There may be an amendment to the amendment, provided it has been duly seconded.
- (e) There is no limit to the number of amendments, but at any one time there can be before the Court only the motion, the amendment, and the amendment to the amendment.



- (f) When an amendment is disposed of, other relevant amendments may be proposed.
- (g) The discussion is always on the immediately pending question, and it must be voted on first. When a motion, an amendment, and an amendment to the amendment are before the Court, the two first named are “pending questions” and the last is the “immediately pending question.” When the immediately pending question is disposed of, the one above it then becomes the immediately pending question, until the whole matter is disposed of.
- (h) When an amendment carries, it is not thereby adopted as the finding of the Court, but only changes the proposition under discussion.
- (i) When a motion, an amendment, and an amendment to the amendment are before a Court, three (3) separate votes including “for” and “against” must be taken. The first determines whether the amendment shall be amended, the second determines whether the motion shall be amended, and the third determines whether the motion, in whatever form it is then before the Court, shall be adopted or rejected.

7. Procedure on Voting

- (a) A vote is generally taken viva voce or by a show of hands. The Presiding Officer may ask for a standing vote. Upon motion duly passed, the vote shall be taken by ballot. In all actions of Church Courts regarding membership in the Order of Ministry requiring voting procedure, the vote shall be taken by ballot unless waived by unanimous consent; that is, on motion to waive, no dissenting vote is cast. See also section 035.
- (b) In the event of a tie, the Presiding Officer shall cast the deciding vote.
- (c) An affirmative vote on a motion does not validate any motion that is ultra vires of the Court, or that contravenes a decision of a higher Court.
- (d) Voting by proxy or by mail-in ballot is not permitted in the conduct of United Church business.

(2007)

8. Procedure on Motion to Reconsider

- (a) A motion to reconsider may be made at any time when the floor is vacant; but the actual reconsideration has only the same priority as the motion to be reconsidered.
- (b) A motion to reconsider must be moved by a member who voted with the majority. Any member may second.
- (c) If a motion to reconsider is dealt with at the same meeting in which the original motion was adopted, it will fail unless two-thirds (2/3) of those voting are in favour thereof. If a motion to reconsider is dealt with at a subsequent meeting of the Court, a majority of those voting determines the question.
- (d) When any motion to reconsider has been duly seconded, all action on the original motion is suspended until the motion to reconsider has been disposed of. No motion to reconsider can be entertained by the Court where action has already been taken under the original motion.

- (e) A motion cannot be reconsidered twice unless materially changed on the first reconsideration. If a motion to reconsider has been lost, it cannot be repeated.
- (f) A motion to reconsider is debatable only when the motion to be reconsidered is debatable. It cannot be amended, postponed indefinitely, or committed.

9. Motion to Refer

A motion to refer is debatable, but only as to the wisdom and manner of the proposed referral. It requires only a majority of those voting.

10. Motion to Postpone Indefinitely

A motion to postpone indefinitely, when in order, must be put without debate. If the motion is lost, it cannot be repeated or reconsidered. If carried, the motion along with all amendments is removed from debate. At any time it may be brought back before the Court by motion duly seconded and carried. In such case the question is before the Court in exactly the position it held at the time it was removed from debate. A motion to postpone indefinitely can have no conditions attached to it. If a time is specified, it immediately ceases to be a motion to postpone indefinitely and becomes a motion to postpone definitely and is debatable.

(2007)

11. Motion to Take an Immediate Vote

If a motion to take an immediate vote (for which a two-thirds (2/3) vote is required) is carried, the vote shall be taken immediately. The mover of the main motion, however, shall have the right to reply before the vote is taken. If such a motion fails, debate on the main motion shall continue. A motion to take an immediate vote is not debatable.

12. Motion to Adjourn

A motion to adjourn is not debatable. If, however, any conditions, such as time or place for reassembling, are attached, the motion to adjourn loses its priority and becomes a main motion. If there is no provision for reassembling, a motion to adjourn becomes debatable.

13. Committee of the Whole

- (a) Any Court, for greater freedom of discussion, may, on motion duly made, seconded, and carried, move into a Committee of the Whole. Any such motion is neither debatable nor amendable, except only as to the scope of the subject to be discussed. The motion is not in order if there is a pending motion to adjourn the meeting or to postpone discussion on the subject.
- (b) The first act of the Committee of the Whole is to appoint a chairperson and a secretary. A separate minute of the proceedings is taken.
- (c) The ordinary limitations of debate do not prevail in the Committee of the Whole. The chairperson restates the matter(s) to be considered. Discussion is then opened and is conducted informally. Motions need

(2007)

(2007)

not be seconded. Unless the resolution creating the Committee of the Whole imposes restrictions, there are no restrictions, within reason, on the number of times a member may speak or on the length of speeches, except that priority is given to a member who has not yet spoken. (2007)

(d) When the deliberations of the Committee of the Whole are concluded, the Committee will dispose of a motion that the Committee rise and report; this motion does not require seconding and is neither debatable nor amendable. When this motion is passed, a report is prepared and submitted to the chairperson of the main meeting, who reconvenes the main meeting. (2007)

(e) A Committee of the Whole can neither adjourn nor terminate; it only can report back to the main meeting. It can, of course, recess briefly to prepare its report. (2007)

14. General

(a) When a member utters language that another member considers offensive, the latter may require that the words be taken down. The speaker is then allowed to proceed. When the speaker yields the floor, the words complained of may be considered and dealt with. Such words may not be privileged.

(b) Members of any Court should at all times therein conduct themselves with dignity, fairness, and understanding. The prime concern should be the good order and welfare of the church.

(c) In any point not covered in *The Manual*, the parliamentary rules accepted in Canada (Bourinot) shall be followed.

## APPENDIX IV

### SECTIONS IN THE BY-LAWS DEALING WITH THE PASTORAL RELATIONSHIP

#### DEFINITIONS

- 001 Candidate Supply.  
Congregational Designated Minister.  
Designated Lay Minister.  
Diaconal Minister.  
Diaconal Supply.  
Interim Minister.  
Interim Ministry.  
Intern Supply.  
Licensed Lay Worship Leader.  
Ministry Personnel.  
Multiple Staff.  
Ordained Minister.  
Ordained Supply.  
Pastoral Charge Supervisor.  
Presbytery Accountable Ministry.  
Presbytery Appointment.  
Presbytery Recognized Ministry.  
Sabbatical Leave.  
Settlement.  
Student Supply.  
United Supply.  
Vacancy.

#### REMUNERATION OF MINISTRY PERSONNEL

- 036 Salary, Allowances, and Benefits.  
037 Disability.  
038 Death.

#### CONTINUING EDUCATION OF MINISTRY PERSONNEL

- 039 Study Leave.  
039.1 Sabbatical Leave.

THE PASTORAL RELATIONSHIP

- 040 Without Time Limit.
- 041 Pastorate Without Interruption.
- 041.1 Ministry Positions.

Procedures within the Pastoral Charge

- 042 Consultation with Presbytery.
- 043 Application for Settlement.
- 044 Co-operation during Change.
- 045 Change of Pastoral Relationship for Cause.
- 046 Notice of Request by Ministry Personnel for  
Change of Pastoral Relationship.
- 046.1 Pastoral Charge Decision to Request  
Ending of Pastoral Relationship Without Cause
- 047 Notice of Meeting.
- 048 Chairperson.
- 049 Opportunity to Respond.
- 050 Needs Assessment Initiation.
- 050.1 Request to Review Ministry Personnel Needs.
- 051 Limitation on Changing Terms of Pastoral Relationship.
- 051.1 Limitation on Declaration of Vacancy.
- 052 Joint Needs Assessment Committee.
- 053 Official Board Action in Response to Needs Assessment.
- 053.1 Pastoral Charge Action in Response to Needs Assessment.
- 054 Joint Search Committee.
- 054.1 Interim Ministry Transition Committee.
- 055 Extension of Call.
- 056 Right to Extend a Call.
- 057 Settlement.

Procedures by the Presbytery

- 058 Presbytery Action in Response to Needs Assessment.
- 059 Pastoral Relationship.
- 060 Calls.
- 061 Act of Covenant.
- 062 Appointments.
- 063 Death or Disability.

Procedures by the Conference

- 064 [duty of Settlement Committee.]

THE PASTORAL CHARGE

THE CONGREGATION

Meetings

112 Notice.

MINISTRY PERSONNEL

- 120 [right to conduct services.]
- 121 [specific covenant relationship.]
- 122 [member of Committees.]
- 123 [required component of Quorum.]
- 124 [relationships among Multiple Staff.]
- 125 [responsibilities among Multiple Staff.]
- 126 [police records check.]
- 127 [absent more than three months.]
- 128 [Pastoral Charge Supervisor.]

THE OFFICIAL BOARD

Duties and Powers

184(g) [representations concerning the pastoral relationship.]

Official Board Committees

189 Ministry and Personnel Committee.

THE CHURCH BOARD

Church Board Committees

211 Ministry and Personnel Committee.

THE CHURCH COUNCIL

Church Council Committees

226 Ministry and Personnel Committee.

COMMITTEES FOR ALL MODELS

244 Ministry and Personnel Committee.

THE PRESBYTERY

Duties and Powers

Appointment of Ministry Personnel

- 340 Interim Ministers.
- 341 Pastoral Charge Supervisors.
- 342 Diaconal Supply or Ordained Supply.
- 343 Designated Lay Ministers.
- 344 Licensed Lay Worship Leaders.
- 345 Congregational Designated Ministers.

Oversight of the Pastoral Relationship

- 350 Pastoral Relationship Without Interruption.
- 351 Multiple Staff.
- 352 Act of Covenant.
- 353 Licence to Administer Sacraments.
- 354 Oversight of Pastoral Relationship.
- 355 Pension Fund Regulations.
- 356 Death or Disability.
- 357 Application for Change in Pastoral Relationship.

Suggested Presbytery Standing Committees

- 389 Pastoral Relations Committee.

THE CONFERENCE

Duties and Powers

- 425 Pastoral Relations.
- 426.1 Settlement Committee.
- 427.1 Licence to Administer Sacraments.

Settlement Committee

442 to 453 [duties and powers of the Settlement Committee.]

## INDEX

Bold-faced references are to Basis of Union section numbers. References not bold-faced are to By-Law section numbers (not prefaced) or Appendices (prefaced “App.”).

### A

Abuse, Sexual, 001, 071(c), 072, 073  
 accountability, 041.1(c), 067  
 acquisition of property, 267, 271, 335,  
 App.II  
 Acting General Secretary, General Council,  
 524(h)  
 Adherent  
 definition, 001  
 entitlement to vote, **5.8.2**, 113  
 roll of, 153(b)x.  
 adjourn, motion to, App.III.12  
 admission of member, **5.8.1**, **5.10.1(1)**, 012,  
 153(a)i.  
 admission of minister, **11.1-11.3**  
 from another denomination, **7.6.6**,  
**8.6.3**, 031, 360, 424(d)  
 service of reception, 028  
 admonition, 075(k)  
 Advisory Committee, Moderator’s, 524(f)  
 amalgamation, Pastoral Charge or  
 Congregation, 268, 334, 428(a)  
 annual meeting  
 Conference, **7.6.1(1)**, 400  
 Conference United Church Women,  
 824  
 Congregation, **5.8.3**, 110  
 Finance Committee, Conference, 464(h)  
 National United Church Women, 826(a)  
 Pastoral Charge, **5.8.3**, 110  
 Presbyterian United Church Women,  
 814  
 Settlement Committee, Conference,  
**9.4.1**, 440  
 Transfer Committee, General Council,  
 710  
 annual report  
 Pastoral Charge or Congregation,  
 184(a), 332(a)  
 Presbytery, 324, 422(b)  
 AOTS, 203, 219(d), 285, 286, 287, 845  
 appeal, Appeal, 076  
 closed, 076(r)  
 Committee, 076(k)  
 costs, 076(v)  
 counsel, 076(q)  
 Decisions not subject to, 071(d), 077,  
 549  
 definition, 001  
 disposition by Church Board, 207(c)  
 disposition by Church Council, 223(c)  
 disposition by Conference, **7.6.3**, 420(a)

appeal, Appeal (*continued*)  
 disposition by General Council, **8.6.5**,  
 505(c)  
 disposition by Presbytery, **6.4.2**, **6.4.3**,  
 320  
 disposition by Session, **5.10.2(1)**,  
**5.10.2(2)**, 153(b)i., 153(b)ii.  
 evidence, rules of, 076(s)  
 grounds for, 076(f)  
 notice of, 076(d)  
 notice of Hearing, 076(n)  
 open, 076(r)  
 parties to, 076(c)  
 ruling of the Chair, App.III.2  
 to Judicial Committee, 545, 547, 548  
 Verbatim Record, 076(t)  
 appointment  
 applicant for admission, 031(k), 031(p)  
 applicant for re-admission, 032(f)  
 Candidate, 024(e)  
 minister from another denomination,  
 031(k), 031(p)  
 Presbytery, 001, 041.1(d), 058(d),  
 058(e), 062, 315, 340-345, 350,  
 389(b)v., 389(b)xi.  
 Appointment Advisory Committee, 031(m),  
 031(o), 341(b)vi., 342(h), 382(b)x.  
 Archives and History, Committee on,  
 General Council, 532-538  
 accountability, 534  
 duties, 535  
 meetings, 532  
 membership, 533  
 organization  
 Archives Management Committee,  
 537  
 Archivist, 538  
 Executive, 536  
 Archives Committee, Conference, 460  
 duties, 460(c)  
 meetings, 460(a)  
 membership, 460(b)  
 Archives Committee, Presbytery, 380  
 duties, 380(c)  
 meetings, 380(a)  
 membership, 380(b)  
 officers, 380(b)  
 Archives Management Committee, 537  
 Archivist, United Church, 538  
 assessment, Conference, 420.1  
 assessment, Presbytery, 328, 384(b)



INDEX

audit, 001, 167(a), 167(b), 170, 187(d),  
384(b)v., 464(g), 814(c) ii., 856(d),  
App.II.7

**B**

ballot, 035, App.III.7(a), App.III.7(d)  
Baptism, **2.16.1**, 010(b), 012(b), 012(c)  
licensing for sacraments, 342(i), 343(e),  
347(d), 353, 427.1  
Sacraments Elder, 347  
baptisms, register of, 010(b), 153(b)xi.  
Bereavement Leave, 001, 036(p)  
Board of Trustees, 250-262, App.II  
duties and powers, 259  
general, 250  
meetings, 251-254, App.II.8, App.II.9  
membership, 255-258, App.II.9  
organization, 260  
Chairperson, 261, App.II.8  
minutes, 262, App.II.9  
Board of Trustees, Pension, 524(q), 524(r)  
boundaries  
of Conferences, **8.6.1**, 505(l)  
of Presbyteries, **7.6.2**, 422(a)  
budget  
Conference, 464  
national, 513(h), 524(m), 633  
Pastoral Charge or Congregation, 167,  
184(a)  
Presbytery, 384(b)  
building, 267, 271, 335, App.II  
burials, register of, 153(b)xi.  
Business Committee, General Council,  
503(b)

**C**

call  
Conference procedures, 064  
Pastoral Charge procedures, **9.6.1**, 055,  
056  
Presbytery procedures, 060  
Settlement Committee, Conference,  
**9.6.1**, **9.6.2**, 064, 446  
call, conference, 003.1  
camps, **6.3.3**, 311(c), 332(d)  
Canadian Forces Base  
representation at Presbytery, **6.2.6**,  
310(b)vi.  
Canadian Forces chaplain  
admission to membership, 012(a)  
baptism, 010(b)  
certificate of transfer of membership,  
012(a)  
Candidate, 024  
accountability, 067(c)  
certification by Presbytery, **6.4.5(2)**,  
346(c)  
commissioning, **11.1-11.3**, 026  
Conference corresponding membership,  
**7.4**, 411

Candidate (*continued*)  
Conference membership, **7.1.2**, 410(c)  
corresponding membership,  
Conference, **7.4**, 411  
corresponding membership, Presbytery,  
**6.3.2**, 311(b)  
course of study, **8.6.3**, **10.3**, 025,  
505(d), 505(e), 720-729, 730-732  
definition, 001  
discipline, 067(c)  
membership, Conference, **7.1.2**, 410(c)  
membership, Presbytery, **6.2.2**,  
310(b)ii.  
moving expenses, 030, 036(l), 036(m)  
ordination, **11.1-11.3**, 026  
oversight by Presbytery, **6.4.6**, **10.2**,  
024, 346, 382(b)vi.  
Presbytery corresponding membership,  
**6.3.2**, 311(b)  
Presbytery membership, **6.2.2**, 310(b)ii.  
program of study, **8.6.3**, **10.3**, 025,  
505(d), 505(e), 720-729, 730-732  
reception by Presbytery, **6.4.5(1)**,  
346(b)  
recommendation by Session, **5.10.2(5)**,  
**10.1**, 153(b)vi.  
supervision by Presbytery, **6.4.6**, **10.2**,  
024, 346, 382(b)vi.  
Candidate Supply  
definition, 001  
appointment, 041.1(d), 389(b)v.  
Capital Assistance Fund, 332(e)iv.  
ceasing to exist, Pastoral Charge or  
Congregation, 269, 270, 334, 428(b)  
centre, theological, **8.6.7**, **14.1-14.5**, 024-  
026, 505(g), 505(h), 525, 720-729, 730-  
732  
certificate of transfer of membership, **5.8.1**,  
**5.10.1(1)**, 012, 013, 014, 153(a)j.  
certified copies, 094  
Chairperson  
Church Board, 208  
Church Council, 219(d)  
Conference Committees, 439(a)  
Official Board, 183, 185  
Pastoral Charge or Congregation, 115  
Presbytery, 370  
Session, 156  
Stewards, 168  
Trustees, Board of, 261, App.II.8  
chaplain, Canadian Forces  
admission to membership, 012(a)  
baptism, 010(b)  
certificate of transfer of membership,  
012(a)  
Charge, definition, 001  
Charge, Pastoral, **4.2**, **5.1-5.13**, 008, 104  
amalgamation, 334  
ceasing to exist, 334  
Committees, 117, 242-245  
definition, 001  
Charge, Pastoral (*continued*)

INDEX

---

- disbanding, 334
- duties and powers
- needs assessment, 053.1
- pastoral relations, 042-057
- lay employees, 332(g)
- meetings, 110-112
- multiple-point, 278
- new, **5.7, 6.4.1**, 106, 330
- organization, 139, 275-279
  - Chairperson, 115
  - Commission, 276
  - Executive, 275
  - Secretary, 116
- oversight by Presbytery, **6.4.1**, 107, 330-337, 363(d)
- single-point, 277
- charges, criminal, 034, 364
- children of members, **5.8.1**, 010(a)
- Christian education, **8.6.7**, 505(g)
- Christian education needs, Pastoral Charge, **5.10.1(4)**, 153(a)iv., 158, 209, 224, 242
- church, the, **2.15**, 006
- Church Board, 200-213
  - Commission, 276
  - Committees, 209-213, 242-245
  - duties and powers, **5.8.4, 5.10, 5.11, 5.12**, 153-155, 165-167, 184, 205-207
  - Inquirer, 022(c), 022(i)
  - membership, 010(b), 012, 013, 014, 015
  - needs assessment, 053
  - Executive, 275
  - general, 200
  - meetings, 201, 332(h)
  - membership, 202-204
  - organization, 208
- Church Council, 215-228
  - Commission, 276
  - Committees, 224-228, 242-245
  - duties and powers, **5.8.4, 5.10, 5.11, 5.12**, 153-155, 165-167, 184, 221-223
  - Inquirer, 022(c), 022(i)
  - membership, 010(b), 012, 013, 014, 015
  - needs assessment, 053
  - Executive, 275
  - general, 215, 216, 217
  - meetings, 218, 332(h)
  - membership, 219-220
- Church School, 242
- Clerk of Session, 157
- college, theological, **8.6.7, 14.1-14.5**, 024-026, 505(g), 505(h), 525, 720-729, 730-732
- Commission
  - definition, 001
  - Church Board, 276
  - Church Council, 276
- Commission (*continued*)
  - Conference, 437
  - General Council, 527
  - members, 005
  - Official Board, 276
  - Presbytery, 374
  - Session, 276
- Commissioner, General Council
  - definition, 001
  - election, **7.6.8, 8.1, 8.4-8.4.2**, 423(a), 501(a), 501(b), 502
  - ex officio, **8.2, 8.3**, 501(c), 501(d), 501(e), 501(f), 501(g)
- commissioning, **7.6.5, 11.1-11.3**, 026, 424
  - Ordained Minister seeking, 023(b)
  - program of study, 730-732
  - service of reception, 028
- Committee
  - definition, 001
  - members, 005
- Committees
  - Church Board, 209-213, 242-245
  - Church Council, 224-228, 242-245
  - Conference, 426.1, 439-470
  - Congregation, 117
  - General Council, 503, 505(p), 505(q), 505(r), 532-549
  - Official Board, 188-191, 243-245
  - Pastoral Charge, 117
  - Presbytery, 332, 375, 376, 380-393
  - Session, 158-159, 242
  - Stewards, 171
- Committee of the Whole, App.III.13
- Committee on the Roll, General Council, 503(a)
- Communication Committee, Conference, 461
  - duties, 461(b)
  - membership, 461(a)
- Communication Committee, Presbytery, 381
  - duties, 381(b)
  - membership, 381(a)
- Communion, **2.16.2**, 012(c)
  - licensing for sacraments, 342(i), 343(e), 347(d), 353, 427.1
  - Sacraments Elder, 347
- Compassionate Leave, 001, 036(q)
- complaint, making a, 072
- Conference, **7.0-7.6.9**, 400s
  - boundaries, **8.6.1**, 505(l)
  - Committees, 426.1, 439-458, 460-470
  - duties and powers, **7.6-7.6.9**, 420-429
    - admission from another denomination, 031
    - applicant for re-admission, 032
    - call, 064
    - commissioning, 026
    - ordination, 026
    - oversight by General Council, **8.6.1**, 421, 505(l)
- Conference (*continued*)
  - duties and powers (*continued*)

INDEX

- oversight of Ministry Personnel, 427(a)
- oversight of Order of Ministry, 427(a)
- oversight of Presbytery, **7.6.2**, 329, 422, 422.1
  - pastoral relations, 064
  - meetings, **7.6.1(1)**, 400-403
  - membership, **6.4.13**, **7.0-7.5**, 323, 410-412
    - corresponding members, **7.4**, 411
    - lay members, **7.1.2-7.3**, **7.5**, 323, 410
    - roll, 410-412
  - number, **8.6.1**, 505(l)
- organization
  - Commission, 437
  - Executive, **7.6.1(2)**, 426, 436
  - Executive Secretary, 433, 433.1, 433.2, 524(k)
  - President, 430, 431, 432
  - Program Staff, 434
  - Sub-Executive, 436.1
  - Treasurer, 435
- conference call, 003.1
- Conference United Church Men, 840
  - representation at Conference, **7.5**, 410(g)
- Conference United Church Women, 820-824
  - meetings
    - annual meeting, 824
  - organization
    - Executive, 823
  - purpose, 821
  - representation at Conference, **7.3**, **7.5**, 410(f), 410(g)
  - responsibilities, 822
- confirmation, 012(b), 012(c)
- conflict, resolution of, 065-071
- Congregation, 110-117
  - amalgamating, 268, 334, 428(a)
  - ceasing to exist, 269, 334, 428(b)
  - definition, 001
  - disbanding, 269, 270, 334, 428(b)
  - duties and powers, 114
  - entering, 331
  - meetings, **5.8.3**, 110-112, 332(h)
  - membership, **5.8.2**, 113
  - new, **5.7**, **6.4.1**, 106, 330, 331
  - Nominations Committee, 117
  - organization, 275-279
    - Chairperson, 115
    - Executive, 275
    - Secretary, 116
  - roll, 012(b), 153(b)ix.
  - representation at Presbytery, **6.2.5**, 310(b)v.
- Congregational Designated Minister, 345
  - accountability, 067(b)
  - appointment, 041.1(e)
  - definition, 001
  - discipline, 067(b), 363, 364
  - Discontinued Lay Ministry
    - Appointment List, 368
    - recommendation by Session, 153(b)viii.
  - congregational property, **5.3**, **5.4**, **5.13**, 265-272, 334, 335, 428, App.II
  - Congregation ceasing to exist, 270(d), 334(e), 428(b)
  - Congregation disbanding, 269(b), 270(d), 334(e), 428(b)
  - Congregations amalgamating, 268, 334, 428(a)
- continuing education, 362
  - Sabbatical Leave, 001, 039.1, 039.2
  - study leave, 039
- copies, certified, 094
- corporations, oversight of, 429, 505(k)
- Corresponding Member
  - Church Board, 203
  - Conference, **7.4**, 411
  - Conference United Church Women, 823(a), 824(b)
  - definition, 001
  - General Council Executive, 522
  - Interview Board, Conference, 456(a)
  - Manse Committee, Pastoral Charge, 243(a)
  - Nominations, Standing Committee on, Conference, 439(b)
  - Presbyterial United Church Women, 813(b)
  - Presbytery, **6.3**, 311
- costs
  - Appeal Hearing, 076(v)
  - Formal Hearing, 075(n)
- counsel
  - Appeal Hearing, 076(q)
  - Formal Hearing, 075(f)
- course of study
  - Candidates, **8.6.3**, **10.3**, 025, 505(d), 505(e), 720-729, 730-732
  - commissioning, 730-732
  - Designated Lay Minister, 733
  - Licensed Lay Worship Leader, 734, 735
  - ordination, 720-729
- Court, **4.3**, 009, 067
  - definition, 001
  - members, 004
- covenant, act of, **6.4.8**, **6.4.9**, 061, 062(d), 340(d), 352
  - Candidate, 346(b)
  - Diaconal Supply, 342(f)
  - Executive Secretary, Conference, 433, 524(k)
  - Inquirer, 022(n)
  - Ordained Supply, 342(f)

INDEX

covenant, act of (*continued*)  
 senior staff, General Council and  
 working units, 524(k)  
 criminal charges, 034, 364

**D**

death, **6.4.12**, 038, 063, 356, 371(e)viii.,  
 427(d)  
 debate and order, rules of, App.III  
 Decision  
     definition, 001  
     not subject to appeal, 071(d), 077, 549  
 Deed, Model, Trusts of **5.3**, **5.13**, 265,  
     App.II  
 definitions, 001  
 demolition, building, 267, 271, 335, App.II  
 deposition, 075(k)  
 Deputy Moderator, 524(g)  
 Designated Lay Minister, 343  
     accountability, 067(c)  
     appointment, 041.1(d), 041.1(e),  
         389(b)v.  
     Conference membership, **7.1.2**, 410(b)  
     course of study, 733  
     definition, 001  
     Discontinued Lay Ministry  
         Appointment List, 368  
     membership, Conference, **7.1.2**, 410(b)  
     membership, Presbytery, **6.2.1**, **6.2.3**,  
         310(b)i., 310(b)iii.  
     Presbytery membership, **6.2.1**, **6.2.3**,  
         310(b)i., 310(b)iii.  
     program of study, 733  
     recommendation by Session, 153(b)vii.  
 Diaconal Minister  
     definition, 001  
     seeking ordination, **9.9**, 023(a), 029(j),  
         443(a), 713(c)  
 Diaconal Supply, 342  
     definition, 001  
     appointment, 041.1(d), 389(b)v.  
 disability, **6.4.12**, 037, 063, 356  
     Total and Permanent Disability,  
         definition, 001  
 disbanding, Pastoral Charge or  
     Congregation, 269, 270, 334, 428(b)  
 discernment, 022(f), 343(a)v., 345(a)iv.  
 Discernment Committee, 022(d), 022(f),  
     343(a)v., 382(b)ii.  
 discipline, 066, 067  
     by Church Board, 207(b)  
     by Church Council, 223(b)  
     by Presbytery, 011(b), 333, 363  
     by Session, **5.10.1(2)**, 153(a)ii.  
     of members, **5.10.1(2)**, 153(a)ii.,  
         207(b), 223(b)  
     of members of the Order of Ministry,  
         011(b), 363  
     of Ministry Personnel, 363  
     of Pastoral Charge, 333, 363(d)

Discontinued Lay Ministry Appointment  
 List, 001, 075(k)v., 363(f), 363(g), 368,  
 369  
 Discontinued Service List (Disciplinary),  
 001, 033, 035, 075(k)v., 314(d), 318,  
 363(f), 363(g), 367, 369, 426.1(d)iii.,  
 427.2, 452(c)  
 Discontinued Service List (Voluntary), 001,  
 033, 035, 314(d), 318, 367.1, 369,  
 426.1(d)iii., 427.3, 452(c)  
 District, 001, see Presbytery  
 doctrine, **2.0-2.20**  
     General Council jurisdiction, **8.6.2(1)**,  
         505(a)

**E**

Ecumenical Shared Ministry, 001, 134, 348  
 Editor, *United Church Observer, The*,  
     522(d), 858  
 Education, continuing, 362  
     Sabbatical Leave, 001, 039.1, 039.2  
     study leave, 039  
 Education and Students Committee,  
     Conference, 462  
     duties, 462(a)  
         admission from another  
             denomination, 031(x)  
         commissioning, 026, 424(b)  
         Inquirer, 022(e), 022(k)  
         ordination, 026, 424(b)  
         Transfer Committee, 029(c)  
 Education and Students Committee,  
     Presbytery, 382  
     duties, 382(b)  
         admission from another  
             denomination, 031(g), 031(o),  
             031(u)  
         Candidate, 024  
         commissioning, 026  
         Congregational Designated  
             Minister, 345(c)  
         Designated Lay Minister, 343(b),  
             343(c), 343(f)  
         Diaconal Supply, 342(b)  
         Discontinued Lay Ministry  
             Appointment List, 368(d)  
         Inquirer, 022  
         Ordained Supply, 342(b)  
         ordination, 026  
         membership, 382(a)  
         officers, 382(a)  
 educational institution, 525  
 Educational Supervisor, definition, 001  
 Educational Supervisory Team, 031(t),  
     031(u), 382(b)xi.  
 Elder, 130, 131, 134, 135, 136, 145, 202,  
     219  
 Elder, Sacraments, 347  
     definition, 001  
     licensing for sacraments, 427.1(e)  
     recommendation by Session, 153(b)iv.

## INDEX

eldership, 132, 133  
 employees, lay, Pastoral Charge, 332(g)  
 enlargement, building, 267, 271, 335,  
     App.II  
 equivalent bodies, 002(c)  
 erection, building, 267, 271, 335, App.II  
 evidence, rules of  
     Appeal Hearing, 076(s)  
     Formal Hearing, 075(h)  
 Ex Officio Membership, definition, 001  
 exchange property, 267, 271, 335, App.II  
 Executive  
     Archives and History, Committee on,  
         General Council, 536  
     Church Board, 275  
     Church Council, 275  
     Conference, **7.6.1(2)**, 426, 437  
     Conference United Church Women,  
         823  
     Congregation, 275  
     General Council, 505(o)  
         duties and powers, 524, 525  
         membership, 423(b), 520, 521, 522,  
             523  
         Permanent Committees of, 602, 603  
     Judicial Committee, General Council,  
         542  
     members, 005  
     National United Church Women, 826(c)  
     Official Board, 275  
     Pastoral Charge, 275  
     Presbyterial United Church Women,  
         813  
     Presbytery, 322  
     Session, 275  
     Settlement Committee, Conference, 454  
 Executive Secretary, Conference  
     appointment, 433, 524(k)  
     duties, 433.1, 433.2  
 expulsion, 075(k)  
 Extra Appeal, 001, 524(o)  
 Extra Appeals Committee, Conference, 463  
     duties, 463(b)  
     membership, 463(a)  
 Extra Appeals Committee, Presbytery, 383  
     duties, 383(b)  
     membership, 383(a)

**F**

faith  
     articles of, **2.0-2.20**  
     General Council jurisdiction, **8.6.2(1)**,  
         505(a)  
     profession of, 010(a), 012(b)  
     reaffirmation of, 012(b), 012(d), 015  
 faith formation needs, Pastoral Charge,  
     **5.10.1(4)**, 153(a)iv., 158, 209, 224, 242  
 Finance Committee, Conference, 464  
     Conference Fund, 464(a),(b),(c)  
     duties, 464(g),(i),(j),(k),(l),(m)  
     Executive, 464(f)

Finance Committee, Conference  
     (*continued*)  
     meetings, 464(h)  
     membership, 464(d)  
     officers, 464(e)  
 Finance Committee, Presbytery, 384  
     duties, 384(b)  
     membership, 384(a)  
     officers, 384(a)  
 Formal Hearing, 075  
     Committee, 075(b)  
         closed, 075(g)  
         costs, 075(n)  
         counsel, 075(f)  
         evidence, rules of, 075(h)  
         notice of Hearing, 075(e)  
         open, 075(g)  
         Verbatim Record, 075(i)  
 full membership, **5.8.1**, 010(a), 012  
 full-time employment, other, 314(c)  
 Furnished manse, definition, 001

## G

General Council, **8.0-8.6.10**, 500s  
     Commissioners, **7.6.8**, **8.0-8.4.2**, 001,  
         423(a), 501, 502  
     Committees, 503, 505(p), 505(q),  
         505(r), 532-549  
     duties and powers, **8.6-8.6.10**, 505  
     meetings, **8.5**, 500  
     membership, **7.6.8**, **8.0-8.4.2**, 423(a),  
         501, 502  
     organization  
         Commission, 527  
         Executive, 505(o), 520-525  
         General Secretary, 501(e), 505(m),  
             512, 513  
         Moderator, 501(d), 510, 511  
         Sub-Executive, 526  
         working units, 600, 601  
 General Council Executive  
     duties and powers, 505(o), 524, 525  
     membership, 423(b), 520, 521, 522,  
         523  
     Permanent Committees of, 524(a),  
         524(j), 602, 603  
 General Council, General Secretary of  
     appointment, 505(m), 512  
     duties, 513  
     member, General Council, **8.2**, 501(e)  
     rulings, 076(a), 513(f), 545(e)  
 General Council Ministers, 514  
 General Council office, 600-735  
 General Council Secretaries, **8.3**, 501(g)  
 General Council Sub-Executive, 526  
 General Secretary, General Council  
     appointment, 505(m), 512  
     duties, 513  
     member, General Council, **8.2**, 501(e)  
     rulings, 076(a), 513(f), 545(e)

INDEX

---

General Secretary, General Council, Acting,  
524(h)

## INDEX

good standing, letter of, 314(d)ii., 318(c),  
369  
group insurance plan, 022(l), 524(r)

### H

Hearing, Appeal, 076  
closed, 076(r)  
Committee, 076(k)  
costs, 076(v)  
counsel, 076(q)  
evidence, rules of, 076(s)  
notice of, 076(n)  
open, 076(r)  
Verbatim Record, 076(t)  
Hearing, Formal, 075  
Committee, 075(b)  
closed, 075(g)  
costs, 075(n)  
counsel, 075(f)  
evidence, rules of, 075(h)  
notice of, 075(e)  
open, 075(g)  
Verbatim Record, 075(i)  
heating, manse, 036(g)  
housing allowance, 036(f)

### I

Immediate Family  
Bereavement Leave, 036(p)  
definition, 001  
moving expenses, 030(a)  
immediate vote, motion to take an,  
App.III.11  
incorporated ministries, 429, 505(k)  
Inquirer, 022  
definition, 001  
reception by Presbytery, **6.4.5(1)**,  
346(b)  
recognition by Session, **5.10.2(4)**,  
153(b)v.  
recommendation by Session, **5.10.2(5)**,  
**10.1**, 153(b)vi.  
insurance plan, group, 022(l), 524(r)  
Inter-Church and Inter-Faith Relations,  
Committee on, Conference, 465  
duties, 465(b)  
membership, 465(a)  
Inter-Church and Inter-Faith Relations,  
Committee on, Presbytery, 385  
duties, 385(b)  
membership, 385(a)  
officers, 385(a)  
inter-denominational congregation,  
representation at Presbytery, **6.2.6**,  
310(b)vi.  
Interim Minister, 001, 052(d), 053.1(e),  
054.1, 340, 389(b)ix., 465.1  
Interim Ministry, 001, 054.1, 340,  
389(b)viii., 465.1

Interim Ministry Committee, Conference,  
465.1  
duties, 465.1(b), 465.1(c)  
membership, 465.1(a)  
Interim Ministry Transition Committee,  
053.1(e), 054.1, 340  
Intern, Student, definition, 001  
Intern Supply  
definition, 001  
appointment, 041.1(d), 389(b)v.  
internship, 024(d), 722, 722.1  
Internship Committee, Conference, 466  
appointment, 466(a)  
responsibilities, 466(b)  
Interview Board, Conference, 456-458  
duties, 457, 458  
admission from another  
denomination, 031(i)  
applicant for re-admission, 032(c)  
Congregational Designated  
Minister, 345(c)  
Designated Lay Minister, 343(b)  
Diaconal Supply, 342(c)  
Discontinued Lay Ministry  
Appointment List, 368(d)  
Inquirer, 022(j)  
Ordained Supply, 342(c)  
membership, 456

### J

Joint Needs Assessment Committee,  
041.1(a), 050, 052, 053, 053.1, 122(a),  
389(b)vi.  
Joint Search Committee, 041.1(c), 054,  
122(b), 389(b)vii.  
Judicial Committee, General Council,  
505(q), 540-549  
appeals to, 545, 547, 548  
duties of Executive, 543, 544  
membership, 540  
organization  
Executive, 542  
officers, 541

### K

### L

lawyer  
Appeal Hearing, 076(q)  
Formal Hearing, 075(f)  
lay employees, Pastoral Charge, 332(g)  
lay member  
Conference, **7.1.2-7.3**, **7.5**, 323, 410  
Presbytery, **6.2**, 310(b)  
Lay Minister, Designated, 343  
accountability, 067(c)  
appointment, 041.1(d), 041.1(e),  
389(b)v.  
Conference membership, **7.1.2**, 410(b)

INDEX

Lay Minister, Designated (*continued*)  
 course of study, 733  
 definition, 001  
 Discontinued Lay Ministry  
 Appointment List, 368  
 membership, Conference, **7.1.2**, 410(b)  
 membership, Presbytery, **6.2.1**, **6.2.3**,  
 310(b)i., 310(b)iii.  
 Presbytery membership, **6.2.1**, **6.2.3**,  
 310(b)i., 310(b)iii.  
 program of study, 733  
 recommendation by Session, 153(b)vii.

Lay Presbyter  
 appointment, **5.12.2**, **6.2.5**, **6.2.11**,  
 184(c), 310(b)v., 310(b)xi.  
 definition, 001

Lay Worship Leader, Licensed, 344  
 course of study, 734, 735  
 definition, 001  
 licence, **6.4.4**, 344  
 program of study, 734, 735  
 recommendation by Session, **5.10.2(3)**,  
 153(b)iii.

lease of property, 267, 271, 335, App.II

leave  
 Bereavement Leave, 001, 036(p)  
 Compassionate Leave, 001, 036(q)  
 maternity/parental leave, 036(o)  
 Sabbatical Leave, 001, 039.1  
 study leave, 039

left without charge or appointment, 314(d)

letter of good standing, 314(d)ii., 318(c),  
 369

Licensed Lay Worship Leader, 344  
 course of study, 734, 735  
 definition, 001  
 licence, **6.4.4**, 344  
 program of study, 734, 735  
 recommendation by Session, **5.10.2(3)**,  
 153(b)iii.

licensing  
 administer Sacraments, 342(i), 343(e),  
 347(d), 353, 427.1  
 Licensed Lay Worship Leader, 344  
 perform marriages, 342(i)

Lord's Supper, The, **2.16.2**

**M**

mail-in ballot, App.III.7(d)

manse, 036(f)  
 Furnished, 001  
 heating, 036(g)  
 occupancy, right of, **9.3**, 120  
 Unfurnished, 001

Manse Committee, Pastoral Charge, 188,  
 210, 225, 243

Manse Committee, Presbytery, 386  
 duties, 386(b)  
 membership, 386(a)  
 officers, 386(a)

*Manual, The*, 513(g), 524(d)

Manual Committee, General Council,  
 513(g), 524(d)

marriages, register of, 153(b)xi.

maternity leave, 036(o)

member, **4.1**, **5.8.1**, 010(a)  
 at large, Presbytery, **6.2.11**, 310(b)xi.  
 children of, **5.8.1**, 010(a)  
 conduct, enquiry into, 013  
 entitlement to vote, **5.8.2**, 113  
 of Parliament, 314(c)

membership, **4.1**, **5.8.1**, 010(a), 012, 013,  
 014  
 admission, **5.8.1**, **5.10.1(1)**, 012,  
 153(a)i.  
 certificate of transfer of, **5.8.1**,  
**5.10.1(1)**, 012, 013, 014, 153(a)i.  
 full, **5.8.1**, 010(a), 012  
 General Council jurisdiction, **8.6.2(1)**,  
 505(a)  
 removal from, **5.8.1**, **5.10.1(1)**, 012(a),  
 013, 014, 153(a)i.  
 transfer of, **5.8.1**, **5.10.1(1)**, 012, 013,  
 014, 153(a)i.

men's organizations, 280-282, 830-832,  
 835, 840, 845  
 AOTS, 203, 219(d), 285, 286, 287, 845  
 Conference, 840  
 national, 845  
 Pastoral Charge, 280-282  
 Presbytery, 835  
 purpose, 831  
 representation at Conference, **7.5**,  
 410(g)  
 representation at Presbytery, **6.2.7**,  
 310(b)vii.  
 representation on Church Board, 203  
 representation on Church Council,  
 219(d)  
 representation on Official Board, 183

mileage allowance, 036(h)

ministry, **2.17**, 020, 021, 101

Ministry and Personnel Committee, Pastoral  
 Charge, 122(c), 89, 211, 226, 244

Ministry, Order of, **9.0-11.3**, 001, 020-035,  
 120-128

Ministry, Order of, member of  
 absent from Pastoral Charge, 127  
 accountability, 067(c)  
 admission, **11.1-11.3**, 028, 031  
 commissioning, **11.1-11.3**, 026, 028  
 Committee membership, 122  
 Conference membership, **7.1.1**, 410(a)  
 congregational roll, 011(b)  
 continuing education, 039, 039.1, 362  
 covenant relationship, 121  
 criminal charges, 034, 364  
 death, **6.4.12**, 038, 063, 356  
 definition, 001  
 disability, **6.4.12**, 037, 063, 356  
 discipline, 011(b), 067(c)  
 membership, Conference, **7.1.1**, 410(a)



INDEX

---

- Ministry, Order of, member of (*continued*)  
membership, Presbytery, **6.1**, 011(a), 310(a)  
ordination, **11.1-11.3**, 026, 028  
oversight by Conference, 427(a)  
oversight by Presbytery, **6.4.15**, 011(b), 360-367.1, 369  
Presbytery membership, **6.1**, 011(a), 310(a)  
re-admission, 032  
remuneration, 036  
Resignation, 366, 427(c)  
retained on the roll, **6.1.7**, 310(a)vii., 314(d)  
retirement, **6.1.4**, 055, 310(a)iv., 365, 365.1  
settlement, **9.5**, **9.6.2**  
study leave, 039
- Ministry Personnel, 120-129  
absent from Pastoral Charge, 127  
accountability, 067(c)  
Committee membership, 122  
continuing education, 039, 039.1, 362  
covenant relationship, 121  
criminal charges, 034, 364  
death, **6.4.12**, 038, 063, 356  
definition, 001  
disability, **6.4.12**, 037, 063, 356  
discipline, 067(c)  
oversight by Conference, 427(a)  
oversight by Presbytery, 360-369  
remuneration, 036  
retired, 365  
study leave, 039(a)
- minutes, 090-092  
Board of Trustees, 262, App.II.9  
Presbytery, 325
- Mission, definition, 001  
Mission and Service Fund, 630-633  
Mission in Canada Committee, Conference, 467  
duties, 467(c)  
membership, 467(b)  
related Committees, 467(a)
- Mission in Canada Committee, Presbytery, 387  
duties, 387(b)  
related committees, 387(a)
- mission strategy, 137, 138  
Model Deed, Trusts of **5.3**, **5.13**, 265, App.II  
Model Trust Deed, **5.3**, **5.13**, 265, App.II  
Moderator, General Council, **8.5**, 510, 511  
Advisory Committee, 524(f)  
appointment, 510(a)  
duties, 511  
membership, General Council, **8.2**, 501(d)  
nominations, 510(c)
- Moderator, General Council, Deputy, 524(g)
- Moderator, General Council, Past membership, General Council, **8.2**, 501(c)  
membership, Presbytery, **6.2.10**, 310(b)x.
- Moderator's Advisory Committee, 524(f)  
mortgage of property, 267, 271, 335, App.II  
moving expenses, 030, 036(k), 036(l), 036(m), 036(n), 389(b)xiii.  
Candidate, 030, 036(m), 036(n)  
multiple-point Pastoral Charge, 278
- Multiple Staff  
definition, 001  
relationship among, 124  
remuneration, 036, 036(c), 351(a)  
responsibilities defined, 125, 351(a)  
review of work conditions, 351(b)
- N
- National United Church Women, 825-827  
membership, 826(a)  
organization  
Executive, 826(c)  
officers, 826(b)  
purpose, 825  
responsibilities, 827  
needs assessment, 037(i), 038(f), 041.1(a), 050-053.1, 058, 059(d), 059(e), 389(b)vi.
- Needs Assessment Committee, Joint, 041.1(a), 050, 052, 053, 053.1, 122(a), 389(b)vi.
- new Congregations, **5.7**, **6.4.1**, 106, 330, 331  
new Pastoral Charges, **5.7**, **6.4.1**, 106, 330
- Nominations Committee, Pastoral Charge, 117, 122(d)  
Nominations Committee, Presbytery, 375  
Nominations, Standing Committee on, Conference  
membership, 439(b)
- Non-Resident Member, definition, 001
- notice  
deemed given, 003  
manner of giving, 003  
of Appeal, 076(d)  
of Appeal Hearing, 076(n)  
of Formal Hearing, 075(e)  
of meeting, Board of Trustees, 252, App.II.8  
of meeting, Conference, 401  
of meeting, Official Board, 182  
of meeting, Pastoral Charge or Congregation, 047, 112, 114, 148(b), 258(b), App.II.9  
of meeting, Presbytery, 300, 301, 302  
of meeting, Session, 143  
requesting change in pastoral relationship, 046, 046.1

number  
 Conferences, **8.6.1**, 505(l)  
 Presbyteries, **7.6.2**, 422(a)  
 nurse, parish, 041.1, 343, 345

**O**

*Observer, United Church, The*, 850-858  
 Board of Directors, 855, 856  
 Editor, 858  
 Publisher, 857

Official Board, **5.8.4**, **5.12**, 180-191  
 Committees, 188-191, 243, 245  
 duties and powers, **5.8.4**, **5.12**, 184  
 needs assessment, 053  
 general, 180  
 meetings, **5.8.4**, 181-182.1, 332(h)  
 membership, 183, 183.1  
 organization  
     Chairperson, 183, 185  
     Commission, 276  
     Executive, 275  
     Secretary, 186  
     Treasurer, Mission and Service Fund, 187

Ordained Minister  
 definition, 001  
 seeking commissioning, **9.9**, 023(b), 029(j), 443(b), 713(c)

Ordained Supply, 342  
 definition, 001  
 appointment, 041.1(d), 389(b)v.

Order of Ministry, **9.0-11.3**, 001, 020-035, 120-128

Order of Ministry, member of  
 absent from Pastoral Charge, 127  
 accountability, 067(c)  
 admission, **11.1-11.3**, 028, 031  
 commissioning, **11.1-11.3**, 026, 028  
 Committee membership, 122  
 Conference membership, **7.1.1**, 410(a)  
 congregational roll, 011(b)  
 continuing education, 039, 039.1, 362  
 covenant relationship, 121  
 criminal charges, 034, 364  
 death, **6.4.12**, 038, 063, 356  
 definition, 001  
 disability, **6.4.12**, 037, 063, 356  
 discipline, 011(b), 067(c)  
 membership, Conference, **7.1.1**, 410(a)  
 membership, Presbytery, **6.1**, 011(a), 310(a)  
 ordination, **11.1-11.3**, 026, 028  
 oversight by Conference, 427(a)  
 oversight by Presbytery, **6.4.15**, 011(b), 360-367.1, 369  
 Presbytery membership, **6.1**, 011(a), 310(a)  
 re-admission, 032  
 remuneration, 036  
 Resignation, 366, 427(c)

Order of Ministry, member of (*continued*)  
 retained on the roll, **6.1.7**, 310(a)vii., 314(d)  
 retirement, **6.1.4**, 055, 310(a)iv., 365, 365.1  
 settlement, **9.5**, **9.6.2**  
 study leave, 039

order, point of, App.III.2

order, rules of debate and, App.III

ordination, **7.6.5**, **11.1-11.3**, 026, 424  
 Diaconal Minister seeking, 023(a)  
 program of study, 720-729  
 service of reception, 028

outdoor ministry programs, **6.3.3**, 311(c), 332(d)

outreach, 153(a)vii.

Outreach Ministry  
 definition, 001  
 representation at Presbytery, **6.2.9**, 310(b)ix.

Overseas Personnel  
 definition, 001  
 lay, corresponding membership, Conference, **7.4**, 411  
 lay, corresponding membership, Presbytery, **6.3.1**, 311(a)  
 policy, **8.6.6**, 505(i)  
 representation at General Council, **8.4**, **8.4.1**, **8.4.2**, 501(b), 502(b)

oversight  
 by Conference, **7.6.2**, **7.6.9**, 329, 420(d), 422, 422.1, 427(a)  
 by General Council, **8.6.1**, **8.6.10**, 421, 505(l)  
 by Presbytery, **6.4.1**, **6.4.15**, 011(b), 107, 330-337, 346, 350-357, 360-369  
 of Candidates, **6.4.6**, **10.2**, 024, 346, 382(b)vi.  
 of Conference, **8.6.1**, 421, 505(l)  
 of corporations, 429, 505(k)  
 of Ministry Personnel, 360-369, 427(a)  
 of Order of Ministry, **6.4.15**, 011(b), 360-367.1, 369, 427(a)  
 of Pastoral Charge or Congregation, **6.4.1**, 107, 330-337, 363(d)  
 of pastoral relationship, 350-357  
 of Presbytery, **7.6.2**, 329, 422, 422.1

Oversight of Pastoral Charges, Committee on, Presbytery, 388  
 duties, 332

**P**

parental leave, 036(o)  
 parish nurse, 041.1, 343, 345  
 Parliament, Member of, 314(c)  
 Party, definition, 001  
 Past Moderator, General Council  
     member, General Council, **8.2**, 501(c)  
     membership, Presbytery, **6.2.10**, 310(b)x.

INDEX

- Pastoral Charge, **4.2**, **5.1-5.13**, 008, 104  
 amalgamation, 334  
 ceasing to exist, 334  
 Committees, 117, 242-245  
 definition, 001  
 disbanding, 334  
 duties and powers  
 needs assessment, 053.1  
 pastoral relations, 042-057  
 lay employees, 332(g)  
 meetings, 110-112  
 multiple-point, 278  
 new, **5.7**, **6.4.1**, 106, 330  
 organization, 139, 275-279  
   Chairperson, 115  
   Commission, 276  
   Executive, 275  
   Secretary, 116  
 oversight by Presbytery, **6.4.1**, 107,  
   330-337, 363(d)  
 single-point, 277
- Pastoral Charge Supervisor, 341  
 appointment, 128, 389(b)xii.  
 definition, 001  
 Diaconal Supply, 031(m), 342(h)  
 Ordained Supply, 031(m), 342(h)
- Pastoral Oversight Committee, Presbytery,  
 388  
 duties, 332
- pastoral relations  
 Joint Search Committee, 041.1(c), 054,  
   389(b)vii.  
 procedures by Conference, **7.6.4**, 064,  
   425  
 procedures by Ministry Personnel, 042,  
   043, 044, 046, 049  
 procedures by Pastoral Charge, **5.12.4**,  
   041.1, 042-057, 184(g)  
 procedures by Presbytery, **9.4.2**, 041.1,  
   042-057, 058-063, 357, 389
- Pastoral Relations Committee, Presbytery,  
 389  
 duties, 042, 047, 048, 059, 060, 389(b)  
   appointments, 389(b)v., 389(b), xi.  
   Bereavement Leave, 036(p)  
   Compassionate Leave, 036(q)  
   Designated Lay Minister, 343(c)  
   disability, 037(h)  
   Interim Minister, 389(b)viii.,  
     389(b)ix., 389(b)x.  
   Joint Needs Assessment Committee,  
     052, 389(b)vi.  
   Joint Search Committee, 054,  
     389(b)vii.  
   oversight of Ministry Personnel,  
     363(d)  
   Pastoral Charge Supervisor,  
     389(b)xii.  
 membership, 389(a)  
 officers, 389(a)
- pastoral relationship  
 duration, 041  
 Joint Search Committee, 041.1(c), 054,  
   389(b)vii.  
 oversight by Presbytery, 350-357  
 procedures by Conference, **7.6.4**, 064,  
   425  
 procedures by Ministry Personnel, 042,  
   043, 044, 046, 049  
 procedures by Pastoral Charge, **5.12.4**,  
   041.1, 042-057, 111, 112, 184(g),  
   333(b)vi.  
 procedures by Presbytery, **9.4.2**, 041.1,  
   042-057, 058-063, 357, 389  
 without time limit, 040
- Pastoral Year, 001, 129  
 pastorate without interruption, **7.6.4**, **9.2**,  
 041, 064(a), 350, 425
- Pension and Group Insurance Committee,  
 Conference, 468  
 duties, 468(b)  
 membership, 468(a)
- Pension and Group Insurance Committee,  
 Presbytery, 390  
 duties, 390(b)  
 membership, 390(a)  
 officers, 390(a)
- Pension Board of Trustees, 524(q), 524(r)  
 pension fund, **16.0-16.4**, 355  
 pension plan, **16.0-16.4**, 022(l), 355,  
   365.1(b), 524(p), 524(q), 524(r)
- Permanent Committees of General Council  
 Executive, 524(a), 602, 603
- Permanent Disability, Total and, definition,  
 001
- Personal Property  
 definition, 001  
 major, 267, 335(a)
- personnel policies, 505(n), 524(i)  
 petition, see Proposal  
 placement, 029  
 police records check, 022(k), 024(a),  
   026(a), 031(b), 031(g), 032(a), 054(d),  
   062(a), 126, 244(c)ix., 314(d)i.,  
   332(d)vii., 340(a), 342(a), 343(a)x.,  
   345(a)vi., 346(d), 363(b), 369
- Polity, **3-16**, 001  
 position description, 041.1(b), 051,  
   052(c)iv., 244(b)viii.
- post-graduate study, **6.1.5**, 026(e), 310(a)v.  
 postpone indefinitely, motion to, App.III.10  
 pregnancy, 036(o)
- Presbyterial United Church Women, 810-  
 814  
 meetings  
   annual meeting, 814  
 organization  
   Executive, 813  
 purpose, 811  
 representation at Conference, **7.5**,  
 410(g)

INDEX

---

- Presbyterial United Church Women  
(*continued*)  
representation at Presbytery, **6.2.7**,  
310(b)vii.  
responsibilities, 812
- Presbytery, **6.0-6.4.15**, 001, 300s  
boundaries, **7.6.2**, 422(a)  
Committees, 332, 375, 376, 380-393  
duties and powers, **6.4-6.4.15**, 320-329,  
330-337, 340-348, 350-357, 360-  
369  
admission from another  
denomination, 031  
appointment, 001, 041.1(d), 058(d),  
058(e), 062, 315, 340-345, 350,  
389(b)v., 389(b)xi.  
Candidate, **6.4.6**, **10.2**, 024, 346,  
382(b)vi.  
commissioning, 026  
death, **6.4.12**, 038, 063, 356,  
371(e)viii.  
disability, **6.4.12**, 037, 063, 356  
discipline of members of the Order  
of Ministry, 011(b), 363  
discipline of Ministry Personnel,  
363  
discipline of Pastoral Charge, 333,  
363(d)  
general, 320-329  
Inquirer, 022  
Joint Needs Assessment Committee,  
041.1(a), 050, 052, 389(b)vi.  
Joint Search Committee, 041.1(c),  
054, 389(b)vii.  
needs assessment, 037(i), 038(f),  
041.1(a), 050, 052, 058,  
389(b)vi.  
ordination, 026  
oversight by Conference, **7.6.2**,  
329, 422, 422.1  
oversight of Candidates, **6.4.6**, **10.2**,  
024, 346, 382(b)vi.  
oversight of Ministry Personnel,  
360-369  
oversight of Order of Ministry,  
**6.4.15**, 011(b), 360-367.1, 369  
oversight of Pastoral Charges, **6.4.1**,  
107, 330-337, 363(d)  
oversight of pastoral relationship,  
350-357  
pastoral relations, **9.4.2**, 041.1, 042-  
057, 058-063, 357, 389  
applicant for re-admission, 032  
Vacancy, 041.1(c), 051.1, 058(f),  
059(g)  
meetings, 300-303  
membership, **5.12.2**, **6.0-6.3**, 310-318  
corresponding member, **6.3**, 311  
lay members, **6.2**, 310(b)  
roll, 310-314
- Presbytery (*continued*)  
number, **7.6.2**, 422(a)
- organization  
Chairperson, 370  
Commission, 374  
Secretary, 371  
Sub-Executive, 373  
Treasurer, 372
- Presbytery Accountable Ministry,  
definition, 001
- Presbytery Appointment, definition, 001
- Presbytery Recognized Ministry, 001,  
314(d)i., 314(d)ii.
- Presbytery United Church Men, 835  
representation at Conference, **7.5**,  
410(g)  
representation at Presbytery, **6.2.7**,  
310(b)vii.
- President, Conference, 430, 431, 432
- Presiding Officer, 001, App.III.1  
privilege, question of, App.III.2  
profession of faith, 010(a), 012(b)  
professor, theological school, sabbatical  
leave, 039.2
- program of study  
Candidates, **8.6.3**, **10.3**, 025, 505(d),  
505(e)  
commissioning, 730-732  
Designated Lay Minister, 733  
Licensed Lay Worship Leader, 734, 735  
ordination, 720-729
- property  
Conference jurisdiction, 428  
Congregation ceasing to exist, 270(d),  
334(e), 428(b)  
Congregation disbanding, 269(b),  
334(e), 428(b)  
congregational, **5.3**, **5.4**, **5.13**, 265-272,  
334, 335, 428, App.II  
Congregations amalgamating, 268, 334,  
428(a)  
directions to Trustees, 184(h), 207(g),  
223(g)  
General Council jurisdiction, **8.6.2(1)**,  
505(j), 524(l), 605  
major Personal Property, 267, 335(a)  
Personal Property, definition, 001  
Presbytery jurisdiction, 334, 335  
Real Property, definition, 001  
shared, 332(c)  
Trusts of Model Deed, 265, App.II
- Property Committee, Presbytery, 391  
duties, 391(b)  
membership, 391(a)
- Property Fund, 332(e)iii.
- Proposal, 099, 333(b)vi., 363(c)ix.  
definition, 001  
disposition by Church Board, 207(c)  
disposition by Church Council, 223(c)  
disposition by Conference, **7.6.3**, 420(a)

INDEX

Proposal (*continued*)  
 disposition by General Council, **8.6.4**,  
 505(b)  
 disposition by Presbytery, **6.4.2**, **6.4.3**,  
 320  
 disposition by Session, **5.10.2(1)**,  
**5.10.2(2)**, 153(b)i., 153(b)ii.  
 proxy, voting by, App.III.7(d)  
 Publisher, *Observer, United Church, The*,  
 857

**Q**

Quorum, 001  
 Church Board, 123, 201  
 Church Council, 123, 218  
 Conference, 403  
 definition, 001  
 Official Board, 123, 182.1  
 Pastoral Charge or Congregation, 123  
 Presbytery, 304  
 Session, 123, 144  
 Trustees, 253, App.II.9

**R**

re-admission of minister, 032, 361, 505(f)  
 reaffirmation of faith, 012(b), 012(d), 015  
 Real Property, definition, 001  
 rebuilding, 267, 271, 335, App.II  
 rebuke, 075(k)  
 reconsider, motion to, App.III.8  
 Record, Verbatim  
     Appeal Hearing, 076(t)  
     definition, 001  
     Formal Hearing, 075(i)  
 records  
     Conference, **8.6.1**, 505(l)  
     Congregation ceasing to exist, 270(e),  
     334(f)  
     Congregation disbanding, 269(c),  
     334(f)  
     Pastoral Charge, **6.4.1**, 332  
     Presbytery, **7.6.2**, 325, 422(a)  
     review of, **6.4.1**, **7.6.2**, **8.6.1**, 325, 332,  
     422(a), 505(l)  
 records check, police, 022(k), 024(a),  
 026(a), 031(b), 031(g), 032(a), 054(d),  
 062(a), 126, 244(c)ix., 314(d)ii.,  
 332(d)vii., 340(a), 342(a), 343(a)x.,  
 345(a)vi., 346(d), 363(b), 369  
 refer, motion to, App.III.9  
 register  
     of baptisms, 010(b), 153(b)xi.  
     of burials, 153(b)xi.  
     of marriages, 153(b)xi.  
 Remit, **8.6.2(1)**, 001, 505(a), 524(e)  
 removal  
     Candidate, 024(h)  
     member of Board of Trustees, 257,  
     App.II.9  
     member of Church Board, 204

removal (*continued*)  
     member of Church Council, 220  
     member of Official Board, 183.1  
     member of Session, 151  
     membership, **5.8.1**, **5.10.1(1)**, 012(a),  
     013, 014, 153(a)i.  
 remuneration, 036  
 renovation, building, 267, 271, 335, App.II  
 resignation, Resignation  
     Candidate, 024(h)  
     definition, 001  
     member of Board of Trustees, 257,  
     App.II.9  
     member of Church Board, 204  
     member of Church Council, 220  
     member of Official Board, 183.1  
     member of Order of Ministry, 366,  
     427(c)  
     member of Session, 151  
 resolution, see Proposal  
 resolution of conflict, 065-071  
 retained on the roll, **6.1.7**, 310(a)vii.,  
 314(d), 365  
 retirement, **6.1.4**, 055, 310(a)iv., 365, 365.1  
 roll  
     Conference, 410-412  
     Congregation, 012(b), 015, 153(b)ix.  
     General Council Committee on the,  
     503(a)  
     Presbytery, 310-314  
     retained on, **6.1.7**, 310(a)vii., 314(d)  
 rules of debate and order, App.III  
 ruling  
     Chairperson, appeal from, App.III.2  
     Executive Secretary, Conference,  
     433.1(n)  
     General Secretary, General Council,  
     076(a), 513(f), 545(e)

**S**

Sabbatical Leave, 001,039.1, 039.2  
 Sacraments, **2.16**  
     Baptism, **2.16.1**  
     Communion, **2.16.2**  
     licensing, 342(i), 343(e), 347(d), 353,  
     427.1  
     oversight by Session, **5.10.1(3)**,  
     153(a)iii.  
 Sacraments Elder, 347  
     definition, 001  
     licensing for sacraments, 427.1(e)  
     recommendation by Session, 153(b)iv.  
 salary, 036(a)  
 sale of property, 267, 271, 335, App.II  
 School, Church, 242  
 School, Sunday, 242  
 school, theological, **8.6.7**, **14.1-14.5**, 024-  
 026, 505(g), 505(h), 525, 720-729, 730-  
 732

INDEX

- screening, 022(k), 024(a), 026(a), 031(b), 031(g), 032(a), 054(d), 062(a), 126, 244(c)ix., 314(d)i., 332(d)vii., 340(a), 342(a), 343(a)x., 345(a)vi., 346(d), 363(b), 369
- seal, official, 513(i), 515
- Search Committee, Joint, 041.1(c), 054, 122(b), 389(b)vii.
- secretarial assistance, 036(e)
- Secretary
- Church Board, 208
  - Church Council, 219(d)
  - Official Board, 186
  - Pastoral Charge or Congregation, 116
  - Presbytery, 371
  - Session, 157
  - Stewards, 169
- Secretary, Executive, Conference
- appointment, 433, 524(k)
  - duties, 433.1, 433.2
- Secretary, General, of the General Council
- appointment, 505(m), 512
  - duties, 513
  - member, General Council, **8.2**, 501(e)
  - rulings, 076(a), 513(f), 545(e)
- Session, **5.6.1**, **5.8.4**, **5.9**, **5.10.1**, **5.10.2**, 140-159
- Committees, 158-159, 242
  - duties and powers, **5.8.4**, **5.10.1**, **5.10.2**, 153-155
    - Inquirer, 022(c), 022(i)
    - membership, 010(b), 012, 013, 014, 015
  - general, 140
  - meetings, 141-144
  - membership, **5.9**, 145-152
  - organization
    - Chairperson, 156
    - Commission, 276
    - Executive, 275
    - Secretary, 157
- Settlement, 043, 057, 064, 440-454
- definition, 001
  - Settlement Committee, Conference, **9.4-9.7.2**, 064, 426.1, 440-454
- Settlement Committee, Conference, **9.4-9.7.2**, 041.1(d), 064, 426.1, 440-454
- duties and powers, **9.4.1**, **9.4.2**, **9.6.1-9.7.2**, 064, 442-453
  - Transfer Committee, 029(k)
  - transfer of Presbytery membership, 316
- meetings, **9.4.1**, 440
- annual meeting, **9.4.1**, 440
- membership, **6.4.14**, **9.4**, 326, 426.1(c), 441
- organization
- Chairperson, 426.1(a)
  - Executive, **9.4.3**, 454
  - Secretary, 426.1(b)
- Settlement Committee, Conference (*continued*)
- procedures, **9.4.1-9.7.2**, 064, 357, 442-453
- Sexual Abuse, 001, 071(c), 072, 073
- Shared Ministry, Ecumenical, 001, 134, 348
- shared property, 332(c)
- Shorter Course, 723
- Significant Person, 001, 036(p)
- single-point Pastoral Charge, 277
- Speaker, All Native Circle Conference
- appointment, 433, 524(k)
  - duties, 433.1, 433.2
- staff appointments, General Council and working units, 524(k)
- standing, good, letter of, 314(d)ii., 318(c), 369
- statistical and information returns, 184(b), 332(i)
- Stewards, **5.8.4**, **5.11**, 160-171
- duties and powers, **5.8.4**, **5.11**, 165-167
  - general, 160
  - membership, **5.11**, 161-164
  - organization
    - Chairperson, 168
    - Secretary, 169
    - Treasurer, 170
    - Subcommittees, 171
- Stewardship Committee, Conference, 469
- duties, 469(c)
  - membership, 469(a)
  - officers, 469(b)
- Stewardship Committee, Pastoral Charge, 190, 212, 227, 245
- Stewardship Committee, Presbytery, 392
- duties, 392(d)
  - general, 392(a)
  - membership, 392(b)
  - officers, 392(c)
- Student Intern, definition, 001
- Student Supply
- definition, 001
  - appointment, 041.1(d), 389(b)v.
- study leave, 039
- study, program of
- Candidates, **8.6.3**, **10.3**, 025, 505(d), 505(e)
  - commissioning, 730-732
  - Designated Lay Minister, 733
  - Licensed Lay Worship Leader, 734, 735
  - ordination, 720-729
- Sub-Executive
- Conference, 436.1
  - General Council, 526
  - Presbytery, 373
- successor bodies, 002(c)
- Sunday School, 242
- Supervisor, Pastoral Charge, 341
- appointment, 128, 389(b)xi.
  - definition, 001
  - Diaconal Supply, 031(m), 342(h)
  - Ordained Supply, 031(m), 342(h)
- Supply

INDEX

appointment, 041.1(d), 058(e), 350,  
389(b)v., 389(b)xi.  
Diaconal, 031, 342  
Ordained, 031, 342  
United, definition, 001  
suspension, 075(k)

**T**

table, motion to, see motion to postpone  
indefinitely, App.III.10  
Task Group  
definition, 001  
members, 005  
telephone conference call 003.1  
Temporal Matters, definition, 001  
Testamur, 001, 024(c), 025, 026, 505(h),  
720, 730  
theological centre, **8.6.7, 14.1-14.5**, 024-  
026, 505(g), 505(h), 525, 720-729, 730-  
732  
theological college, **8.6.7, 14.1-14.5**, 024-  
026, 505(g), 505(h), 525, 720-729, 730-  
732  
theological school, **8.6.7, 14.1-14.5**, 024-  
026, 505(g), 505(h), 525, 720-729, 730-  
732  
Total and Permanent Disability, definition,  
001  
transfer  
Candidate, 024(g), 029  
membership, **5.8.1, 5.10.1(1)**, 012, 013,  
014, 153(a)i.  
Transfer Committee, **9.8-9.9**, 710-713  
duties and powers, **9.8.1, 9.9**, 712, 713  
Candidate, 029  
transfer of Presbytery membership,  
316  
meetings, 710  
membership, **9.8**, 711  
transfer of membership, certificate of, **5.8.1,**  
**5.10.1(1)**, 012, 013, 014, 153(a)i.  
travel allowance, 036(h)  
Treasurer  
Church Board, 208  
Church Council, 219(d)  
Conference, 435  
Mission and Service Fund, 187  
Pastoral Charge or Congregation, 170  
Presbytery, 372  
triennial visit, Pastoral Charge, 332(d)  
triennium, **8.5**, 500  
Trustees, Board of, 250-262, App.II  
duties and powers, 259  
general, 250  
meetings, 251-254, App.II.8, App.II.9  
membership, 255-258, App.II.9  
organization, 260  
Chairperson, 261, App.II.8  
minutes, 262, App.II.9  
Trusts of Model Deed, **5.3, 5.13**, 265,  
App.II

**U**

Unfurnished manse, definition, 001  
unified plan of finance, 524(n), 630, 631  
unit, working, General Council, 600, 601  
United Church, definition, 001  
United Church men's organizations, 280-  
282, 830-832, 835, 840, 845  
AOTS, 203, 219(d), 285, 286, 287, 845  
Conference, 840  
national, 845  
Pastoral Charge, 280-282  
Presbytery, 835  
purpose, 831  
representation at Conference, **7.5**,  
410(g)  
representation at Presbytery, **6.2.7**,  
310(b)vii.  
representation on Church Board, 203  
representation on Church Council,  
219(d)  
representation on Official Board, 183  
*United Church Observer, The*, 850-858  
Board of Directors, 855, 856  
Editor, 522(d), 858  
Publisher, 857  
United Church Women, 290-295, 810-814,  
820-824, 825-827  
Conference, 820-824  
meetings  
annual meeting, 824  
organization  
Executive, 823  
purpose, 821  
representation at Conference, **7.3,**  
**7.5**, 410(f), 410(g)  
responsibilities, 822  
National, 825-827  
meetings  
annual meeting, 826(a)  
organization  
Executive, 826(b)  
officers, 826(c)  
purpose, 825  
responsibilities, 827  
Pastoral Charge, 290-295  
representation on Church Board,  
203, 294  
representation on Church Council,  
219(d), 294  
representation on Committee of  
Stewards, 161  
representation on Official Board,  
183(n), 294  
Presbyterial, 810-814  
meetings  
annual meeting, 814  
organization  
Executive, 813  
United Church Women (*continued*)  
Presbyterial (*continued*)  
purpose, 811

INDEX

---

representation at Conference, **7.5**,  
410(g)  
representation at Presbytery, **6.2.7**,  
310(b)vii.  
responsibilities, 812  
United Supply  
definition, 001  
appointment, 041.1(d), 389(b)v.  
units, working, General Council, 600, 601

**V**

vacancy  
Board of Trustees, 258, App.II.9  
General Council Executive, 524(v)  
Session, 152  
Vacancy, Pastoral Charge  
definition, 001  
Pastoral Charge, **9.4.2**, **9.6.1**, **9.7**,  
053.1, 055, 057  
Presbytery action, 041.1(c), 051.1,  
058(f), 059(g)  
vacation, 036(i)  
vacation pay, 036(j)  
Verbatim Record  
Appeal Hearing, 076(t)  
definition, 001  
Formal Hearing, 075(i)  
visit, triennial, Pastoral Charge, 332(d)  
voting, 035, App.III.7

**W**

Whole, Committee of the, App.III.13  
Women's Ministries Network, 290-295  
representation on Church Board, 203,  
294  
representation on Church Council,  
219(d), 294  
representation on Committee of  
Stewards, 161  
representation on Official Board,  
183(n), 294  
working unit, General Council, 600, 601

World Outreach Committee, Conference,  
470  
membership, 470(a)  
responsibilities, 470(b)  
World Outreach Committee, Presbytery,  
393  
duties, 393(b)  
membership, 393(a)  
worship  
Session jurisdiction, **5.10.1(5)**, 153(a)v.  
General Council jurisdiction, **8.6.2(1)**,  
505(a)  
Worship Leader, Licensed Lay, 344  
course of study, 734, 735  
definition, 001  
licence, **6.4.4**, 344  
program of study, 734, 735  
recommendation by Session, **5.10.2(3)**,  
153(b)iii.

**X**

**Y**

young adults  
representation at Conference, **7.5**,  
410(g)  
representation at Presbytery, **6.2.8**,  
310(b)viii.  
youth  
representation at Conference, **7.5**,  
410(g)  
representation at Presbytery, **6.2.8**,  
310(b)viii.  
representation on Church Board, 203  
representation on Church Council,  
219(d)  
representation on Official Board, 183  
youth worker, 041.1, 343, 345

**Z**