



**2016 CONSTITUTION AND CANONS OF  
ANGLICAN DIOCESE OF THE TRINITY (ADOTT), AS AMENDED**

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**ABSTRACT**

Amendment in the Nature of a Substitute to the Constitution and Canons of the Anglican Diocese of the Trinity to align with the Church of Nigeria (Anglican Communion) Constitution and Other Matters

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Amended Constitution and Canons

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# Anglican Diocese of the Trinity

## Constitution and Canons

### Preamble

In the Name of God, the Father, the Son, and the Holy Spirit, Amen:

- I. Anglican Diocese of the Trinity (Diocese) is a Diocese of the Church of Nigeria Anglican Communion. It is composed of Anglicans united by a common faith in the Lord Jesus Christ and a commitment to the trustworthiness of the Holy Scriptures. As Anglicans, we believe and confess Jesus Christ to be the Way, the Truth, and Life, and that no one comes to the Father but by Him.
- II. The Diocese was formed by the authority of the Church of Nigeria (Anglican Communion), and is a member of the Convocation of Anglicans in North America (CANA). It is composed of Anglicans united by a common faith, who proclaim the Doctrine and Sacraments of the Lord Jesus Christ as expressed in the fundamental declarations of the Constitutions and Canons of the Church of Nigeria (Anglican Communion).
- III. The Diocese is non-geographical but comprises of clusters of Churches and Parishes in North America, (USA and Canada) and any other geographical area assigned to it by the Church of Nigeria, subdivided into missionary archdeaconries for administrative purposes.

### Article 1: Fundamental Declarations

The Diocese acknowledges the authorities and powers of the Church of Nigeria (Anglican Communion) and hereby adopts, receives, and affirms the Global Anglican Future Conference (GAFCON) Statement and the Jerusalem Declaration issued June 29, 2008. The Diocese acknowledges, consents and adopts to the Protocol signed between the Church of Nigeria (Anglican Communion) and Anglican Church in North America (ACNA) in Houston, Texas, United States of America on March 12, 2019.

### Article II: Mission and Worship

1. Mission. The mission of the Diocese is to extend the Kingdom of God by presenting Jesus Christ as the power of the Holy Spirit through whom people everywhere will come to put their trust in God; know and accept Him as Savior; and serve Him as Lord in the fellowship of the Church. The people of God are the chief agents of the mission to extend the Kingdom of God; thus, the work of the Diocese is to equip its members to serve as Christ's ambassadors of reconciliation with God, to plant new congregations, and to make disciples of all nations, baptizing them in the Name of the Father, and of the Son, and of the Holy Spirit, and teaching them to obey everything commanded by Jesus Christ.
2. Worship in the Diocese. The worship of Almighty God in the Diocese shall be according to the biblical Anglican Faith and Order and shall be conducted according to this Constitution and as recommended by the Constitution and Canons of the Church of Nigeria (Anglican Communion).

### Article III: Order, Governance, and Discipline

The order, governance, and discipline of the Diocese shall be vested in the Bishop as the Ecclesiastical Authority, the Diocesan Board, the Synod, and the Ecclesiastical Trial Court of the Diocese in conformity with this Constitution.

#### **Article IV: The Synod**

1. Authority. The Synod shall be the legislative body of the Diocese with authority to amend the Constitution, adopt Canons, approve resolutions and take any other specific action for the conduct of the affairs of the Diocese.
2. Composition. The Synod shall be composed of the Bishop, the House of Clergy and the House of Laity. The House of Clergy shall be composed of all Priests and Deacons in the Diocese under the license of the Bishop. The House of Laity shall be composed of Lay Delegates elected by Parishes and Missions of the Diocese according to the Canons.
3. Meetings. There shall be an annual meeting of the Synod. There may be Special Meetings or Election Synod (for the election of a Bishop) as provided by the Constitution and Canons. Elected Lay Delegates shall serve only for the annual meeting of the Synod for which they are chosen and for any Special Meeting to be held prior to subsequent annual meeting, unless other delegates are chosen specifically for such Special Meeting.
4. Quorum for the Transaction of Synod Business. In order to constitute a quorum for the transaction of business at any Synod meeting, a majority of the Delegates of the Diocese comprising of at least fifty percent (50%) of the total number of Parishes and Missions must be present.
5. Presiding Officer of the Synod. The Bishop shall be the Presiding Officer and shall preside at all meetings of the Synod unless he assigns the role to a member of the Synod. In the Bishop's absence, an organ of the Diocese as authorized by the Canons shall assign the role of Presiding Officer to a member of the Synod.
6. Voting. The Synod shall deliberate and vote as one body and a majority of those voting shall be necessary for a decision. However, a vote by Orders shall be held for any other purpose as may be called for by this Constitution and for such other purposes as may be authorized by the Canons.

#### **Article V: Diocesan Board**

There shall be an established Diocesan Board as the executive body of the Diocese to perform those duties required by the Constitution and the Canons. Composition of the Diocesan Board shall be as provided by Title 1, Canon 4 of the Constitution and the Canons of ADOTT.

#### **Article VI: Office of the Bishop**

1. Calling to the Episcopate (I Timothy 3). A Bishop is called by God to be a shepherd who feeds the flock entrusted to his care. A Bishop is an overseer of the flock and as such is called to propagate, to teach, and to uphold and defend the Faith and Order of the Church, willingly and as God directs. He must not be greedy for money but be eager to serve, not lording the authority of his office or position over those entrusted to his care. He must be a humble, wholesome example to the entire flock of Christ. By the tradition of Christ's One, Holy, Catholic, and Apostolic Church, Bishops are consecrated for the whole Church and are successors of the Apostles by and through the grace of the Holy Spirit given to them. They are chief missionaries and chief pastors, guardians and teachers of doctrine, and administrators of godly discipline and governance.
2. The Episcopate. It is appropriate in this Diocese to understand the "godly historic Episcopate" definition as "inherent part of the apostolic faith and practice," in the

sense in which the office of Bishop or overseer (episcope) has existed from the Apostles' time and as instituted in the New Testament.

3. Qualifications for Bishop. A suitable candidate for Bishop must:
  - a. Be a person of prayer and strong faith;
  - b. Be pious, have exemplary morals, and exhibit godly characters;
  - c. Have a zeal for the salvation of and care for souls;
  - d. Have demonstrated evidence of the fruit of the Holy Spirit;
  - e. Possess the knowledge and gifts that equip him to fulfill the office;
  - f. Be held in high esteem by the faithful;
  - g. Be a male Priest at least 35 years of age;
  - h. Have served as Rector of a Parish;
  - i. Have demonstrated the ability to lead and grow the Church; and
  - J. Have affirmed the Fundamental Declarations of the Diocese.

#### **Article VII: Election of the Bishop**

1. Every Bishop of Church of Nigeria shall be elected by the Episcopal Synod in accordance with the procedure laid down in the Cannons and Regulations made under this Constitution but such election shall not take effect until the same is confirmed by the Archbishop, Metropolitan and Primate.
2. In the event of the death, retirement, resignation or removal of a Bishop, there shall be elected-
  - (a) A successor not later than three (3) months before the retirement or resignation of the serving Bishop and he shall be known as Successor Bishop;
  - (b) A successor not later than three (3) months after the death or removal of the serving Bishop and he shall be known as the Bishop;
  - (c) The Successor or successor Bishop under (a) above shall within the three (3) months of election, before resumption of office understudy the outgoing Bishop.
3. The Bishop of the Anglican Diocese of the Trinity (ADOTT) shall be elected from among the Bishops or clergy of ADOTT or any Diocese of the Church of Nigeria or of any other Diocese in Communion with the Church of Nigeria.
  - a. The elected Bishop shall serve until the age of 70 years which can be extended by not more than two (2) years by the Episcopal Synod and confirmed by the Primate of the Church of Nigeria (Anglican Communion).

#### **Article VIII: Bishop's Unauthorized Absence or Absence due to Disability**

If the Bishop becomes absent without the authority of the Synod or that of the Diocesan Board, or if the Diocesan Board should determine upon careful deliberation that the Bishop is incapacitated or otherwise prevented from performing the duties of his office, the Diocesan Board shall advise the Primate of the Church of Nigeria (Anglican Communion) and Episcopal Synod in writing, who may provide interim episcopal oversight of the Diocese pending the return of the Bishop or the election of a new Bishop.

#### **Article IX: Candidates for Holy Orders**

1. Seeking Holy Orders. Any person who has been confirmed or received by a Bishop in the Anglican Communion, who believes he is called by the Almighty God to the ordained ministry in the Church, should seek the discernment of others to confirm that call.

- a. A person applying to be ordained a Deacon must at the time of ordination be not less than 23 years of age, has made a public commitment of his faith in Christ, has lived the Christian faith in an exemplary manner for some time, and has been a part of a Parish or Mission of the Diocese for not less than one year, except for good cause as determined by the Bishop
  - b. A person applying to be ordained a Priest must be a man who has been a Deacon for not less than 1 year, has made a public commitment of his faith in Christ and has lived his Christian faith, and served as a Deacon in an exemplary manner for some time. Variations in the time frames for having served in the diaconate are at the discretion of the Bishop.
  - c. The Bishop retains the privilege of modifying the requirements for ordaining an applicant when the mission needs of the Diocese dictate.
  - d. The Bishop retains the privilege of denying the ordination of any applicant at any time during the preparation for ordination. And the Bishop may suspend or revoke a license after ordination if the ordained person fails to fulfill a condition of the ordination.
2. Reception of Ordained Clergy. The Bishop may receive to the Diocese to ordained ministry any ordained Deacon or Priest provided that such Clergy is willing to comply fully with the Constitution and Canons of the Diocese and fully submit to the authority of the Bishop.

**Article X: Diocesan Committee on Constitution and Canons**

There shall be established a Committee on Constitution and Canons which shall from time to time review and recommend amendments to the Constitution and Canons and to ensure conformity of the Constitution and Canons with that of the Church of Nigeria (Anglican Communion). This Committee shall review and report its recommendation to the Diocesan Board regarding any proposed amendment to the Constitution or Canons.

**Article XI: Officers of the Diocese**

In addition to the Bishop, the Officers of the Diocese shall include the Suffragan Bishop (if any), Chancellor, Deputy Chancellor (if any), the Secretary, the Treasurer, the Registrar and other Officers (including officers by Preferment) as may by Canons be established. The selection and duties of the Officers of the Diocese shall be prescribed by the Canons.

**Article XII: Ecclesiastical Trial Court Established**

- 1. There shall be an Ecclesiastical Trial Court of the Diocese for the application of Church discipline in accordance with the Constitution and Canons, and to resolve such other disputes and controversies which may by Canon or request of the Bishop be submitted to it.
- 2. The jurisdiction, composition, terms of office, and procedures of the Ecclesiastical Trial Court shall be established by Canons.

**Article XIII: Standard of Morality**

- 1. Exemplary Morality. Clergy and Laity of this Diocese are called to be exemplary in all spheres of morality. This is a condition of being appointed to or remaining in a position or office of leadership or holding any license from the Bishop. Failure to exemplify biblical morality in attitude and action may lead to disciplinary action by the Bishop.

2. Sanctity of Marriage. In view of the teaching of the Holy Scripture, the Lambeth Conference of 1998 , and the Jerusalem Declaration , this Diocese upholds faithfulness in marriage between one man and one woman in lifelong union; believes that abstinence from sexual relations is right for those who are not called to marriage; cannot, and shall not, legitimize or bless same-sex unions or ordain persons who engage in homosexual behavior. Sexual relations should take place only between one man and one woman who are married to each other.
3. Sanctity of Life. God, and not man, is the creator of human life. The unjustified taking of life is sinful. Therefore, all Clergy and laity are called to uphold and respect the sanctity of every human life from conception to natural death.
4. Pastoral Ministry. Clergy and Laity are called upon to show Christ-like compassion to those who have fallen into sin, encouraging them to repent and receive forgiveness, and offering the ministry of healing to all who suffer physically or emotionally as a result of such sin.
5. Pastoral Relationship. As used in this Canon, pastoral relationship is a relationship carried out in the name of or on behalf of the Diocese, a Parish, or a place of ministry, as the case may be, between a cleric, employee or volunteer and any person to whom such cleric, employee or volunteer provides pastoral counseling, pastoral care, spiritual direction, spiritual guidance or from whom the cleric, employee or volunteer has received confession or confidential or privileged information. In assuming responsibility for such a relationship, the cleric, employee or volunteer shall acknowledge responsibility for the well-being of the other person, intends to respect that individual's personal integrity and determines not to abuse the power inherent in the relationship
6. Protection of Children, Young People and Adults. Clergy and Laity are stewards responsible for the nurturing and care of children, young people or adults who participate in the life of the Parish. There is no tolerance for engaging in or remaining silent about inappropriate sexual language or advances toward or abuse of children, young people or adults.

**Article XIV. Property of Parishes and Missions**

1. All property, real and personal, owned or held by or on behalf of a Parish or Mission of the Diocese is and shall be owned by that Parish or Mission, free of any trust or other claim in favor of the Diocese.
2. A Parish or Mission may not alienate or encumber its real property unless authorized by a majority vote of those who are eligible to vote and are present at its annual Parish meeting (with adequate advance notice that such a vote will be held) or at a meeting called for that purpose with adequate advance notice.

**Article XVI. Property of the Diocese**

Any property, both real and personal, owned by the Diocese now and in the future, is not and shall not be subject to any trust interest in favor of CANA, the Church of Nigeria (Anglican Communion), or any other Province of the Anglican Communion.

**Article XVII: Incorporation**

The Diocese may incorporate in accordance with the laws of the State or Province where it is located or the State or Province where any of its Parishes or Missions is located. The Bishop shall be the President of the corporation and the Diocesan Board, its Board of Directors. Operation of the corporation shall be as provided by the Canons and applicable State law.

**Article XVIII: Affiliation**

The Diocese may be in a Ministry Partner with ACNA under the authority of the Church of Nigeria (Anglican Communion). Affiliations among the Dioceses in the Provinces and the ecclesiastical organizations shall be voluntary and based on the mutual willingness of both to establish and maintain such membership or affiliation. All members hips and affiliations shall be formed, maintained, or terminated under terms established by the Canons.

**Article XIX: Adoption and Amendment**

1. This Amendment in Nature of a Substitute to the Constitution shall be adopted and become effective as the "Constitution of the Diocese" upon its approval by a majority vote of the delegates at Synod of the Diocese in July of 2019.
2. No amendment to this Constitution may be adopted until it has been reviewed by the Bishop and approved by the Committee on Constitution and Canons and their recommendations given to the Diocesan Board for final recommendation to the Synod. This Constitution may be amended by a majority vote at any Annual Meeting of the Synod or any Special Meeting called for such purpose.

## **Canons**

### **Title I: Organization and Administration of the Diocese**

#### ***Canon 1: Order, Governance, and Discipline of the Diocese***

1. Governance. The order and governance of, and discipline within, the Diocese shall be vested in the Bishop, the Diocesan Board, the Synod, and the Ecclesiastical Trial Court.
2. Features. Elements of authority, order, governance, and discipline in the Diocese include, but not limited to the following:
  - a. Fundamental agencies in the Diocese are the Parishes and the Missions.
  - b. Ecclesiastical Authority of the Diocese is vested in the Bishop and, in the absence of the Bishop, the Diocesan Board.
  - c. Clergy and Laity of the Diocese shall honor the Bishop and submit to his leadership and authority in all things lawful and in accordance with the Holy Scripture and Anglican tradition.
  - d. Ordained ministers in the Diocese shall be exercised exclusively by the Bishop, Priests, and Deacons duly ordained, received or licensed by or under the authority of the Bishop of the Diocese.
  - e. The legislative and non-ecclesiastical executive authority of the Diocese is vested in the Synod and the Diocesan Board.
  - f. The judicial authority of the Diocese is invested in the Ecclesiastical Trial Court.
3. Diocesan Property. The Diocese may own its own property and any such property shall be free of any claim of trust or ownership by any other ecclesiastical entity.

#### ***Canon 2: Archdeacons and Bishop Advisor***

1. Appointment: The Bishop shall have the authority to appoint Archdeacons for each regional archdeaconry or Archdeacons without geographical territory, such as Faculty Archdeacon and Archdeacon of the Cathedral.
2. Establishment. The Diocese may be divided into archdeaconries for the purpose of administration, common ministry, communication, pastoral care, accountability, and fellowship.
3. Number. The number of archdeaconries and their boundaries shall be determined by the Bishop, in consultation with the Diocesan Board.
4. Regional Archdeacons. Regional Archdeacons shall function on behalf of the Bishop within the specific territorial limits of their archdeaconries.
5. Presiding Officers. The presiding officer of each archdeaconry shall be an Archdeacon appointed by the Bishop. An Archdeacon serves at the pleasure of the Bishop.
6. Functions of an Archdeacon. The functions of an Archdeacon shall be to assist, advise, support the Bishop's pastoral functions over the Diocese while performing other functions as may be directed by the Bishop from time to time.

**7. Specific Responsibilities of Regional Archdeacons. Responsibilities of a regional Archdeacon shall include the following:**

- a. Providing pastoral assistance, insights, counsel, evaluation and feedback to the Bishop regarding the Archdeaconries,
  - b. Maintaining contact with the Parishes of the Archdeaconry with a view to preventing potential crises, solving current problems and identifying opportunities for more effective ministry and to advise the Regional Dean of such contacts,
  - c. Encouraging regional gatherings to develop shared ministry within the region, and to facilitate greater understanding and commitment to the Diocesan mission and interpret Diocesan policies to Parishes as necessary,
  - d. Represent the Bishop in dealing with Parishes and Clergy and represent the Parishes and Clergy to the Bishop and/or appropriate Synod representatives and committees,
  - e. Being a member of the Diocesan Board,
  - f. Assisting the Bishop at the induction and institution of a new incumbent or the dedication of a church building as may be required,
  - g. Welcoming the Associate or Assistant Priest on behalf of the Bishop,
  - h. Meeting with the Bishop as the Bishop shall require, and
  - i. Performing other responsibilities as may be directed by the Bishop from time to time.
8. Meetings. There shall be regularly scheduled meetings of the clergy in each archdeaconry, which shall be scheduled by the Archdeacon in his performance of the specific responsibilities. When necessary, meetings may be held electronically by teleconference or videoconference or by converging to a common venue as maybe appropriate.
9. Advisor to the Bishop. The Bishop shall have the option to appoint one member of the clergy as advisor with respect to the mission of the Diocese. The duties of the advisor may include but are not limited to: pastoral and counseling functions, visitations to parishes, development of parishes, the planting of new Parishes, and relationships with and among parishes and deaneries. The advisor shall be an ex- officio member of the Diocesan Board.

***Canon 3: The Synod***

- I. Power, duties, and composition. The Synod is the legislative body of the Diocese and shall have the power to adopt and amend the Constitution and Canons of the Diocese and establish and oversee the program of the Diocese.
2. President: The Bishop shall be the presiding officer of the Synod, except that in his absence, the Diocesan Board may elect any of its members as the presiding officer.
3. Composition. The Synod shall be composed of the Bishop, the House of Clergy and the House of Laity.
  - a. The House of Clergy shall consist of all Priests and Deacons who hold the license of the Bishop. An official list of all duly ordained Priests and Deacons under the authority of the Bishop shall be maintained by the Registrar and be on file in the central office of the Diocese. The list shall contain the addresses

and positions of the clergy and shall be published at least 30 days in advance of any meeting of the Synod. The official list shall be available to the Synod on the first day of its meeting. Every member of the clergy under the authority of the Bishop shall attend every meeting of the Synod unless excused by the Bishop in writing.

- b. The House of Laity shall consist of such communicant members of the Parishes and Missions of the Diocese, of the age of 18 years and above, who have been elected as Lay Delegates of the Parish or Mission they represent. Each Parish of the Diocese and each Mission of the Diocese shall be entitled to two Lay Delegates to be selected as prescribed by Canons with no more than one alternate for each delegate so chosen and shall report its selection no later than 60 days before the ensuing meeting of the Synod. Each delegate and alternate shall be an Eligible Voter in the Parish or Mission represented.

4. Officers of the Synod: Officers of the Synod shall be:

- a. The Bishop;
- b. The Chancellor;
- c. The Deputy Chancellor;
- d. The Registrar;
- e. The Archdeacons;
- f. The Treasurer;
- g. The Clerical Secretary
- h. The Lay Secretary

5. Meetings of the Synod. The Synod of the Diocese shall meet every year and may also have Special Meetings called for a specific purpose.

- a. A quorum of the Synod of the Diocese shall consist of a majority of the Delegates of the Diocese with delegates representing at least one half of the Parishes and Missions of the Diocese.
- b. The Bishop with the advice of the Diocesan Board shall determine the date, time, and place of all meetings of the Synod.
- c. The Diocesan secretariat comprising of the Clerical Secretary and the Lay Secretary shall give notice of Annual Meetings at least 90 days in advance, except for good cause as determined by the Bishop and the Diocesan Board, and no less than 15 days prior to any Special Meeting.
- d. The agenda for any Synod meeting shall be distributed to Delegates no fewer than 15 days prior to the meeting.
- e. When necessary, a meeting of the Synod may be held electronically by teleconference or videoconference or by converging at a common venue as maybe appropriate.
- f. Expenses related to the attendance of meetings by the Delegates shall be at no cost to the Diocese and, except as may be alternatively arranged by each Parish and Mission of the Diocese, attendees shall be solely responsible for transportation and accommodation expenses of attending a meeting.
- g. Delegates may be charged nominal fees as registration dues for the meeting.

- h. It shall be a violation punishable by a sanction which may include fine or suspension from office, for an Archdeacon, any member of the Clergy, any officer of the Diocese, or a Delegate to fail to attend a Synod meeting or fail to participate in a Synod function as required without the express written permission of the Bishop. A written request for permission of absence or non-participation not received by the Bishop with copy to the Synod Secretary, within 15 days of a meeting or an event, by regular mail or email, shall not be considered.
6. Committees of the Synod. There may be Synod Committees, as the Bishop may deem necessary. Committees' members may be appointed by the Bishop or nominated by the delegates. Each committee shall keep its records and all committee recommendations shall be in writing.
7. Synod Credentials Committee. A Synod Credential Committee, appointed by the Bishop, shall consist of two Clergy and two Lay Delegates who shall determine the presence of a quorum in accordance with these Canons and hear and resolve any disputes over proper representation in the Synod, subject to appeal to the Bishop.
8. Parliamentarian. The Chancellor, or in his absence, the Deputy Chancellor, shall act as the Parliamentarian to advise the Bishop and the Synod on parliamentary issues. The ruling of the Bishop on any parliamentary matter may be overridden by a vote of two-thirds of those present and voting at the Synod.
9. Diocesan Delegates to Provincial Council. The Synod shall elect the delegates and alternates to all meetings of CANA and the Church of Nigeria (Anglican Communion) at all levels that require representation by the Diocese. Members of the Diocesan Board may fill vacancies in the event that an insufficient number of elected delegates or alternates are unable to serve.
10. Rules of Order. The following rules shall apply as the parliamentary procedure of the Synod and shall not be amended, suspended or repealed except by an affirmative vote of a majority of the delegates present.
  - a. No motion shall be considered or debated until it is seconded, and, when seconded, it shall be stated by the President before debate begins.
  - b. If the motion in debate contains several distinct propositions, any member may have the same divided.
  - c. When a motion is under consideration, no further motion shall be received unless to lay upon the table, to postpone indefinitely, to postpone to a certain time, to commit, or to amend; and motions for any of these purposes shall have precedence in the order herein named.
  - d. If the motion to lay upon the table carries, the Synod shall proceed as if no such motion had been offered. The motion to lay on the table and to adjourn shall be decided without debate. The motion to adjourn shall always be in order. At the conclusion of debate, and prior to vote being taken, the motion in its final form shall be stated by the Secretary.
  - e. On a question being put by the President, it shall be determined by voice vote for or against it; but any member may require the count of votes, and Tellers for that purpose shall be appointed by the President. A majority of the members present may, previous to a decision by count, require the ayes and nays to be taken, which shall be done by calling the names of the clerical

members and then of the names of the lay delegates of each parish, and all votes by ayes and nays shall be entered upon the minutes.

- f. A question once decided shall not be reconsidered during the same session without an affirmative vote of two-thirds, nor without a motion for that purpose being made by one of the majority on the prior decision; nor shall any question be reconsidered more than once.
- g. All decisions determined by vote within the Synod shall be by simple majority with the exception of the election of a bishop (Canon I) or unless an exception be made by a two-thirds vote of the delegates, or unless otherwise established by Canon or by the Rules of Order.
- h. All questions of order shall be decided by the President, subject to an appeal to the Synod. A simple majority is required to overrule the President.
- i. Where the foregoing is insufficient to address an issue or where cogent interpretation of terms is needed, the current edition of the Rules of Order shall apply as alternative Rules of Order.

***Canon 4: Diocesan Board***

- 1. The Diocesan Board shall be an executive body representative of the Church in this Diocese and acts as the traditional "Standing Committee" with power and authority to implement the policies and programs adopted by the Synod and to act on behalf of the Synod between meetings of that body.
- 2. Composition. The Diocesan Board shall be composed of the following members:
  - a. The Bishop, who shall be the Chairman,
  - b. The Bishop Suffragan (if any),
  - c. The Chancellor,
  - d. The Deputy Chancellor,
  - e. The Registrar,
  - f. The Archdeacons,
  - g. The Clerical Secretary (who shall serve as secretary),
  - h. The Lay Secretary,
  - i. The Treasurer of the Diocese,
  - j. The Canon (or Archdeacon) of the Cathedral, and
  - k. Two Laity (one male and one female) per Archdeaconry nominated by the Bishop, to serve for a term of one year each.
  - l. Advisor to the Bishop (Ex-officio)
  - m. Diocesan President of the Mother's Union and Women's Guild
  - n. Two Women representatives from Mother's Union and Women's Guild; and
  - o. The ADOTT Administrative Archdeacon
- m. Qualification. Lay Members of the Diocesan Board shall be Eligible Voters in a Parish or Mission of the Diocese. Clergy members of the Diocesan Board shall be those under the authority of the Bishop.
- n. Powers and Duties. The Diocesan Board shall have the following powers and duties:
  - a. Serve as a council of advice to the Bishop,

- b. Together with the Bishop, act to accept or deny an application for admission of a Parish or Mission into the Diocese,
  - c. Serve as nominating committee for all offices to be filled by the Synod,
  - d. Serve as the authority of the Synod in-between meetings of the Synod, except for the authority to amend the Constitution and the Canons of the Diocese,
  - e. Adopt and amend the budget of the Diocese,
  - f. Perform such other duties and responsibilities, as may be assigned by the Synod or the Bishop; except that such other duties shall not contravene the Constitution and Canons of the Diocese.
- o. Voice, Vote, and Quorum. The Bishop and each member of the Diocesan Board elected or appointed (except the Treasurer) shall have voice and vote. Fifty percent of the voting members of the Diocesan Board shall constitute a quorum for the transaction of business. Items before the Board, unless otherwise specified **in** the Canons, shall be passed or rejected by a simple majority vote.

***Canon 5: Diocesan Officers***

1. Officers of the Diocese. Officers of the Diocese shall be composed of the following:
  - a. Bishop. The Bishop shall serve as the Ecclesiastical Authority of the Diocese and serve as the President of the Synod and Chairman of the Diocesan Board.
  - b. Chancellor. The Chancellor of the Diocese, appointed by the Bishop, shall be a member of the Diocese. He or she shall be learned in the law and licensed to practice law in one of the jurisdictions encompassed by the Diocese. The Chancellor shall have the responsibility for the legal affairs of the Diocese and shall serve as counsel to the Bishop and the Diocesan Board in addition to other responsibilities prescribed by Canon. The Bishop may appoint deputy chancellors as necessary.
  - c. Deputy Chancellor. The Deputy Chancellor shall assist the Chancellor and act in his absence.
  - d. Registrar. The Registrar, appointed by the Bishop, shall be a member of the Diocese. He or she shall be the custodian of official records of the Diocese and shall issue such certification as may be directed by the Bishop or the Diocesan Board.
  - e. Clerical Secretary. The Clerical Secretary of the Diocese, elected by the Synod, shall be a member of the Diocese and shall perform secretarial duties as required.
  - f. Lay Secretary. The Lay Secretary of the Diocese, elected by the Synod, shall be a member of the Diocese and shall perform secretarial duties as required.
  - g. Treasurer. The Treasurer of the Diocese, elected by the Synod, shall be a member of the Diocese. He or she shall be the custodian of all the funds of the Diocese and shall be learned in financial and accounting matters. The Treasurer shall be bonded in such amount as the Diocesan Board from time to time shall deem appropriate; shall prepare the annual diocesan budget.
  - h. Financial Secretary. The Financial Secretary of the Diocese, elected by the Synod, shall file an annual report to the Synod on the financial status of the Diocese, including reports of account for all funds under the custody or

control of the Treasurer, profit and loss statements, and balance sheets. The Treasurer shall also be responsible for the preparation of such periodic financial reports as may be required by the Diocesan Board.

1. Team of Auditors. There shall be a team of two auditors elected by the Synod comprising, where possible, a laity and a clergy, to be the auditors of the Diocese to audit the books of the Diocese annually and whenever required by the Bishop or the Diocesan Board. Nothing in this subsection shall preclude the Diocese from engaging an independent outside auditor to audit its books whenever such is determined as necessary by the Bishop or the Diocesan Board.
2. Preferment Offices. Notwithstanding the provisions of these Canons, the Bishop may at his discretion, designate a preferment office. The Bishop, at his sole discretion, may grant or remove the preferment office of Archdeacon and Canon. A preferment is not a right but a privilege. The Bishop may remove a preferment for just cause (incompetence, conduct unbecoming of one's role, etc.) or modify it at his discretion (e.g. allow the recipient to keep the title but remove the recipient from active functions).
  - a. Portfolios. Responsibilities assigned to a preferment and the duration of such responsibilities shall be at the sole discretion of the Bishop. During that period of time the Bishop may, at his discretion, modify or change the portfolio based upon the skills and needs of the Diocese.
3. Tenures of Office. Chancellor, Deputy Chancellor, Secretary, Registrar and the preferment officers shall serve at the pleasure of the Bishop and be members of the Synod with voice and vote. The Treasurer shall serve at the pleasure of the Diocesan Board and be a member of the Synod with voice and vote.

### ***Canon 6. Committees of the Diocese***

- I. Finance Committee
  - a. Establishment. There shall be a Finance Committee of the Diocese, appointed by the Bishop with the advice and consent of the Diocesan Board, with at least one representative from the Diocesan Board. The Treasurer shall also serve as an ex officio member with voice and vote.
  - b. Duties. The Finance Committee shall oversee the Treasurer; assist in preparing the annual Budget of the Diocese; and shall issue guidelines for audits and investment management, and Parishes' and Missions' annual financial reviews. The Finance Committee shall oversee the insurance and benefits programs for the Diocese, its clergy, and lay personnel.
  - c. Reporting and Audits. The Finance Committee shall cause the records and accounts of the Treasurer to be audited by the Diocesan Auditors on an annual basis, or by independent auditors when necessary. The Finance Committee shall issue periodic reports to the Bishop and the Diocesan Board on the financial condition of the Diocese.
2. Committee on Constitution and Canons
  - a. Establishment. There shall be a Committee on Constitution and Canons, which shall consist of four members plus the Chancellor. The Chancellor

shall serve as the chair of this committee. Members shall be appointed by the Bishop after consultation with the Chancellor.

- b. Duties. The Committee shall propose and review amendments to the Constitution and Canons of the Diocese. All proposed amendments to the Constitution or Canons shall be submitted to the Diocesan Board no fewer than 30 days prior to the next Synod meeting. The Diocesan Board shall provide the final recommendation to the Synod for all proposed amendments.
3. Disciplinary Committee
    - a. There shall be established a Disciplinary Committee which shall comprise of the Chancellor, the Deputy Chancellor, and the Registrar as permanent members, two Archdeacons, and two laities, one of which shall be a woman, as ad hoc members to be appointed by the Bishop from time to time.
    - b. Duties. The Committee shall advise the Bishop on matters of discipline and resolution of conflicts referred to it by the Bishop. The Committee shall only meet or deliberate on an ad hoc basis only when requested by the Bishop on a matter and upon the appointment of the ad hoc members by the Bishop. Recommendations of the Committee shall be advisory and not binding on the Bishop.

## **Title II: Ordination of Ministers**

### ***Canon 1: Examining Chaplains***

1. The Diocesan Board shall assist the Bishop with the identification, selection, examination, interviewing, and other screening of applicants for admission as postulants and as candidates for ordination to Holy Orders.
2. The Diocesan Board shall also assist and advise the Bishop in formulating the needs and requirements for the present and future ministry in the Diocese, regarding the manner of selection of persons for ministry.
3. The Bishop may appoint Examining Chaplains from among members of the Diocesan Board for the purpose of assisting the Bishop with oversight of postulants and candidates for ordination and their assessment for ordination.

### ***Canon 2: Ordination of Deacons***

1. Prerequisites for Ordination. No person shall be ordained a Deacon in this Diocese until that person shall have completed satisfactory assessment conducted by those appointed by the Bishop for that purpose. Such person shall have demonstrated sufficient knowledge of Holy Scripture, the Doctrine, Discipline, and Worship of the Anglican Communion and any other topics the Bishop shall deem necessary for the Office and Ministry of a Deacon, and shall have subscribed without reservation to the declaration set forth in this Canon. The prescribed preparation and course of study for ordination shall be at the discretion of the Bishop.
2. Declaration of Ordinands. No person shall be ordained a Deacon in the Diocese until such person shall have subscribed without reservation to the following declaration in addition to other necessary oaths:

*"I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation, and I consequently hold myself bound to conform my life and ministry thereto, and I do solemnly engage to conform*

*to the Doctrine, Discipline, and Worship of Christ as this Church has received them."*

**Canon 3: Ordination of Priests**

1. Ordination Following Period of Diaconate. No man shall be ordained a Priest in this Diocese unless he shall have first been ordained a Deacon. No Deacon may be ordained as Priest prior to twelve months from the date of his ordination to the diaconate. The Bishop may for good cause shorten the period of required service as a Deacon.
2. Theological Requirements and Assessment of Candidates. No Deacon shall be ordained a Priest in this Diocese until he shall have passed a satisfactory assessment prescribed by the Bishop. The prescribed course of study and components of the assessment shall be at the discretion of the Bishop.
3. Required Declaration of Priests. No person shall be ordained a Priest in the Diocese until he shall have subscribed without reservation to the following declaration in addition to other required oaths:

*"I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary to salvation, and I consequently hold myself bound to conform my life and ministry thereto, and I do solemnly engage to conform to the Doctrine, Discipline, and Worship of Christ as this Church has received them."*

**Canon 4: Licensed Lay Orders**

1. Recognition. The Diocese recognizes that the ministry of the laity is indispensable to the work of the Diocese and that this ministry originates within each Parish and Mission. All Clergy, Parishes, and Missions of the Diocese are strongly encouraged to equip the laity for ministries in their communities.
2. License. Rectors and Clergy overseeing Parishes and Missions may seek the Bishop's license for Lay Church Planters, Lay Evangelists, Lay Pastors, Lay Preachers, Lay Catechists, Lay Readers, Lay Eucharistic Ministers and such other lay ministers as the Bishop may establish and license for ministry with the local Parish or Mission as seems helpful in bearing fruit for the Kingdom of God.
3. Qualifications. Those exercising the lay ministries need to be spiritually mature, of sound character, have received adequate training, and have regular oversight.

**Title III: Organization and Administration of Parishes and Missions**

**Canon 1: Parishes and Missions**

1. Parish. As used in these Canons, Parish shall mean a congregation or a group of worshippers having its own place of worship with a pastor or a priest.
  - a. Any group of worshippers or congregation may seek to affiliate with the Diocese as a Parish if such group or congregation is organized in substantial compliance with these Canons and provide evidence of:
    1. Unadulterated weekly worships in a public space in accordance with the Anglican doctrine and in compliance with the Anglican Communion's forms and substance of worship,

- ii. The existence of ministries for prayer, evangelism, discipleship, service, fellowship, and Bible study,
    - iii. Financial ability for self-sustenance and continuity, and the ability to contribute to the support of the Diocese financially, and
    - iv. The existence of a Vestry organized according to these Canons under which the Vestry is deemed and functions as the Parish Board of Directors, and
  - b. Any group not meeting the above requirements that wishes to be recognized as a Parish may apply to the Diocesan Board for a waiver of one or more of these requirements.
  - c. Any group not meeting the requirements for Parishes may apply to be recognized as a Mission.
2. Mission. A group of worshippers which is not in substantial compliance with these Canons or unable to meet the requirements of Canon (I)(a)(i- iv) yet seeks affiliation with the Diocese, may apply to become a Mission.
  3. Application Procedure. The following procedure for admission shall apply:
    - a. Any group of the faithful seeking to affiliate as a Parish or Mission shall submit its application to the Registrar or designee on forms and in accordance with standards prescribed by the Diocese. The Bishop will review the application and approve or disapprove at his discretion, but in consultation with the Diocesan Board.
    - b. A Parish or Mission affiliated with another diocese, desiring to become a member of or affiliated with this Diocese, shall make application in the same manner as a new Parish or Mission but with the consent of the bishop of the jurisdiction to which that Parish or Mission is affiliated.

***Canon 2: Vestry***

1. Parish affairs. The secular affairs of each Parish shall be conducted by a Vestry of not less than five and not more than twelve persons to be elected by the congregation.
2. Eligible members. Members of the Vestry shall be baptized members of the congregation of 18 years or older who have been active in the Parish for a minimum of six months.
3. Chairman. The Rector shall be the Chairman of the Vestry with voice and vote.
4. Vestry officers. The Vestry shall elect a Secretary and Treasurer and such other officers, as it deems necessary. The duties of the officers shall be determined by the Rector and Vestry.
5. Vestry duties. It shall be the duty of a Vestry to work with the Rector in overseeing the temporal concerns of the Parish in furtherance of the mission of the Diocese, and at the minimum, shall have the following duties:
  - a. Provide for the financial support of the Rector and exercise fiduciary oversight of the Parish's finances;
  - b. Pray regularly for the Rector and the Parish;

- c. Support the Rector in all aspects of his ministry, including ensuring the Christian formation, biblical literacy, and spiritual maturity of the members of the Parish,
  - d. Provide an adequate place for regular worship,
  - e. Provide for the compensation of paid staff,
  - f. Establish an adequate insurance program for the Parish that includes, at a minimum, properly damage, liability, personal injury, and errors and omissions,
  - g. Support biblically-based financial giving by members of the Parish;
  - h. Ensure that the Parish contributes to the financial support of the Diocese; and
  - i. Strive for unity and adopt principles for resolving conflict.
6. Wardens. The Rector shall appoint the Vicar's Warden and the Vestry shall appoint the People's Warden among the Vestry members. The Warden shall have the following responsibilities:
- a. See that the Church is duly provided with a standard Bibles, containing the Old and New Testaments and the Common Book of Prayers of proper size and of standard editions, for the lectern, prayer desk and Altar.
  - b. Provide fair linen and the elements of bread and wine for the celebration of the Holy Eucharist, and all vessels, vestments and things necessary to the conduct of public worship, including those persons necessary to lead such worship.
  - c. Provide a Parish Register and all necessary record and registration books and, if there be no Rector, Vicar or Cleric in charge, they shall:
    - i. Make or cause to be made all registrations required by the Canons of the Diocese; and
    - ii. Issue and receive certificates of memberships for members;
    - iii. Ensure that the Annual Parish Report timely published; and
    - iv. Ensure compliance with the Vestry duties required by the Canons of the Diocese.
  - d. The Wardens, under the direction of the Rector or Vicar, shall ensure that the Church building be kept from all secular or other uses not authorized by the Vestry and that at all times it is clean and kept in a condition befitting a House of God.
  - e. It is the duty of the Wardens, under the direction of the Rector or the Vicar, to preserve order and decorum in and around the Church building at all times and on all occasions.
7. Meeting. Every Parish shall have an annual meeting to be held anytime during the month of February each year or not later than Ash Wednesday in any year, for the purposes of electing new Vestry members and presenting the Annual Report of the Parish. Every person elected a Vestry member shall take the following oath of office:
- "I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God and to contain all things necessary for salvation through Our Lord Jesus Christ*

*and I do yield my hearty consent to the Constitution and Canons of the Diocese. I promise, with God's help, that I will faithfully execute the duties of the office of Vestry member of this Parish to the best of my ability."*

8. Finance Committee. The Vestry of each Parish shall provide for a Finance Committee, which shall prepare a budget for adoption by the Vestry. The Finance Committee shall make regular financial reports to the Vestry. No Parish may operate on a deficit budget without adequate reserves to cover such deficit.
9. Treasurer. Each Parish shall have a Treasurer, elected by the Vestry, who shall be a member of the Finance Committee ex officio, and be bonded in such sum and with such surety as the Vestry from time to time shall determine. The Treasurer shall be the custodian of the funds of the Parish and shall perform such other duties as required by the Vestry.
10. Investment. All investments of Parish funds shall be under the oversight of the Vestry and shall be made with due regard to applicable State law for fiduciaries. The Vestry may consult with the Diocese for guidance with regard to investments. Investment funds shall be deposited in banks or other financial institutions where such deposits are adequately insured, or in such other conservative investments appropriate for the management of monies by a fiduciary.
11. Financial transactions. No Parish or Mission shall have less than three (3) signatories to any transactions on any account or investments established or maintained by such Parish or Mission.
  - a. For the avoidance of doubt, no withdrawal exceeding \$500 shall be validly made for any purpose from any account maintained by any Parish or Mission without the joint signatures of the Rector, the Treasurer, and either the People's Warden or the Pastor's Warden.
  - b. The Rector and the People's Warden may jointly endorse any withdrawal less than \$500.
  - c. Any financial transaction exceeding \$100,000 shall not be made without notifying the Archdeacon who has supervisory function over the Parish or Mission.
12. Audit. The Vestry shall cause its accounts, funds or securities, to be reviewed and reported annually in accordance with the standards to be prescribed by the Finance Committee of the Diocese. The audit report shall be included in the annual report of the Parish to the Diocese.
13. Sacramental Registers and Vestry Minutes. The Rector and Wardens shall maintain a register of official acts such as worship services, baptisms, confirmations, weddings, funerals, and visitations of the Bishop and other clergy, the register shall include the date and name of the service, the name of the official, the name of the preacher, the number of attendees of each such service and the number of communicants at each such service. Minutes of all meetings of the Vestry shall be kept in permanent form.
14. Annual Report. The Rector and Wardens shall submit to the Secretary of the Diocese an Annual Report on a form to be prescribed by the Bishop immediately after the annual Parish meeting.

### ***Canon 3: Pastoral Relationship***

- I. Rector. The Rector or Vicar/Priest/Deacon/Minister-in-Charge serves at the pleasure of the Bishop, and by virtue of his office, he has the exclusive charge and care of all the spiritual concerns, music and ritual observances of the Parish, subject and answerable only to an Archdeacon and the Bishop.
  - a. For the purposes of the office and for the full and free discharge of all functions and duties pertaining thereto, the Rector shall, at all times, be entitled to the use and control of the Church and Parish buildings with the appurtenances and furnishings thereof.
  - b. The Rector shall have the full control and direction of all Guilds, Societies and Associations within the parish as well as the hiring and firing of Parish staff.
  - c. The Rector may call meetings of the Vestry and congregation as the Rector shall deem appropriate, and shall serve as the Chair of the same, and is entitled to speak and vote on all questions before these bodies.
  - d. The Rector shall call a meeting of the Vestry when requested to do so by a majority of the members of the Parish.
  - e. The Rector shall not at any time be the sole signatory to any account, funds, or investment held by the Parish or Mission.
2. Appointment of a Rector. In the absence of a Rector in any Parish or Mission caused by vacancy or other reasons, the Bishop, upon the request of the Wardens of such Parish or Mission, or at his sole discretion, shall appoint a Vicar for the Parish or Mission.
3. Clergy License. The Rector and all other clergy shall not be recognized by the Bishop until they have been canonically transferred to the Diocese and licensed by the Bishop. Rectors and all other clergy hold their licenses at the pleasure of the Bishop of the Diocese, and such license may be subject to suspension or withdrawal for cause.
4. Assistant Clergy: The Rector, in consultation with the Bishop, and with the approval of the Vestry, shall select all assistant and associate clergy. All assistant and associate clergy shall serve at the pleasure of the Rector and the Vestry, but in the event of an irreconcilable conflict between the Rector and Vestry that is brought to the attention by either party (Rector or Vestry), in writing, regarding some aspects of the service or employment of assistant and/or associate clergy, the Bishop shall have plenary discretion to resolve the disputed issue(s) according to the Canons. The Rector, with the consent of the Vestry, shall select all lay employees, who shall serve at the pleasure of the Rector and the Vestry.
5. Restrictions upon Rector's Resignation and Removal. A Rector may not resign without consulting the Vestry and the Bishop. A Rector may not be removed except as hereinafter provided. No Rector, Vicar, or Priest in Charge may be called or dismissed from a Parish without the consent of the Bishop and then only as provided by these Canons.
6. Resolving Conflicts in the Pastoral Relationship. Whenever matters of disagreement develop, it is incumbent on all parties to approach one another with patience,

understanding of the views of all parties, and Christian charity in order to avoid protracted consternation.

- a. If after reasonable attempts at reconciliation, either the Rector or a majority of the Vestry believe the pastoral relationship is imperiled or hindered by reason of dissension, either party shall present the matter to the Bishop in writing, with a copy to the Chancellor, clearly stating the facts of the matter.
  - b. Upon such notification the Bishop shall promptly seek reconciliation by whatever means he believes appropriate that is not inconsistent with the Holy Scripture or these Canons. Both the Rector and the Vestry shall participate cooperatively in the process. The Bishop may issue such interim directives appropriate to the matter before issuing a final decision. Prior to issuing a final decision, the Bishop shall consult with the Chancellor and the Diocesan Board.
  - c. The decision of the Bishop may include, but not limited to, suspension of the Rector, withdrawal of pastoral license, dissolution of pastoral relationship, leave of absence for the Rector, or dissolution of the Vestry.
    - i. If the Vestry is dissolved, the decision may include terms and conditions for compliance by both parties, including but not limited to, the appointment of a caretaker committee by the Bishop for a term not exceeding 90 days, as temporary replacement of the Vestry.
    - ii. If dissolution of the pastoral relationship is necessary, the Bishop may dissolve the pastoral relationship temporarily or permanently.
    - iii. The Bishop shall in all cases render pastoral support to the Rector.
    - iv. The decision of the Bishop shall be recorded by the Registrar.
  - d. If at the time of a need for the Bishop's intervention in the relationship between a Rector and a Parish there be no Bishop, the Diocesan Board may act instead of the Bishop or refer the matter to the Missionary Bishop of the CANA for action. Such action which shall be in compliance with the provisions of this Canon 3.
7. Dispute between Bishop and a Clergy. At no time shall a controversy or dispute between the Bishop and a Clergy be submitted to the Ecclesiastical Trial Court. Such controversy or dispute shall be administered by the Bishop in accordance with the Canons.
4. Order of Seniority. The order of seniority for clergy is as follows: Executive Archdeacon, Archdeacon of the Cathedral (if any), Regional Archdeacons, Canons, Priests, and Deacons.

***Canon 4: Parish and Mission Property***

1. Denominational or Diocesan Trust in Parish or Mission Property. All real and personal property owned by or held for the benefit of a Parish or Mission shall belong exclusively to that Parish or Mission free of any trust or other claim by the Diocese or any ecclesiastical entities both in the United States and beyond.
2. Ownership of Parish and Mission Property. A Parish or Mission may own real and personal property, and in the case of Mission, both before and after it becomes a Parish.

### ***Canon 5: Distressed Parishes***

1. Purpose. This Canon is intended to address the exceptional case of a Parish whose continued viability as a self-sustaining entity appears to be in jeopardy, such that a degree of episcopal intervention or oversight is needed as a means of restoring the health of the congregation.
2. Initiation of Inquiry. Believing that one or more of the conditions in Paragraph 3 of this Canon may exist, an inquiry leading to a declaration of Distressed Parish under this Canon may be initiated only by the Bishop, at his own discretion; or by petitions to the Bishop from the Diocesan Board or from the Vestry of such Parish upon the two-third votes of its members.
3. Distressed Conditions in the Parish. No declaration of Distressed Parish may be made except upon a finding, following inquiry, that one or more of the following conditions exist in the Parish:
  - a. The failure of the Parish, for two years or more, to consist of at least twenty-five adult Communicants of the Church or, for two years or more, to be financially self-supporting. It shall not constitute a failure to be financially self-supporting that the Parish shall have received funding from the Diocese, so long as the Parish is self-supporting with such funding,
  - b. The failure for at least two years to elect a Vestry,
  - c. The failure to pay the minimum clergy compensation as may be required; or the failure for two years to pay such compensation from funds other than those provided by Diocesan assistance; or the failure to make timely payment of premium under the clergy pension system as may be required, or of premium for any other obligatory insurance for clergy as may be required,
  - d. The refusal or willful failure to arrange for representation of the Parish at the annual Synod of the Diocese without approval as required by Canon,
  - e. The failure or neglect to make canonically required reports or to pay duly assessed Diocesan apportionments or assessments. Voluntary giving shall not be considered a Diocesan apportionment or assessment,
  - f. Persistent and significant instability or decline in the financial or temporal condition of the Parish, as evidenced by, for example, substantial invasion of the Parish funds, to such a degree that, in the judgment of the Bishop and two-thirds of the Diocesan Board, the long-term viability of the Parish as a self-supporting entity is in jeopardy,
  - g. Persistent failure or neglect to conform to the business methods in church affairs required by the Constitution and Canons of the Diocese, including those requirements relating to signatories, custodians of funds, proper record keeping, proper maintenance of books of account, annual audit, and the maintenance of adequate insurance if required,
  - h. The purchase, use, or conveyance of property of the Parish, or the incurring of debt, other than in conformity with the Constitution and Canons of the Diocese, except where such non-conformity was inadvertent and resulted in no substantial prejudice to the proper or temporal interests of the Parish,
  - i. The failure to cooperate in an inquiry under this Canon, or in connection with any other canonical inquiry by the Bishop or its designee, including the

failure, or refusal to provide full and accurate information on the state of the Parish and its affairs, or the failure to implement in good faith any plan or arrangement agreed to by the Parish under this Canon.

J. Apart from the foregoing, any deliberate and manifest breach of any canonical obligation of the Parish, but only if -

1. The Chancellor, at the request of the Bishop:

- i. Shall have transmitted to the Parish a written warning summarizing the conduct or failure to act by the Parish which constitutes the deliberate and manifest breach under this section, indicating the reasons why such conduct or failure to act constitutes such breach, and
- ii. Explicitly directing the Parish to cease and desist from the conduct which constitutes the breach, or to act affirmatively as the canonical obligation requires; and
- iii. Within 30 days following transmittal of the warning and direction, the Parish shall have failed or refused to conform to the directive so provided, or
- iv. Shall have failed or refused to provide a written plan and agreement satisfactory to the Bishop to bring its conduct into prompt conformity with its canonical obligation.

4. Inquiry by Ecclesiastical Authority. Upon proper initiation as provided in Paragraph 2 of this Canon, the Bishop, either himself or through persons he may designate, shall conduct such inquiry into the condition of the Parish as it deems appropriate. Such inquiry shall include conversations with members of the Parish, and may also include written or oral questions to the Parish or members thereof and examination of any books and records of the Parish. The Parish must cooperate in the inquiry by answering such questions fully, accurately, and promptly, and by making available the books and records of the Parish upon reasonable notice. If, after such inquiry, the Bishop finds that one or more of the conditions in Paragraph 3 of this Canon exist in the Parish, the Bishop may, with the concurrence of a unanimous vote of the Diocesan Board, declare the Parish to be a Distressed Parish.

5. Remedies. If a Parish is declared to be a Distressed Parish in accordance with this Canon, the Bishop may require the application of one or more of the remedies below (which shall be considered independent remedies with no requirement of exhaustion of certain remedies before the application of others):

- a. A plan for the Parish to cure within 30 days, the conditions which led to the declaration of Distressed Parish, agreed to by the Parish with such terms as may be necessary.
- b. Appointment by the Bishop of five or more adult communicants of the Parish temporarily to govern the affairs of the Parish as Warden and Vestry, notwithstanding any other canonical or other provision for such governance, until the Bishop declares the end or sufficient amelioration of such conditions, or applies further measures under the Canons.
- c. Designation of Parish as a Mission and the Rector of the Parish as Vicar or Clergy-in-charge; the Bishop shall have the option to appoint a Bishop's

Warden and four or more other persons to be the Bishop's Committee, and may appoint a replacement Vicar or Clergy-in-charge until the Bishop declares the end or sufficient amelioration of such conditions, or applies further measures under the Canons.

- d. Conveyance of title of all real property of the Parish to the Bishop and the Diocesan Board as Trustees, which shall preserve and control such property in trust, until the Bishop declares the end of amelioration of such conditions, or applies further measures under the Canons.
  - e. Such other measures as the Bishop shall determine with the advice and consent of the Diocesan Board as determined by a unanimous vote until the Bishop declares the end or sufficient amelioration of such conditions, or applies further measures under the Canons.
6. In those cases where an inquiry is initiated, and where a Distressed Parish is declared, it shall be the duty and obligation of all parties to strive to accomplish the speedy end or substantial amelioration of the conditions that led to the inquiry or to the declaration of Distressed Parish, and to restore the Parish to spiritual and temporal health.

***Canon 6: Visitations***

Diocesan Visitation: Visitation by the Bishop is of inherent and transmitted authority, and indispensable for the exercise of the episcopal functions within the Diocese. In this are included the examining of the state of the Parish or Mission, inspecting the behavior of the Clergy, administering the Apostolic Rite of Confirmation, preaching the Word, and, at the Bishop's discretion, celebrating the Holy Eucharist. On occasions of such visitation, the Bishop controls the services and may designate the purpose for which the offerings of the people are taken. Either in connection with a scheduled episcopal visitation, or without such scheduled visitation, the Bishop or the Bishop's designee, upon notice by the Bishop, shall be entitled to ask for and to receive full and accurate information regarding the state of the Parish and its affairs. For that purpose, The Bishop or the Bishop ' s designee may require the Wardens and Vestry to provide information on the state of the Parish and may propound questions relative thereto. The Bishop shall exercise oversight of church buildings, rectories and other parochial property, and may prevent their misuse, neglect or alienation. It is therefore declared to be the duty of the Clergy, lay officers and parishioners, as the case may be, to recognize the authority of Episcopal Visitation and to cooperate with it.

***Canon 7: Permission to Officiate***

- I. Permission to Officiate. No person shall be permitted to officiate, permanently or occasionally, in any Parish or Mission of the Diocese unless he/she has been ordained or commissioned in accordance with the discipline of the Anglican Church or holds a letter of special permission from the Bishop; and such permission shall not be deemed to permit the person to conduct ordination, confirmation, or perform any other administrative or liturgical responsibilities of the Bishop of the Diocese not expressly stated in the letter of special permission.
2. Invitation to Officiate. A clergy or any person who does not hold a license or general permit from the Bishop shall not be invited to officiate in any Parish or Mission in the Diocese without the prior knowledge and permission of the Bishop of the Diocese.

This includes, but is not limited to, officiating/preaching at weddings, funerals, baptisms, or any liturgical function of the Parish or Mission.

3. Registration. Every clergy or licensed lay-minister who officiates/preaches in the Diocese is required to inscribe in the Parish's or Mission's Register of Services his/her name, the date of such officiating and the name of the service

#### ***Canon 8: Litigation***

1. Power to Sue. Incorporation of the Diocese makes the Diocese a legal entity with the power to sue and be sued solely or in a representative capacity, as such, a Parish or Mission shall refrain from any action or procedure that may subject the Diocese to being sued solely or jointly in a representative capacity.
2. Litigation as Plaintiff. Any Parish, Mission, Clergy or Lay Minister contemplating commencing litigation against anyone for any reason shall consult with the Rector/Priest-in-Charge, Archdeacon, Chancellor, or the Bishop before commencing such litigation.
3. Litigation as Defendant. In the event that any legal proceeding of any kind is initiated against the Parish, Mission, Clergy, or Lay Minister, the entity or person against whom the proceeding is initiated shall provide full particulars of such proceeding to the Rector/Priest-in-Charge, Archdeacon, Chancellor, or the Bishop as soon as practicable even if such subject of litigation is covered by insurance.
4. Offence. In the event that any Parish, Mission, Clergy or Lay Minister is alleged to have committed an offence under any federal, state, or municipal statute or regulation the Church wardens shall provide full particulars to the Rector/Priest-in-Charge, Chancellor or the Bishop as soon as practicable.
5. Diocesan Litigation. In the event that the Bishop commences litigation in the name of the Diocese against anyone, or in the event that any legal proceedings of any kind are commenced against the Diocese, the Bishop and the Chancellor shall provide full particulars to the Diocesan Board as soon as practicable.

#### ***Canon 9: Screening***

1. Screening. Every Diocesan organization, Parish or Mission that runs programs or services for children, youth, or vulnerable adults shall implement a screening program. Special consideration must be taken in high-risk situations where volunteers or paid staff have direct care of, or direct access to children, youth or vulnerable adults.
2. Vulnerable Persons. A person can be considered vulnerable when such person has difficulty protecting himself or herself for any number of reasons, including age, disability, or temporary personal crisis.
3. Elements. In the development of a screening program, the following elements shall be considered:
  - a. Compliance with Constitution and Canons of the Diocese,
  - b. Discerned level of risk,
  - c. Reference checks,
  - d. Criminal background checks,
  - e. Orientation and training, and

- f. Supervision and evaluation.
4. Screening Participation Report. The Rector, Wardens, and every person participating in the program or service for children, youth, or vulnerable adults of every Parish or Mission shall complete a Screening Participation Report in a form to be provided by the Chancellor and approved by the Diocesan Board. The Report shall be published annually in the Vestry Report and shall also be submitted annually to the Registrar of the Diocese.

#### **Title IV: Worship and Administration of Sacraments**

##### ***Canon 1: Worship***

1. Worship. Worship and the Administration of the Sacraments in this Diocese shall be in strict conformity with the tradition and forms of the Anglican Communion and the Constitution and Canons of the Diocese.
2. Church Music. It shall be the duty of every Rector to see that music is used as an offering for the glory of God and as a help to the Parish in its worship in accordance with the Book of Common Prayer and as authorized by the rubrics of the Anglican Communion. To this end, the Rector shall have final authority in the administration of matters pertaining to music. In fulfilling this responsibility, the Rector shall seek assistance from persons skilled in music. Together they shall see that music is appropriate to the context in which it is used.
3. Due Celebration of Holy Day. It is the duty of all persons within this Diocese to hallow and keep the Lord's Day, commonly called Sunday, by regular attendance of the Service of the Church, in being present at the Celebration of the Holy Eucharist, in hearing the Word of God read and taught, in private and public Prayer, in other exercises of devotion, and in acts of charity; using all Godly and sober conversation, and refraining as much as possible from secular business and employments in observance, by public or private exercise, of all Holy Days and Festivals, and especially the penitential seasons of Advent and Lent.

##### ***Canon 2: Authorized Translations of the Bible***

The lessons used in services of public worship and the order of a lectionary of each Parish and Mission shall be read from translations of the Holy Scriptures as authorized by the Bishop of the Diocese.

##### ***Canon 3: Authorized Forms of Public Worship***

The Bishop shall ensure that the forms used in Public Worship and the Administration of the Sacraments be in accordance with Anglican Faith and Order and that nothing be established that is contrary to the Word of God as revealed in the Holy Scriptures.

##### ***Canon 4: Christian Marriage***

1. Christian Marriage in the Diocese. The Diocese affirms our Lord's teaching that Holy Matrimony is in its nature a covenantal union, permanent and lifelong, of one man and one woman. No marriage or other conjugal union of persons shall take place in any of the Parishes or Missions of the Diocese, or with the participation of the clergy of this Diocese except in accordance with these Canons.

#### **TITLE IV**

2. Procedure for Divorced Person to Seek Permission to Be Married in the Diocese. Should a man and a woman, one or both of whom have been divorced, wish to be married to one another in this Diocese, or by any of the clergy of this Diocese, the couple must first secure the Bishop's consent by submitting an application on a form prescribed by the Bishop for such purpose. Within 30 days from the date of receipt of the application signed by the couple and the proposed officiating clergy, the Bishop shall communicate in writing his determination of the application.
3. Clergy to Officiate at Weddings. The clergy of this Diocese shall not officiate at nor in any way participate in any weddings at any location except in accordance with these Canons.

#### ***Canon 6: Confidentiality***

1. It shall be the tradition of the Diocese that information disclosed to the Bishop, Rector, Priest, Deacon, or a Lay Ministers under the seal of confidentiality is inviolate and protected by guarantee of non-disclosure. The sacrament of Penance (Confession) is a clear example where the seal of confidentiality must obtain. Ministers are to be guided as follows:
  - a. In situations where confidential information is disclosed in a more informal or non-liturgical circumstance, such as in a pastoral conversation or during a house visit, Ministers are required to treat this in the same way as the confessional.
  - b. Ministers should be aware that in certain cases, such as cases of child abuse, Ministers might be compelled by law to disclose privileged information. In this event, it is essential that the Bishop and the Chancellor (in his absence, the Deputy Chancellor) be consulted before any action is taken.
  - c. Certain jurisdictions now require anyone who is in receipt of evidence about child abuse to report it to the authorities. Any Minister given such information in the context of a confidential disclosure, must interrupt the person immediately in these or similar words: *"I must advise you that I cannot protect the information you are giving me since I am obliged by law to report it."*

#### **Title V: Ecclesiastical Trial Court**

##### ***Canon 1: Ecclesiastical Trial Court***

- I. Right to Discipline. The Diocese has an inherent right to discipline the faithful who commit offenses. Penalties are established only insofar as they are essential for repentance, reformation, and ecclesiastical discipline and order.
2. Composition. The Ecclesiastical Trial Court of the Diocese shall consist of seven members comprising of:
  - a. The Chancellor, who shall act as the presiding judge,
  - b. The Deputy Chancellor, who shall act as the presiding judge in the absence of the Chancellor,
  - c. One Clergy and one Laity to be appointed by the Bishop to serve without term at the pleasure of the Bishop, and
  - d. Two Clergy and One Laity to be appointed by the Diocesan Board for a staggered term of three years each.

## **TITLE V**

3. Quorum and Composition of a Court Panel. The Court shall hear all cases by panel selected by the Chancellor from among the members of the Court. A panel for a case shall consist of no fewer than three members of the Court, and three Court members shall be necessary for the conduct of an inquiry as to any presentment or to hear any controversy before it, or for a judgment or for any other proceedings of a panel. All panels shall consist of the Chancellor or the Deputy Chancellor acting as the presiding judge and shall have an equal number of clergy and laity excluding the presiding judge. The Chancellor shall appoint the presiding judge and all panel members to each panel.
4. Court rules and Procedures. The Ecclesiastical Trial Court shall establish its own procedures consistent with the relevant Canons of the Diocese.
5. Judgment of the Court. A majority of the members of a panel of the Court shall be required for any decision or judgment.

### ***Canon 2: Jurisdiction and Charges***

1. Jurisdiction. All Clergy and Laity in any leadership position within the Diocese or a Parish or Mission of the Diocese under the authority of the Bishop who exercise ministry or leadership, or who hold any license in the Diocese or any Parish or Mission thereof, shall be subject to the jurisdiction of the Ecclesiastical Trial Court (sometimes the Court).
2. Charges. The following are some of the charges or accusations upon which a person covered by the jurisdiction of the Court may be presented:
  - a. Apostasy from the Christian Faith,
  - b. Heresy, false doctrine, or schism,
  - c. Violation of ordination vows,
  - d. Conduct giving just cause for scandal or offense, including the abuse of ecclesiastical power,
  - e. A conviction by a court of competent jurisdiction for felony or other serious offenses,
  - f. Narcotic, alcohol or other drug or other substance addiction or abuse,
  - g. Any immorality including sexual immorality,
  - h. Acceptance of membership in a religious jurisdiction with purpose contrary to that of the Anglican Church,
  - i. Violation of any provision of the Constitution and Canons of this Diocese,
  - J. Habitual neglect of the duties of Office,
  - k. Habitual neglect of public worship, and the Holy Communion, according to the order and use of the Anglican Church, and
  - l. The willful refusal to follow a lawful written Godly Admonition from the Bishop.

### ***Canon 3: Petition***

The Bishop, a Clergy, any Laity may petition the Court for the resolution of any dispute between Clergy, Laity, Parishes, or Missions of the Diocese. The Court may

receive and hear petitions from any other persons, dioceses, or other ecclesiastical bodies who have any controversy with any member Parish, Mission, Clergy, or Laity of the Diocese. The Chancellor, after consultation with the Bishop, may determine which cases are heard by the Court after application has been received.

***Canon 4: Rights of the Respondent***

Any person against whom disciplinary measures are initiated (Respondent) shall be presumed innocent until determined guilty according to the provisions and procedures described herein; except that the Bishop shall not be precluded by reason of this determination, from taking immediate actions against the Respondent deemed necessary during the course of the investigation or inquiry, including but not limited to temporary action as deemed necessary by the Bishop in his sole discretion or in accordance with the Canons. All disciplinary procedures shall be undertaken speedily in a manner consistent with principles of fairness, due process, and natural justice.

***Canon 5: Canonical Investigations***

The Bishop may appoint a canonical investigator to ascertain the merit of any accusations made against the Respondent in order to recommend whether further judicial process should be pursued by presentment to the Court.

***Canon 6: The Prosecution of a Presentment or other Controversy***

The Bishop shall appoint the Registrar (or in his absence any other officer of the Diocese) as the advocate responsible for preparing a presentment and presenting the evidence to the Court on behalf of the Diocese.

***Canon 7: Attorneys and Non-attorney Advocates***

The Respondent shall have the right to an attorney or a non-attorney advocate to participate in any inquiry or presentment. The Respondent may select his or her attorney or non-attorney advocate of choice to participate in the proceedings. All attorneys and non-attorney advocates shall upon application be admitted to the bar of the Court for the panel for which an inquiry is to be heard.

***Canon 8: Clergy under Ecclesiastical Authority in Another Jurisdiction***

Regardless of whether any Clergy under the authority of the Bishop is also under the authority of another bishop, whenever it is believed that such Clergy may have committed a canonical offense in this Diocese, the same shall be reported by the Bishop to the other bishop or archbishop who also has ecclesiastical authority over such Clergy. Such Clergy shall be subject to disciplinary proceedings in this Diocese in accordance with these Canons.

***Canon 9: Sentences***

1. Pronouncement of Sentence. Upon any conviction, the Bishop shall pronounce sentence, which may include, but not limited to:
  - a. Censure and/or admonishment,
  - b. Suspension, for a definite period, not to exceed five years,
  - c. Suspension for life, or
  - d. Deposition from the sacred ministry.
2. Adjustment of Sentence. Upon a showing of good cause, a sentence of suspension of a Clergy or Lay Minister may be adjusted, terminated, or reduced by the Bishop.

## **TITLE V**

3. Notice. The Bishop shall within thirty days of the sentence, or when a sentence is amended or terminated, notify the Registrar of the Church of Nigeria (Anglican Communion) who shall notify all Bishops with their respective jurisdiction and shall maintain a permanent record of the action.

### ***Canon 10: Right to Appeal***

A person convicted under these Canons shall have the right of appeal pursuant to the provisions of the Church of Nigeria (Anglican Communion)'s Constitution and Canons.

### ***Canon 11: Inhibition of Clergy or Lay Minister***

1. Authority. For the avoidance of doubt, and without prejudice to any provisions of the Constitution and Canons of the Diocese, the Bishop may temporarily inhibit any Clergy or Lay Minister in any leadership position within the Diocese from the exercise of a ministry when the Bishop believes, upon reasonable grounds, that the Clergy or Lay Minister has engaged in a conduct upon which the person may be presented.
2. Duration. With the advice and consent of the Diocesan Board, such inhibition may be extended until such charge is dropped or action taken by the Ecclesiastical Trial Court.
3. Adjustment. Upon application within thirty days of inhibition, by a Clergy or Lay Minister who has been temporarily inhibited under this Canon and upon a showing of good cause, the Bishop may modify or revoke the temporary inhibition.

## **Title VI: Adoption and Amendment**

### ***Canon 1: Adoption to the Canons***

These Canons shall be adopted and become effective upon their approval by a majority vote at the Meeting of the Synod of the Diocese in July of 2019.

### ***Canon 2: Amendment to the Canons***

The Canons of the Diocese may be amended by the Synod at any Annual Meeting or any Special Meeting called for that purpose. No amendment may be adopted until it has been reviewed by the Constitution and Canons Committee and its recommendations given to the Synod.