



**The United Church
of Canada
General Council**

GC45 COM04 Elected or Not for Summer 2025

True Document Date: August 9, 2025

1. What is the issue? Why is it important?

The current process used to appoint the General Council Executive is not congruent with the will of The United Church of Canada as tested by the 40th General Council, nor the current Basis of Union as modified subsequent to the 41st General Council. This challenge was compounded when, in the opening session of GC45, The Moderator ruled on a point of order in such a way as to contradict the Basis of Union and a Remit authorized by the 40th General Council and ratified by the 41st General Council. The process used to determine the makeup of the General Council Executive needs to abide by the Basis of Union and the Bylaws of The United Church of Canada by using a transparent election process or modifying the definition by remit.

2. What is happening now?

The current process used to determine the membership of the General Council Executive (GCE) is an appointment process as defined by a remit authorized by the 40th General Council (GC) and adopted by the 41st GC. The Basis of Union 7.3.3(2) requires that the GCE be elected, not appointed. The Record of Proceedings for GC40 contains proposal GS3, which was approved and authorized for Remit and subsequently enacted.

It states

"That the 40th General Council 2009 adopt the policy that the terms "appoint" and "elect" be used consistently in the By-Laws in accordance with the understanding

that “appoint” refers to the action taken to fill an office with one or more named individuals, where no nominations of additional individuals for consideration are permitted, and where the decision in respect of each named individual is either in the negative or in the affirmative; and that “elect” refers to the action taken to fill an office with one or more nominated individuals, where nominations of additional individuals for consideration are permitted, and where the decision is made from among the nominated individuals, and that the By-Laws be changed to reflect this policy”

With the restructuring of the denomination in 2018, a new process of appointing the GCE was implemented; however, changing the definition of “elect” was not part of the authorizing remit.

The current process used to appoint the GCE included a call for nominations, a discernment process, and a recommended slate of people to fill the vacancies through appointment. The Nominations Committee clearly understood that they were undertaking an appointment process, as a letter informing nominees that they would not be “nominated for appointment” was sent prior to GC45 being constituted. This is not a critique of the Nominating Committee. They have done an admirable job balancing the requirements and direction provided by staff and the GCE. It is the process, not the people, that is not in keeping with the Basis of Union, denominational bylaws, and previous decisions tested and authorized by remit. While the desire is to select and appoint from amongst potential nominees in order to meet various criteria and subsequent denominational commitments, this is currently happening using a process that decreases transparency, limits the fiduciary responsibility of Commissioners, and limits the letter and intent of the Basis of Union for each gathering of a GC to nominate and elect its executive.

Additionally, the process becomes more concerning when the ability to nominate from the floor as part of an election process is denied. GC40 clearly understood that the ability to nominate from the floor was a significant factor in the election of the GCE and a defining characteristic between an election and an appointment. The presentation of the slate did not include the names of those who were nominated, the gifts and skills they’d bring to the role, the criteria used to determine the slate, or why some regions seem overrepresented compared to others. Rather, a slate for ratification was presented without the ability to alter it. While the GC could have voted “no” to the proposed slate, GC45 was not informed that this was an option, nor what the process might be in such an eventuality. Again, this is not a

critique of the Nominating Committee. The Manual 2025 D.4.6.2(d) clearly states that it is the responsibility of the Nominating Committee to recommend people for appointment to the GCE; however, an appointment process with no open nominations nor transparency in nominees or criteria is not an election as required by the Basis of Union.

3. What is the recommendation?

In order to address the deficiencies in the process, GC45 could,

- i. Affirm the definitions of “appoint” and “elect” approved by Remit and enacted by GC41.
- ii. Acknowledge that the ruling of The Moderator not to allow nominations from the floor was ultra vires to the Basis of the Union, which requires an election of the GCE using the current definition of “Elect”.
- iii. Affirm the validity of the subsequent vote and the appointment of the slate of nominees to the GCE as presented by the Nominations Committee.
- iv. Direct the Manual Committee to bring a proposal to the Annual General Council Meeting in 2026 on how to strengthen the nominations process for the GCE, including a review of the criteria used by the Nominations Committee, ensuring a fair and equitable election, and any potential changes to The Basis of Union or The Manual, including those requiring a remit.
 - a. Such a process could include
 - i. Declaring the names and qualifications of all nominees.
 - ii. Providing an opportunity to nominate from the floor.
 - iii. A time of discernment and sorting based on declared criteria.
 - iv. Presenting a slate of nominees that fulfill denominational commitments.
 - v. Voting on a selection of nominees from within categories of nominees that would fulfill denominational commitments.

4. Background information:

Record of Proceedings for GC40, 41, and 42, and 43

The Basis of Union

The Manual 2025

5. How does this proposal help us to live into our church's commitments on equity?

The proposal provides a mechanism for creating an election process that is both equitable and transparent while respecting the decisions made by The United Church of Canada through the Remit process and previous General Councils.

Specifically, equity behind closed doors isn't equity and invites suspicion of the process and a greater possibility for power to be misused. This proposal calls on GC45 to look at ways to make our commitments to reconciliation, anti-racism, interculturalism, Affirming, and equity transparent through the processes that are used.

Additionally, it could allow future General Councils to know exactly who was nominated, the skills and abilities of those people, the lenses that were used in selecting a recommended slate, how that slate abides by the commitments that have been made and any new ones that are yet to be. It will foster a deeper level of trust in the process.

In short, it isn't just that you've said you've been equitable that is important. It is how you achieve it. The proposed review and strengthening of the GCE nominations process seeks to ensure that no singular group is advantaged and the process is as transparent and equitable as possible.

The creation of this proposal included consultation with the General Counsel, Shared Service of The United Church of Canada; the Regional Executive Minister for Pacific Mountain Regional Council; the Chairperson of the GC45 Business Committee; and Commissioners to GC45.

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