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**LAWS OF THE  
ANGLICAN CHURCH  
OF BERMUDA.**

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OF BERMUDA.**

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# I

## DIRECTORY OF THE DIOCESE OF BERMUDA

### A SHORT HISTORY OF THE DIOCESE

No one dwelt in Bermuda before the year 1609. In that year, on July 28th, the Sea Venture, under the command of Sir George Somers, was wrecked on the shores of the island while on her way to Virginia, and from that date Bermuda was inhabited. The Sea Venture carried Richard Bucke, a priest of the Church of England, who regularly used the Book of Common Prayer.

This expedition built two vessels in Bermuda and sailed on to Virginia, leaving a few men behind. Three years later, in 1612, permanent settlers arrived and founded a colony. They bound themselves in a mutual covenant by which they undertook "to worship that aforesaid only true and everliving God. . . and to continue in that faith into which we were baptised in the Church of England".

It can thus be claimed that from the beginning Bermuda was a Church of England foundation, observing the written and unwritten laws and customs of that Church which were firmly embedded in its constitution and way of life.

From the beginning of the settlement until the end of the eighteenth century the Bishops of London exercised the responsibility of episcopal oversight.

In 1825 Dr. Inglis, Bishop of Nova Scotia, was by Letters Patent given spiritual and ecclesiastical jurisdiction within both Newfoundland and Bermuda, and the Revd. Aubrey Spencer was appointed Archdeacon of Bermuda and Commissary to the Bishop. In 1826 the Bishop came to the island and carried out the first episcopal visitation, consecrating the churches and churchyards and conducting confirmation services.

In 1839 the See of Newfoundland was established and the Letters Patent included jurisdiction over Bermuda. Archdeacon Spencer was appointed as the first Bishop. He continued in this dual office until 1843 when he was translated to the See of Jamaica, where he was Bishop for almost thirty years. He visited Bermuda in 1839, 1840 and 1843. He was succeeded by Dr. Edward Field who died in Bermuda in 1876. He was succeeded by Dr. J. B. Kelly, who was translated in 1878 to the See of Moray and Ross.

When Dr. Llewellyn Jones was appointed Bishop of Newfoundland, his appointment was not in the hands of the Crown and did not include the episcopal oversight of Bermuda. However by this time the Synod of the Church in Bermuda had been established, and it invited him to accept

the Bishopric of Bermuda. This he agreed to do, assuming the title of "Bishop of Newfoundland and Bermuda".

He continued in office until 1917, visiting the island about every two years. For the next eight years the Diocese was in a state of episcopal limbo, having to rely for episcopal oversight on the occasional visits of Archbishop Worrell of Nova Scotia.

In 1925 a deputation from the Bermuda Synod, headed by Archdeacon Marriott, consulted Randall Davidson, the Archbishop of Canterbury, who agreed that Bermuda should become an "extra-provincial diocese", with the Archbishop holding "appellate jurisdiction". So it was that the Diocese of Bermuda became entitled to a resident Bishop of its own. The first Bishop so to be appointed was Dr. Arthur Heber Browne, who continued as Bishop for nearly twenty-four years until his retirement. Since his episcopate there have been ten Bishops and one Vicar General.

Aubrey George Spencer was the first Archdeacon of Bermuda and held office from 1835 until he became Bishop of Newfoundland and Bermuda in 1839. The office was not filled again for fifty five years, but in 1884 the Rev. J.F.B.L. Lough was instituted as Archdeacon. He was succeeded by George Tucker, James Davidson, Henry Marriott, John Stow, Jack Cattell, Thomas Dyson and Arnold Thaddeus Hollis, the present holder of the office.

It seems likely that, by the end of the seventeenth century, there were nine churches but only three benefices. By a series of Acts of Parliament the number of parishes was increased to nine, the last being Hamilton and Smith's, which became separate benefices in 1953. There are a number of daughter churches.

The Cathedral replaces the original Trinity Church in Hamilton which was burnt down in 1884. The Bishop is the Dean and is assisted by the Canon Residentiary.

In 1685 the Colony passed from the Bermuda Company to the Crown, and the Governor was styled "Ordinary", exercising such powers as the right to collate to benefices and to receive presentments from Church Wardens. This authority continued until 1831, when there began a series of Acts of Parliament designed to control such matters as livings, vestries, glebe, pews, vacancies, the Synod and the Cathedral. The Church Society was founded in 1876 to provide funds for the Church.

Many of these Acts were repealed by the Consolidation Act of 1967. The Church of England in Bermuda Act, 1975 was a significant event in the history of the Church as from the passage of that Act, the Church became disestablished and from henceforth known as the Anglican Church of Bermuda. The Act gave Synod full powers to manage its affairs and by Section 20 repealed all the Acts relating to the Church of England and, by Section 2 1, made the whole or part of the

important Acts relating to the Church regulations of Synod so that they could be amended from time to time by Synod. The Canons of the Church were adopted by the Synod in 1980 and the Constitution was revised in 1984. The Constitution with respect to the election of Bishop and the regulations of Synod relating to the Cathedral and Church Vestries were also totally revised in 1998.

BISHOPS:

1609 -1825	Bishops of London
1825 -1839	John Inglis
1839 -1844	Aubrey Spencer
1844 -1876	Edward Field
1876 -1878	J.B. Kelly
1878 -1917	Llewellyn Jones
1917 -1925	
1925 -1949	Arthur Heber Browne
1949 -1955	John Jagoe
1956 -1962	Anthony Williams
1963 -1968	John Armstrong
1970 -1976	Eric Trapp
1976	Robert Stopford
1977 -1982	Anselm Genders C. R.
1983 -1984	Gerald Ellison (Vicar General)
1985 -1989	Christopher Luxmoore
1990 -1995	William John Denbigh Down
1996 -2008	Alexander Ewen Ratteray.
2009 -2012	Patrick White
2013 -	Nicholas Bayard Botolf Dill

**II**  
BERMUDA  
1975 : No. 5

**THE CHURCH OF ENGLAND  
IN BERMUDA ACT 1975**

[Date of Assent 26th February, 1975 ]  
[Operative Date 8<sup>th</sup>. March 1975 ]

WHEREAS it is expedient to make new provisions for the Church of England in Bermuda and for matters incidental thereto and connected therewith:

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the House of Assembly of Bermuda, and by the authority of the same, as follows:-

**Interpretation.**

1. In this Act, unless the context otherwise requires -

"the appointed day" means the day on which this Act commences;

"the Bishop" means the Bishop for the time being of the Church and includes any guardian of the spiritualities of the Bishop;

"the Church" means the Church heretofore known as the Church of England in Bermuda and which, as from the appointed day, shall be known as the Anglican Church of Bermuda;

"ecclesiastical corporation" means the Synod, the Cathedral Vestry and the Church Vestry of each of the nine ecclesiastical parishes of the Church into which Bermuda is divided on the appointed day;

"incumbent" means the Rector of a parish of the Church and, where there is no Rector, includes the Vicar, Priest-in-Charge or other cleric charged with the cure of souls in respect of such parish;

"new parish" means an ecclesiastical parish of the Church created pursuant to the provisions of section 16;

"original parish" means one of the nine ecclesiastical parishes of the Church in existence on the appointed day

"parish" means each original and new parish;

"parishioner" means a person entitled to vote at any meeting of parishioners of a particular parish under the provisions of any canon or regulation of the Synod;

"prescribed acreage" means in relation to -

(a) the Synod, other than when it is acting as Trustee for any new parish, a total acreage equal to the sum of the acreage of land in Bermuda held by it on the appointed day and another five acres;

(b) the Synod, when it is acting as Trustee for any new parish, for each new parish a total acreage equal to the sum of the acreage of land in Bermuda Tested in it in trust for such new parish pursuant to subsection (4) of section 16 and another two acres;

(c) the Cathedral Vestry, a total acreage equal to the sum of the acreage of land in Bermuda held by the Cathedral Vestry on the appointed day and another acre;

(d) the Church Vestry of each original parish, a total acreage equal to the sum of the acreage of land in Bermuda held by such Church Vestry on the appointed day and another two acres;

"the Synod" means the body corporate which, prior to the appointed day, was known by the name of the Synod of the Church of England in Bermuda and which, as from the appointed day, shall be known by the name of the Synod of the Anglican Church of Bermuda.

### **Provisions relating to the name of the Church and the management of its affairs.**

2. As from the appointed day, the Church shall be known as the Anglican Church of Bermuda and, subject to the provisions of section 3 shall have full power to manage its own affairs.

### **Provisions relating to the Declaration of Principles**

3. (1) The Declaration of Principles contained in the Schedule is hereby promulgated as the principles governing the future conduct of the Church.



(2) The Synod shall not have power to make or sanction any alteration in or variation from or addition to the Declaration of Principles as set out in the Schedule except such alterations or variations or additions amending the same as may have been adopted by the Church of England in England or by the Province of the Anglican Communion with which the Diocese of Bermuda is for the time being affiliated.

#### **Provisions relating to ecclesiastical law.**

4. As from the appointed day -

(a) the ecclesiastical law of the Church of England, if and, so far as it extends in Bermuda, shall in Bermuda cease to exist as law;

(b) so much of the then existing ecclesiastical law and the then existing articles, doctrines, rites, rules, discipline, ordinances, canons and regulations of the Church of England as is on the appointed day in fact adopted, followed or applied in Bermuda shall, with and subject to such modification or alteration if any as after that date may be duly made therein pursuant to the provisions of section 8, be binding on the members for the time being of the Church, in the same manner as if they had mutually agreed to be so bound.

#### **Continuance of Ecclesiastical Offices.**

5. Any person who, on the appointed day, holds an ecclesiastical office, shall continue in that office until he is appointed to another ecclesiastical office or until he retires, resigns or is removed or until he dies without having retired or resigned or having been removed.

#### **Renaming and perpetuation of the Synod.**

6. The Synod shall continue to be a body corporate with perpetual succession under the name of the Synod of the Anglican Church of Bermuda with power to have and use a common seal and with power to sue and liability to be sued.

#### **Transitional provisions relating to the Constitution of the Synod.**

7. The Constitution of the Synod in effect immediately before the appointed day shall continue to be the Constitution of the Synod until it is revoked or varied in accordance with the provisions of section 8.

#### **Powers of the Synod.**

8. Subject to the provisions of section 3, the Synod shall have power -
- (a) to affiliate the Church with any Province of the Anglican Communion;
  - (b) to make and vary such provisions as it thinks fit for its Constitution;
  - (c) to revoke or alter its Constitution;
  - (d) to make and vary such articles, rules, ordinances, canons and regulations as it thinks fit in relation to the Church -
    - (i) for the general management, discipline and good government of the Church;
    - (ii) for the appointment, retirement and removal of the Bishop, the incumbents and other clergymen;
    - (iii) for settling the rites of the Church;
    - (iv) for the establishment of ecclesiastical tribunals;
    - (v) for the appointment of such councils, committees and officers as it may think fit for any purpose connected with the work of the Church;
    - (vi) for settling the composition, election and procedures of the Cathedral Vestry and the Church Vestries;
    - (vii) for settling the election or appointment of Churchwardens;
    - (viii) for settling the procedures for the transaction of its business and for all other matters relating to the furtherance of the Church and the interests of the Church.

**Provisions relating to the Chapter of the Cathedral.**

9. (1) On the appointed day, the Chapter of the Cathedral of Bermuda shall cease to be a body corporate.
- (2) The persons who immediately before the appointed day are members of the Chapter of the Cathedral of Bermuda shall, on that date, continue to be members of the said Chapter until their successors are appointed, elected or take office in accordance with the canons and regulations for the time being in force respecting the same.

(3) All real and personal estate whatsoever which, immediately before the appointed day, is vested in the body corporate known as the Chapter of the Cathedral of Bermuda shall, on the appointed day, vest without further assurance in the Cathedral Vestry for the purposes of the Cathedral of Bermuda or subject to the trusts (if any) upon which the same were theretofore held.

### **Perpetuation of the Cathedral Vestry**

10. (1) The Cathedral Vestry shall continue to be a body corporate with perpetual succession under that name with power to have and use a common seal, with power to sue and liability to be sued.

(2) The persons who immediately before the appointed day were the Cathedral Wardens and other members of the Cathedral Vestry shall continue to be Cathedral Wardens and the other members of the Cathedral Vestry until their successors are appointed or elected in accordance with the canons and regulations for the time being in force respecting the same.

### **Perpetuation of the parochial bodies corporate under new names.**

11. (1) The Church Vestry of each of the nine ecclesiastical parishes of the Church into which Bermuda is divided on the appointed day shall be and constitute a body corporate under the under name of "The Church Vestry of..... Parish" in continuity of and in succession to the Rector and Church Vestry of such parish (constituted a body corporate by the Church Vestries Act 1899) with perpetual succession and under the name to have and use a common seal with power to sue and liability to be sued.

(2) All the real and personal estate whatsoever which, immediately before the appointed day, is vested in the Rector and Church Vestry of any parish shall, on the appointed day, continue to vest without further assurance in the Church Vestry of such parish subject to the trusts (if any) upon which the same were theretofore held.

(3) Any legal obligations or liabilities incurred before the appointed day by the Rector and Church Vestry of any parish and remaining unsatisfied on the appointed day shall continue to be legal obligations and liabilities of the Church Vestry of such parish.

(4) Subject to the provisions of subsection (1) relating to continuity and succession, the several bodies corporate constituted by the Church Vestries Act 1899 shall cease to be bodies corporate under the names specified in the said Act and shall continue to be bodies corporate under the names specified in subsection (1).

(5) The persons who immediately before the appointed day were Churchwardens or members of the Vestry of any parish shall, on that date, continue to be Churchwardens or members of such Vestry until their successors are appointed, elected or take office in accordance with the canons and regulations for the time being in force respecting the same.

**Powers of ecclesiastical corporations with respect to acquisition, holding and disposal of land.**

12. (1) Subject as hereinafter in this section provided and without prejudice to section 16(4), each ecclesiastical corporation shall have power -

(a) to acquire land in Bermuda by way of purchase or exchange or by way of gift or devise to such corporation;

(b) to take any land in Bermuda by way of lease or letting agreement; and

(c) to hold any land so acquired or taken for the use and benefit and for the purposes of such corporation or for or in trust for the promotion of Christian knowledge or for any other lawful, religious, educational, charitable or benevolent purpose or object:

Provided that -

(i) if at any time any land is acquired or taken as aforesaid and the land so acquired or taken, together with the land then held by such corporation (other than by way of lease or letting agreement) exceeds the prescribed acreage, then such corporation may hold any such excess land for a period not exceeding three years computed from the date upon which such corporation became entitled for a present estate in possession in the land so acquired;

and

(ii) if at any time the area of the land held in possession by such corporation (other than by way of lease or letting agreement) exceeds the prescribed acreage, such corporation shall, notwithstanding anything contained in the next succeeding subsection, within three years thereafter, sell or otherwise dispose of so much land as shall be sufficient to bring the remainder of such land within the aggregate area of the prescribed acreage.

(2) Without prejudice to anything contained in the foregoing subsection, and subject to the provisions of section 15, each ecclesiastical corporation shall have power to sell, exchange, lease, let or mortgage any land held by it, being land held by it in its corporate capacity, for such an estate so as to enable an individual person to deal with

such land:

Provided that no land held by the Cathedral Vestry or the Church Vestry of any original parish shall be sold, exchanged, leased for a period in excess of seven years or mortgaged without the consent in writing of the Synod:

Provided further that no ecclesiastical corporation shall have power -

(a) to sell, exchange, lease, let or mortgage any land held by it while such land is appointed under the Public Health Act 1949 to be in use as a cemetery; or

(b) to abridge or derogate from the right of burial in any parish churchyard.

(3) The provisions contained in the proviso to subsection (1) shall have effect with respect to any land in Bermuda held by way of lease or letting agreement where such lease or letting agreement is for a period exceeding twenty-one years.

**Powers of ecclesiastical corporations with respect to acquisition, holding and disposal of personal property.**

13. Each ecclesiastical corporation shall have power to acquire by purchase or exchange or by gift or bequest to such ecclesiastical corporation, personal property and to hold and administer the same for the use and benefit and for the purposes of such corporation or for or in trust for the promotion of Christian knowledge or for any lawful, religious, educational, charitable or benevolent purpose or object and to sell, exchange, mortgage or otherwise dispose of any such property.

**Powers of ecclesiastical corporations in relation to trusts.**

14. (1) Notwithstanding any provision of law to the contrary, each ecclesiastical corporation shall have power in its corporate capacity from time to time and at all times hereafter to sell, exchange, mortgage or otherwise dispose of any real or personal property vested in it, freed and absolutely discharge from any trusts and conditions attaching to any such real or personal property and subject thereto each ecclesiastical corporation shall hold and use all real or personal property and all moneys obtained by means of any such sale, mortgage or other disposition of any such trust property in trust for the purposes contained in the instrument creating such trust and shall apply and appropriate such real or personal property so obtained for the purposes of the trusts contained in the instrument creating the trust:

Provided that no land held by the Cathedral Vestry or the Church Vestry of any original parish shall be so sold, exchanged, mortgaged or otherwise disposed of without the consent in writing

of the Synod.

(2) Any person who pays or advances any moneys to any ecclesiastical corporation or effects any exchange with any ecclesiastical corporation shall not be bound or concerned in any way to see or enquire as to the application of such moneys or other property paid, advanced or transferred to such ecclesiastical corporation.

(3) Every deed, conveyance, mortgage, lease or other assurance of any real or personal property purporting to be the act or deed of any ecclesiastical corporation to which the common seal of such ecclesiastical corporation has been affixed shall be valid, sufficient and effectual to convey, transfer or assign to the purchaser, mortgagee, lessee or other person in favour of whom such deed, conveyance, mortgage, lease or other assurance shall be made, the property vested in such ecclesiastical corporation and described therein for such estate as shall be thereby limited or declared freed and absolutely discharged from all trusts and conditions attaching thereto which may be inconsistent with the absolute use and enjoyment of the estate purporting to be conveyed or assured by any such assurance.

#### **Additional powers of ecclesiastical corporations.**

15. Each ecclesiastical corporation shall have the following additional powers

(a) to invest the funds of such ecclesiastical corporation in any stocks, shares, bonds, debentures or mortgages which such ecclesiastical corporation may from time to time consider sound investments or in any investments authorised for the time being by any public Act for the investment of trust moneys;

(b) to lend or advance moneys, either without security or upon the security of a mortgage of real or personal property, on such terms as to such ecclesiastical corporation may seem expedient;

(c) to borrow or raise or secure the payment of money in such manner as such ecclesiastical corporation may think fit;

(d) subject to the canons and regulations for the time being in force respecting the same, to erect, build, alter, enlarge, pull down and remove or replace any buildings on any real or leasehold property of such ecclesiastical corporation;

(e) to make and carry out contracts incidental to the carrying out of the objects of such ecclesiastical corporation;

(f) to do all other acts or things necessary, suitable or proper for administering the

affairs of such ecclesiastical corporation or for carrying out the objects of such ecclesiastical corporation.

**Provisions relating to changing parish boundaries.**

16. (1) The boundaries of parishes as they exist on the appointed day shall continue until changed in the manner provided in this section.
- (2) If at any time after the appointed day the Synod considers it to be in the best interests of the Church to divide any parish or parishes and create any new or additional parish or parishes or alter or change the boundaries of any parish or parishes, it shall send to the incumbent and Churchwardens of each parish concerned a notice in writing stating the proposed alteration or change and require that a meeting or meetings be convened of the parishioners of the said parish or parishes to consider the said alteration or change.
- (3) After the Synod has received a copy of the resolution certified by the relevant Church Vestry Clerk, passed by a majority of the parishioners present at a meeting convened for the purpose of considering alterations, approving the alterations, of every parish concerned, then the Synod may by instrument in writing make such alteration or change, including the creation of a new parish.
- (4) The instrument in writing creating a new parish shall set forth what real and personal property of the divided parish or parishes is to be held in trust for the new parish, which property shall without conveyance vest in the Synod in trust for the new parish.

Dissolution of corporations sole and vesting of properties held by them and certain other properties in various ecclesiastical corporations.

**Exclusion of the application of provisions of No. 30 of 1956 to common law ecclesiastical corporation sole.**

17. For the avoidance of doubt, it is hereby declared that the provisions of the Bermuda Immigration and Protection Act 1956, relating to the acquisition and holding of land in Bermuda by corporations or by restricted persons (within the meaning of that Act) shall be deemed never to have applied to common law ecclesiastical corporations sole.

**Dissolution of corporations sole and vesting of properties held by them and certain other properties in various ecclesiastical corporations.**

18. (1) On the appointed day, the Bishop and the incumbents shall cease to be ecclesiastical corporations sole.

(2) As from the appointed day -

(a) all real and personal estate, with the exception of any property which is left to the Bishop upon trust for the good of the Diocese, which immediately before the appointed day was vested in the Bishop as an ecclesiastical corporation sole shall vest on the appointed day without further assurance in the Cathedral Vestry subject to any and all trusts affecting the same;

(b) all real and personal estate which, immediately before the appointed day, was vested in an incumbent as an ecclesiastical corporation sole (or, where any living is vacant, would have vested in the incumbent as a corporation sole had the living been filled) shall on the appointed day vest without further assurance in the Church Vestry of the parish in respect of which he is (or would have been) the incumbent subject to any and all trusts affecting the same;

(c) all plate, furniture and moveable property which, immediately before the appointed day, belonged to the Cathedral or were used in connection with the celebration of the liturgy or divine worship then not being the property of a private individual shall on the appointed day vest in the Cathedral Vestry;

(d) all plate, furniture, and moveable property which, immediately before the appointed day, belonged to any Church or Chapel in any parish or were used in connection with the celebration of the liturgy or divine worship then not being the property of a private individual shall on the appointed day vest in the Church Vestry of such parish.

**Declaration as to the effect of certain gifts etc.**



19. (1) Any gift or other disposition taking effect after the appointed day by deed, will or other instrument in favour of the Bishop or the Dean of the Chapter of the Cathedral of Bermuda, as Bishop or Dean respectively and not as an individual, or the Chapter of the Cathedral of Bermuda or the Canon Residentiary, as Canon Residentiary and not as an individual, shall be construed and shall take effect as a gift or disposition in favour of the Cathedral Vestry.
- (2) Any gift or other disposition taking effect after the appointed day by deed, will or other instrument, in favour of the incumbent of an original parish, as such incumbent and not as an individual, or the Rector and Church Vestry of such original parish or any person or body on behalf of such original parish shall be construed and shall take effect as a gift or disposition in favour of the Church Vestry of such parish.
- (3) Any gift or other disposition by deed, will or other instrument, in favour of the incumbent of a new parish, as such incumbent and not as an individual, or the Rector and Church Vestry of such new parish, or the Church Vestry of such new parish or any other person or body on behalf of such new parish shall be construed and shall take effect as a gift or disposition to the Synod in trust for such new parish.

**Repeal of No. 9 of 1864, No. 29 of 1878, No. 7 of 1882, No. 17 of 1898, No. 6 of 1899, No. 146 of 1961, No. 42 of 1966, No. 208 of 1967.**

20. The following Acts are repealed:-

- (a) the Visiting Clergy (Performance of Divine Service) Act 1864;
- (b) the Synod Act 1878;
- (c) the Vacant Benefices Act 1882;
- (d) the Synod Act 1898;
- (e) the Church Vestries Act 1899;
- (f) the Church Vestries Act 1961;
- (g) the Bermuda Cathedral Act 1966; and
- (h) the Church Livings and Glebe Lands Consolidation Act 1967.

**Continuation of certain provisions of law as regulations of the Synod.**

21. Notwithstanding the provisions of section 20, the provisions of

- (a) the Vacant Benefices Act 1882;
- (b) the Church Vestries Act 1961;
- (c) sections 1, 2(1), 4(1), 4(3) to 4(8) inclusive and 6 to 9 inclusive and the Schedules to Bermuda Cathedral Act 1966; and
- (d) sections I to 10 inclusive of the Church Livings and Glebe Lands Consolidation Act 1967,

existing immediately before the appointed day shall, with and subject to such modification or alteration therein, including the total repeal thereof, as may from time to time be duly made by the Synod pursuant to the provisions of section 8, be deemed to be regulations of the Synod.

**Commencement.**

22. This Act shall come into operation on such date as the Premier by notice in the Gazette may appoint.

**SCHEDULE**  
**DECLARATION OF PRINCIPLES**  
**(As adopted by the Synod on the 18th day of April, 1974)**

We, being by representation the Church of England in Bermuda, and having resolved that this Church shall henceforth be known as The Anglican Church of Bermuda, do declare, for the avoidance of doubt and misunderstanding, that it is our intention that the Church shall continue as heretofore to be in spiritual union and communion with the Church of England and the other Churches of the Anglican Communion. We recognise and accept the canon of Holy Scripture, received by the Church of England, as the rule and standard of our Christian faith; we acknowledge the Book of Common Prayer and Administration of the Sacraments, and other rites authorised for use in the Church of England, together with the thirty-nine Articles of Religion, as interpreted and accepted by the Church of England, to be a true and faithful declaration of Christian doctrine. We also maintain, as scriptural and apostolic, the threefold order of the Christian Ministry Bishops, Priests and Deacons. We affirm that we will make no alterations in the doctrine, liturgy or discipline of the Church, except such as shall have been made in the Church of England or in a Church of the Anglican Communion with which we may have agreed to form a closer relationship.

**III**

**CONSTITUTION  
of the  
SYNOD  
of the  
ANGLICAN CHURCH OF BERMUDA  
1984**

Passed January 26th, 1984

Confirmed February 28th. 1984

Amended December 14th, 1988

Amended March 15th,1996

Amended January 24th,1998

### **Citation**

1. This Constitution may be cited as the Constitution of the Synod of the Anglican Church of Bermuda.

### **Interpretation**

2. In this Constitution, unless the context otherwise requires:-

"the Bishop" means the Bishop for the time being of the Church and includes any guardian of the spiritualities of the Bishop;

"the Synod" means the body corporate which, prior to the appointed day, was known by the name of the Synod of the Church of England in Bermuda and which, as from the appointed day, is known by the name of the Synod of the Anglican Church of Bermuda;

incumbent", "parish", means the same as is stated in the "Church of England in Bermuda Act 1975".

### **Jurisdiction**

3. The Jurisdiction of the Bishop of the Diocese shall be the Church heretofore known as the Church of England in Bermuda and designated by Church of England in Bermuda and designated by the Church of England in Bermuda Act 1975 as the Anglican Church of Bermuda.

### **Authority of the Archbishop of Canterbury**

4. The Archbishop of Canterbury shall, after the commencement of this Constitution, continue to have and exercise such jurisdiction and power over the Anglican Church of Bermuda as he has heretofore exercised before such commencement, and further shall have and exercise such appellate and other jurisdiction and powers over the said Church as may be conferred upon him by this Constitution or otherwise. In the event of a vacancy in the See, he shall appoint a Commissary.

### **Powers**

5. The Church shall, subject to the Declaration of Principles set out in the Schedule to this

Constitution, have full power to manage its own affairs.

### **The Synod**

6. The Synod shall consist of three Houses:-

- (a) the Bishop, who shall be President,
- (b) the House of Clergy
- (c) the House of Laity.

The House of Clergy shall consist of all Priests and Deacons resident in the Diocese and who hold the Bishop's Licence.

The House of Laity shall consist of:-

- (a) Ex-Officio Officers:-
  - (i) the Chancellor;
  - (ii) the Treasurer;
  - (iii) the Chairman of the Diocesan Funds Committee of the Church Society;

Amended (b) Three lay representatives elected by the Church Vestry of each  
24/1/98 parish; and

- (c) three lay representatives elected by the Vestry of the Cathedral of Bermuda.

### **Powers of the Diocesan Synod**

7. Subject to the Declaration of Principles, the Synod shall have power:-

- (a) to affiliate the Church with any province of the Anglican Communion;
- (b) to make and vary such provisions as it thinks fit for its Constitution;
- (c) to revoke or alter its Constitution;
- (d) to make and vary such articles, rules, ordinances, canons and regulations as it thinks fit in relation to the Church:-

- (i) for the general management, discipline and good government of the Church;

- (ii) for the appointment, retirement and removal of the Bishop, the incumbents and other clergymen;
- (iii) for settling the rites of the Church;
- (iv) for the establishment of Ecclesiastical Tribunals;
- (v) for the appointment of such councils, committees and officers as it may think fit for any purpose connected with the work of the Church;
- (vi) for settling the composition, election and procedures of the Cathedral Vestry and the Church Vestries;
- (vii) for settling the election or appointment of Churchwardens;
- (viii) for settling the procedures for the transactions of its business and for all other matters relating to the furtherance of the Church;
- (e) to advise the Bishop on any matters on which he may consult the Synod.

The proceedings of the Synod shall be conducted in accordance with the Standing Orders approved by the Synod.

#### **Standing Committee**

8.(1) There shall be a Standing Committee of the Synod which shall consist of:-

- (a) the Bishop, who shall be Chairman;
  - (b) the Archdeacon;
  - (c) two clerical members elected by the House of Clergy;
  - (d) three lay members elected by the House of Laity
- (2) Its powers shall be those that shall from time to time be conferred upon it by the Synod.
- (3) Its proceedings shall be in accordance with those required by the Standing Orders approved by the Synod.

9. The Officers of the Diocese shall be:-

Clerical:

- (a) the Bishop, who shall be Dean of the Cathedral;
- (b) the Archdeacon;
- (c) the Canon Residentiary;
- (d) two Canons Capitular;
- (e) the Secretary, if he be in Holy Orders;
- (f) the Assistant Secretary, if he be in Holy Orders.

Lay:

- (a) the Chancellor;
- (b) the Registrar;
- (c) the Treasurer;
- (d) up to two Lay Canons;
- (e) the Chairman of the Diocesan Funds Committee of the Church Society;
- (f) the Secretary, if a layman.

### **The Archdeacon**

10. The Archdeacon shall be appointed by the Bishop. His term of office shall be terminable by six months notice given or received, though shorter notice, if mutually agreed, shall suffice. The Archdeacon shall be deemed to have vacated his office (a) after a term of ten years duration or (b) one year after the appointment of a new Bishop. He shall be eligible for re-appointment.

### **The Canon Residentiary**

11. The Canon Residentiary shall be appointed by the Bishop and hold office on the same terms as the Archdeacon.

### **The Canons Capitular and Lay Canons**

12. The appointment of the two Canons Capitular and the two Lay Canons, and their terms of office, shall be according to the rules laid down in the Cathedral Chapter Regulations.

### **The Chancellor**

- Amended 13. (i) The Bishop, with the agreement of the Synod, shall appoint, and may  
24/1/98 at any time with like agreement, remove from office, a Chancellor of the Diocese. When a vacancy occurs in the See, the Chancellor shall vacate his office 30 days after the Enthronement of the newly elected Bishop who may reappoint him.

- (ii) The Chancellor may resign his office at any time but shall retire at the age of 70.

- (iii) The Chancellor shall be a Barrister or Solicitor of at least 7 years standing, or a person who has held high Judicial office. He must be at least 30 years old and be a



regular communicant.

(iv) Before entering on the execution of his office the Chancellor shall make and subscribe to the following oath, "I, A.B. do swear that I will, to the uttermost of my understanding, deal uprightly and justly in my office, without respect of favour or reward: So help me God"

If he is not in Holy Orders, he shall also be required to make and subscribe the Declaration of Assent in the following form: "I, A.B. declare my belief in the faith which is revealed in the Holy Scriptures and set forth in the Catholic Creeds and to which the historic formularies of this church bear witness."

He shall also take such further or other oaths and make and subscribe to such other declarations (if any) as may be customary or appropriate.

(v) It shall be the duty of the Chancellor to advise the Bishop when legal or other questions arise in the administration of the Diocese although in the first instance these may be generally referred to the Registrar. The Chancellor may also advise the Clergy of the Diocese.

(vi) The Chancellor shall not be entitled to vote in the Synod.

(vii) The Chancellor shall have a stall in the Cathedral and shall be entitled to occupy the same at any service.

(viii) Whenever the Chancellor shall be absent from Bermuda or, for any reason, unable to exercise the functions of his office, the Registrar shall be entitled to, and shall, act as Chancellor and to perform all the functions of the office as fully and effectively as if he were the Chancellor. In the event the Registrar is unable so to act, the Chancellor shall, with the consent of the Bishop, be entitled to appoint a Deputy Chancellor to act in his place and on his behalf.

### **The Registrar**

13.(b) (i) The Bishop, with the approval of the Synod, shall appoint, and may at any time with like approval remove from office, a Registrar of the Diocese. When a vacancy occurs in the See, the Registrar shall vacate his office 30 days after the Enthronement of the newly elected Bishop who may re-appoint him.

(ii) The Registrar may resign his office at any time but shall retire at the age of 70.

(iii) The Registrar shall be a Barrister or solicitor of at least 5 years standing, or a person who has held high Judicial office. He must be at least 30 years old and be a regular communicant.

(iv) Before entering on the execution of his office the Registrar shall make and subscribe to the following oath: "I, A.B. do swear that I will, to the uttermost of my understanding, deal uprightly and justly in my office, without respect of favour or reward; so help me God"

If he is not in Holy Orders, he shall also be required to make and subscribe the Declaration of Assent in the following form: "I, A.B. declare my belief in the faith which is revealed in the Holy Scriptures and set forth in the Catholic Creeds and to which the historic formularies of this church bear witness."

He shall also take such further or other oaths and make and subscribe to such other declarations (if any) as may be customary or appropriate.

(v) The Registrar shall be designated "The Registrar of the Diocese and the Bishop's Court".

(vi) (1) Subject to the restrictions contained in paragraphs 2 and 3 hereof, the professional services provided by the Registrar shall include

- A. Giving of advice to the Bishop, the Archdeacon, Incumbents and all other clergymen, beneficed or licensed in the diocese, on any legal matter properly arising in connection with the discharge of their respective ecclesiastical or synodical offices, and giving of advice to chairmen and secretaries of diocesan vestries and committees on any legal matter properly arising in connection with the business of the respective vestries and committees;
- B. Acting as Registrar to the Synod and attendance at its meetings;
- C. Attendance at the Standing Committee if required by that Committee;
- D. Occasional attendance at meetings of vestries and committees for the purpose of giving advice on specific matters;
- E. Maintaining of all such records of the diocese as are customarily kept by the Registrar including the making of entries therein, and the making of searches and reports on matters recorded in the Registry.

- F. Giving of advice to any person concerned in or with the administration of an election under the Regulations of Synod relating to the Cathedral and Parish Churches on any question properly arising under those Rules;
- G. Giving of advice to a bona fide enquirer concerning the law of marriage, baptism, confirmation and burial of the dead according to the rites and ceremonies of the Anglican Church of Bermuda;
- H. Acting as Registrar to the Bishop's Court;
- I. Attendance at episcopal visitations.
- J. Drafting or preparing, approving, engrossing and registering of all notices, licences, consents, permissions, instruments and other documents required by law or customarily used in connection with the following matters

- Ordination
- Certification of Ordination
- Presentation to a Benefice
- Commission for Institution or Collation
- Certification of Institution or Collation
- Licensing of Non-Residence, for legalising house of residence
- Resignation
- Licensing of clerks in holy orders and deaconesses
- Delegation by bishop of episcopal and archidiaconal powers
- Episcopal visitations
- Matters relating to sequestrations
- Licensing of unconsecrated churches or places of worship (including temporary licences)

- K. Acting in relation to the following matters on the instructions of the Bishop, Archdeacon or on the instructions of a vestry whose business properly includes such matters;

- Consecration of a Church and Burial Ground or a Church without a Burial Ground
- Consecration of a Cemetery or Burial Ground
- Preparation and Registration of documents required under the Constitution for the consecration of additions to churchyards

Licensing of a Building for Marriages.

- (2) The provisions of paragraph 1 hereof shall be restricted as follows
- (a) Where the Registrar receives a request for advice on any matter properly falling within paragraph 1 sub-paragraphs A, E, F & G.
    - (i) he shall not be required to correspond with a third party involved in the enquiry
    - (ii) before giving advice he shall first consider whether the matter on which his advice is sought is one which can conveniently be dealt with by the diocesan secretary or some other person or body in the diocese rather than by himself
    - (iii) if a legal dispute arises between parties who are both church officers he may decline to advise either party, but he shall be at liberty to advise both parties with a view to helping them to resolve their dispute if in his judgment it is desirable to do so.
  - (b) The Registrar shall not be required to attend meetings of vestries and committees except upon an occasional basis to give legal advice on specific matters. (He may attend such meetings regularly to give general advice and assistance if requested to do so by the vestry).
- (3) The provisions of paragraph 2(a) hereof shall not apply to advice and assistance given to the Bishop or Archdeacon.
- (vii) The Registrar shall also perform any of the duties or functions of the Chancellor that the Chancellor may assign.
  - (viii) The Registrar shall not be entitled to vote in the Synod.
  - (ix) The Registrar shall have a stall in the Cathedral and shall be entitled to occupy the same at any service
  - (x) In case the Registrar is unable to act he shall, with the consent of the Bishop, be entitled to appoint a Deputy Registrar to act in his place and on his behalf.

### **The Bishop's Court**

14. (1) The Bishop's Court shall deal with such matters relating to the discipline of the clergy as may be referred to it by the Bishop. It shall consist of four members:-
- (a) the Chancellor, who shall be President of the Court;
  - (b) a Clergyman appointed by the House of Clergy;
  - (c) a Layman appointed by the House of Laity;
  - (d) a Clergyman to be nominated by the clergyman to whom the charge or charges may relate.
- (2) A full and accurate account of the proceedings shall be kept by a Clerk of the Court who shall be appointed by the Bishop and who may be the Registrar or in Holy Orders. He shall not be a member of the court.
- Amended (3) The findings of the court shall be transmitted to the Bishop who shall  
24/1/98 take such  
action as he shall deem reasonable.
- (4) There shall be a right of appeal to the Archbishop of Canterbury against any action taken by the Bishop under subsection (3).
- (5) The Court shall also be the judicial body of the Diocese and shall determine all questions arising from this Constitution. In this case the fourth member of the court shall be the Archdeacon, instead of the member referred to in subsection (1) paragraph (d) of this section.

### **Election of Bishop**

- Amended 15. (a) When the office of Bishop falls vacant, the Archbishop of Canterbury,  
in his
- 24/1/98 Appellate Jurisdiction, shall issue a mandate requiring the Commissary to commence the process of electing a new Bishop. In the absence of a Commissary, the mandate shall be directed to the Archdeacon or, if there shall be no Archdeacon, to the senior incumbent (by date of ordination). Wherever, in this section, the word "Commissary" is used it shall be deemed to mean the

person to whom the mandate was so directed.

(b) The Commissary shall send a copy of the mandate to each member of the Synod, and advise him, or her, that he, or she, may within sixty days of the date of the mandate, propose or second, in writing, the name of one, and only one, candidate for the office of Bishop. Each nomination must be:-

- (i) proposed and seconded in writing by a Member of the Synod,
- (ii) addressed in a sealed envelope to the Diocesan Registrar and marked "Confidential, Nomination for Bishop"
- (iii) accompanied by:-
  - (A) a letter signed by the candidate indicating his willingness to serve in the office of Bishop if elected,
  - (B) biographical information of the candidate giving his age, marital status, family, educational background, work experience outside the church, date of ordination, appointments and record of service in the church,
  - (C) not more than three references, and
  - (D) any written views which the candidate may wish to submit setting out his vision for his Episcopate in Bermuda.
  - (E) in the case of an overseas candidate, a letter of support from a Bishop.

No nomination shall be valid unless received, together with all required accompanying documents, by the Registrar before 5:00 p.m. on the 60th day after the date of the mandate. Each envelope so received shall be marked by the Registrar with the date of its receipt and shall be retained, unopened, until the 60th day after the date of the mandate, when it shall be transmitted to the Commissary. Each envelope shall be endorsed with the name and address of the sender, and the Registrar shall, in writing, acknowledge its receipt.

- (c) In order to be considered for the office of Bishop, a candidate shall meet the requirements contained in Canon 30 of the Canons of the Anglican Church of Bermuda.
- (d) After the expiry of sixty days from the date of the mandate, the Commissary shall convene a meeting of the Standing Committee for the purpose of acting as a Vacancy in See Committee which shall receive the names of all candidates validly nominated and seconded by members of the Synod. Any clerical member of the Standing Committee whose name is validly proposed and seconded for the office of Bishop shall, ipso facto, be disqualified from acting as a member of the Vacancy in See Committee. The Commissary shall be a member of the committee and act as chairman of this meeting.

- (e) If, for any reason, at the meeting of the Vacancy in See Committee referred to in (d) above, a vacancy shall arise in the Committee, the Chairman shall take such steps as are necessary to procure within fourteen days a meeting of the appropriate House of the Synod which shall elect one or more of its members to fill the vacancy or vacancies so arising.
- (f) When fully constituted, the Vacancy in See Committee shall meet and elect a chairman. It shall then proceed to consider every candidate who has been validly nominated.
- (g) Within three months of the first meeting of the Vacancy in See Committee, or as soon thereafter as practicable, but in any case not more than four months thereafter, the Chairman shall, after ensuring that each candidate is still willing, if elected, to serve as Bishop, and after consultation with the Commissary, forward to each member of the Synod at least two weeks notice convening a meeting of the Synod for the purpose of electing a Bishop. Each such notice shall be accompanied by a list of the names of every candidate and, in respect of each candidate, copies of all the documents submitted to the committee under the provisions of (b) above. The failure of any notice to be delivered, either at all, or on the necessary date, shall not invalidate the meeting.
- (h) At the meeting of the Synod called to elect the Bishop, if the Archdeacon is a candidate, the Chairman of the Vacancy in See Committee shall act as Chairman. At such meeting a quorum shall consist of two-thirds of the members of the House of Clergy and two-thirds of the members of the House of Laity present in person respectively.
- (i) If, at the expiry of one half hour after the time set for the meeting, no quorum as specified above is present, the meeting shall stand adjourned for one week. If then no quorum is present, two weeks notice of a new meeting shall be given.
- (j) At the meeting, the Chairman of the Vacancy in See Committee shall formally declare the names of all the candidates, their proposers and seconders and their continued willingness to stand for election. No speeches shall be permitted.
- (k) The name of each of the proposed candidates shall be placed in alphabetical order on a ballot paper. The only persons entitled to vote shall be those members of the Synod present in person and on each ballot each such member may vote for one candidate only.

- (l) The vote shall be by secret ballot. The Chairman shall appoint independent tellers. The Diocesan Registrar shall act as official scrutineer.
- (m) A candidate shall be deemed to have been elected if he obtains a simple majority of all the votes entitled to be cast in both the House of Clergy and the House of Laity, and his name shall be communicated to the Archbishop of Canterbury who may approve or disapprove his election and, if approved, give directions for his consecration, if disapproved, the election process shall continue.
- (n) If, at the first ballot no candidate is deemed to have been elected, a second and, if necessary, subsequent ballots shall take place. Any candidates who secure less than four votes (of both Houses added together) on the first ballot shall be withdrawn. Candidates may withdraw voluntarily at any time. On the second and any subsequent ballots, the candidate (or candidates in the case of an equality of votes) with the least number of votes shall withdraw. If this procedure leaves two candidates with an equal number of votes, then another ballot shall be taken. Alternatively, if this procedure leaves one candidate with a majority of the total number of votes cast but without a simple majority in each House, then a ballot shall be taken on the election of that candidate. If, on this ballot, the candidate does not receive sufficient votes to be deemed to have been elected, the Chairman shall address the Synod as to the importance of arriving at a decision and, after a suitable period for reflection, another ballot shall be taken.
- (o) If, on such further ballot, the candidate still does not receive sufficient votes to be deemed to have been elected, the Chairman shall adjourn the meeting for one week and stress the importance of using the intervening period to consider, prayerfully, the importance of arriving at a decision. At such adjourned meeting, the provisions of (h) to (n) above shall apply. For the avoidance of doubt, the adjourned meeting shall consider all the candidates who were considered at the first meeting, including those who were eliminated or who withdrew in the various ballots.
- (p) If, after all the events set out above have taken place, no candidate is deemed to have been elected, the Chairman shall adjourn the meeting and report the matter to the Archbishop of Canterbury, who may, after consultation with the Vacancy in See Committee, appoint a Bishop.

16. The Bishop may at any time resign his office, may retire at the age of sixty five and shall retire on reaching the age of seventy years.



## **Appointment to Vacant Benefices**

- Amended 17. (1) When a benefice becomes vacant, or when there is an impending vacancy  
15/3/96 and through the death, resignation or termination of the contract of employment  
of  
24/1/98 the incumbent, the Church Vestry Clerk of the said benefice shall  
inform the Bishop, the Archdeacon and the Secretary of the Synod,  
requesting the Synod, through the Standing Committee, to set in motion  
the procedures necessary for the nomination of a suitable person for  
appointment to the said benefice.
- Amended (2) On receipt of such a request, the Synod Standing Committee shall  
24/1/98 appoint a  
Committee which shall nominate to the Bishop a suitable person for the  
appointment; the Committee shall comprise the Archdeacon, the Church  
Wardens of the parish concerned and two other members of Synod, one  
clerical and one lay.
- (3) The Committee shall advertise the vacancy and shall ensure that a "parish profile",  
a job description and a person specification are clearly defined and given to every  
applicant.
- (4) The Committee shall proceed to consider applications, including shortlisting and  
interviewing candidates in order to make a selection. In the interest of fairness,  
the same Committee shall interview each candidate and the same basic format of  
interview shall be followed.
- (5) The Committee shall satisfy itself that the person presented to the Bishop shall  
possess the necessary qualifications for such an appointment and shall have  
received sufficient training and experience.
- (6) The Committee shall satisfy itself that the contract of employment between the  
Church Vestry and the candidate satisfactorily represents the interests of all parties  
viz Synod, Parish and Candidate and corresponds with the guidelines adopted by  
Synod.

- (7) Before presenting a name to the Bishop, the Committee shall satisfy itself that the candidate is acceptable to the Church Vestry. The Church Vestry Clerk shall inform the Chairman of the Committee, within a period of 14 days from being asked, the decision of the majority of the Church Vestry of the parish present and voting, duly convened for that purpose after four days notice.

Amended (8) The Committee shall inform the Synod of the result of their  
24/1/98 deliberations on the  
Synod's behalf and shall forward the name of the preferred candidate to the Bishop. If no quorum is present the secretary shall, in writing, inform members of Synod not present the name of the person being forwarded to the Bishop.

- (9) As set out in Canon 37(2), the Bishop shall have 28 days space to enquire and inform himself of the sufficiency and qualities of every minister, after he has been presented to him to be instituted to any benefice. If the Bishop is satisfied that the person presented is qualified in every way for the appointment, he shall proceed to institute him to the benefice in accordance with Canon 38.
- (10) If within six months from the avoidance of the benefice the Synod fails to present a fit and proper person, then the filling of the vacant benefice shall lapse to the Bishop, who shall proceed to collate a fit and proper person duly qualified as aforesaid to such a vacant benefice.

Amended (11) A priest may at any time resign his office, may retire at 65, and shall  
24/1/98 retire at 70.  
Service beyond the age of 70 may be recommended on an annual basis by the Vestry to the Bishop for his decision.

### **Regulations of Synod**

18. Sections 1 to 10 inclusive of the Church Livings and Glebe Lands Consolidation Act 1967, shall be regulations of Synod, as they appear in this book.

### **Adoption of a New Constitution or the**

### **Amendment of the Constitution**

19. (a) Notice of the proposed new Constitution or amendments shall be forwarded to each member of the Synod ten days at least before the meeting at which such alterations shall be proposed.
- (b) The resolution proposing such alterations shall not be passed unless at the voting thereon not less than half of all the members of the House of Clergy and not less than half of all the members of the House of Laity be present and it is supported by the votes of not less than two-thirds of the members of each House present and voting.
- (c) Such resolution shall be confirmed at an adjourned or subsequent meeting held after an interval of not less than thirty days from the date of the meeting at which such resolution was passed if at the voting thereon not less than half of all the members of the House of Clergy and not less than half of the all the members of the House of Laity be present and the resolution is supported by the votes of not less than two-thirds of the members of each House present and voting.
- (d) Such resolution after being passed and confirmed shall be sanctioned by the Bishop.

### **Adoption or amendment of Canons and Regulations of Synod**

20. (a) Notice of the proposed new or amended Canons or Regulations shall be forwarded to each member of the Synod ten days at least before the meeting at which such alterations shall be proposed.
- (b) The resolution proposing such alterations shall not be passed unless at the voting thereon not less than half of all the members of the House of Clergy and not less than half of all the members of the House of Laity be present and it is supported by the votes of not less than two-thirds of the members of each House present and voting.
- (c) Such resolution after being passed shall be sanctioned by the Bishop.

## Schedule

### **DECLARATION OF PRINCIPLES**

(As adopted by the Synod on the 18th day of April, 1974)

We, being, by representation the Church of England in Bermuda, and having resolved that this Church shall henceforth be known as the Anglican Church of Bermuda, do declare, for the avoidance of doubt and misunderstanding, that it is our intention that the Church shall continue as heretofore to be in spiritual union and communion with the Church of England and the other Churches of the Anglican Communion. We recognise and accept the canon of Holy Scripture received by the Church of England, is the rule and standard of our Christian faith; we acknowledge the Book of Common Prayer and Administration of the Sacraments and other rites authorized for use in the Church of England, together with the thirty-nine Articles of Religion, as interpreted and accepted by the Church of England, to be a true and faithful declaration of

Christian doctrine. We also maintain, as scriptural and apostolic, the threefold order of the Christian Ministry - Bishops, Priests and Deacons. We affirm that we will make no alterations in the doctrine, liturgy or discipline of the Church, except such as shall have been made in the Church of England or in a Church of the Anglican Communion with which we may have agreed to form a closer relationship.

**IV**

**DIOCESE OF BERMUDA**

**REGULATIONS FOR  
STANDING ORDERS  
for the  
SYNOD  
of the  
DIOCESE OF BERMUDA**

Passed February 28th, 1984

Amended December 14th, 1988

Amended January 24<sup>th</sup>, 1998

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## **MEMBERSHIP OF SYNOD**

1. The Synod shall consist of three Houses; the Bishop, who shall be President, a House of Clergy and a House of Laity.
  - A. The members of the House of Clergy shall be all Priests and Deacons resident in the Diocese and who hold the Bishop's Licence.
  - B. The members of the House of Laity shall be:-
    - (a) Ex-Officio Officers;  
the Chancellor;  
the Treasurer;  
the Chairman of the Diocese Funds Committee of the Church Society;
    - (b) three lay representatives elected by the Church Vestry of each parish;
    - (c) three lay representatives elected by the Vestry of the Cathedral of Bermuda.
    - (d) Each Vestry will also elect one alternate representative who may, with the written authority of the Rector to the Secretary of Synod or, in his absence, a Churchwarden or, in their absence, the Vestry Clerk, substitute for any representative unable to attend synod meetings.

Amended  
24/1/98

Amended  
24/1/98

### **Roll of Members**

2. The Secretary shall keep a roll of members of the Synod constantly up to date.

### **Participation by non-members**

3. Any visitor attending by invitation of the President may, with the permission of the Chairman, address the Synod but shall have no right to move any motion or amendment, nor to vote.
4. The public and the press may be present, subject to Standing Order 78.

### **Term of Office**

5. The members of the House of Clergy shall continue until they cease to be resident in the Diocese and to hold the Bishop's Licence.
6. The Members of the House of Laity, other than ex-officio members, shall be elected

annually at the Annual Meeting of the persons on the Membership Roll of each Parish and of the Vestry of the Cathedral at the time specified in Regulation 10.



### **Chairman of Meeting**

7. The President shall be chairman of meetings of the Synod or in his absence the Archdeacon. Subject to these Standing Orders the procedure of the Synod shall be regulated by its chairman, and his decision on any point of dispute shall be regarded as final.

### **OFFICERS**

#### **Secretary**

8. There shall be a Secretary of the Synod who shall:-
- (i) be responsible for the administrative arrangements for meetings of the Synod;
  - (ii) be in attendance at such meetings;
  - (iii) prepare the draft agenda papers;
  - (iv) keep and circulate the minutes of the Synod;
  - (v) act as secretary of the Standing Committee;
  - (vi) perform such other duties as the Synod shall assign to him.
9. The Synod shall have power to appoint an Assistant Secretary,

#### **Registrar**

Amended 10. See Regulation 13(b) of the Constitution of the Anglican Church of Bermuda.  
24/1/98

#### **Treasurer**

11. There shall be a Treasurer of Synod, appointed by the Synod, who shall collect and receive all moneys payable to the Synod and shall disburse the same under the direction of the Synod. He shall make up his accounts to the thirty-first day of December in each year and shall submit them to the Auditors in time for them to submit the same for presentation at the annual Meeting, which shall be held within the first three months of the year.

### **Terms of Appointment**

12. Subject to any statutory provision and to these Standing Orders, the terms and conditions of service of the Secretary, Assistant Secretary, Registrar and Treasurer shall

be determined by the Synod.

## **MEETINGS OF THE SYNOD**

### **By Whom convened**

13. The Synod shall meet upon the summons of the President.

### **When and where held**

14. The President shall summon at least two meetings in each year at such time and place as he shall direct after consulting the Standing Committee.

### **Meetings by request**

15. If either the Standing Committee by resolution so requests or if the President receives a requisition for that purpose signed by not less than ten members, the President shall summon a meeting of the Synod which shall be held within four weeks following the resolution or request.

### **Notice of ordinary meetings**

16. The date, time and place of ordinary meetings of the Synod, when fixed, shall be announced to members as soon as possible in such manner as the President shall approve, provided that not less than two weeks before each meeting a notice thereof together with an invitation of other business, shall be posted or delivered to every member.

### **Notice of special meetings**

17. In case of sudden emergency or other special circumstances a meeting may be convened at not less than 7 days' notice but the quorum for the transaction of any business at such a meeting shall be a majority of the members of each House and only business specified in the notice may be transacted.

### **Notice of adjourned meetings**

18. If the motion to adjourn the Synod is carried and:-
- (i) a date has been specified for the next sitting of the Synod the Secretary shall immediately inform all members accordingly;
  - (ii) no date has been specified for the next sitting of the Synod the Standing Committee shall arrange such a date, being not less than two weeks after the date of the meeting of the Committee and the Secretary shall immediately inform members of the date so

- arranged;
- (iii) in both the above cases the written notification by the Secretary shall be deemed to be the only notification required and the provisions of Standing Orders 16 and 17 shall not apply.

## **SEPARATE MEETING OF THE HOUSES**

### **When and where held**

19. Either House shall meet separately when the Synod shall so direct and shall elect its own chairman.

## **AGENDA**

### **Content**

20. Subject to these Standing Orders and any resolution of the Synod, and without prejudice to the rights of individual members to a reasonable opportunity within the time available of bringing matters before that Synod, the Standing Committee shall settle the agenda for each of its meetings, specifying therein all business of which due notice has been received and which is in order, and shall determine the order in which the business so included shall be considered.

### **Circulation**

21. The Secretary shall post or deliver an agenda paper to every member two weeks at least before a meeting or, in the case of a special meeting called at less than 21 days' notice, at the same time as the notice.

### **Business permitted to be considered**

22. Save for urgent or specially important business added thereto by direction of the President, and such matters as may arise therefrom, no business shall be considered at a meeting other than that specified in the agenda (or any notice paper relating thereto) or arising from business so specified.

### **Order of business**

23. In considering the order of business the Standing Committee shall give special consideration to items brought before the Synod at the request or direction of the President; and may also allot special times at which such items shall, unless previously disposed of, be taken, and time limits for debates on any motions, where it considers

this to be necessary.

### **Varying the order of business**

24. The order of business may be varied by resolution of the Synod or, unless any member objects, by the chairman.

## **NOTICE OF BUSINESS**

### **Form of notice**

25. Subject to Standing Order 16, notice of any business for a meeting of the Synod shall be in writing, signed and delivered to the Secretary by hand or by post not later than the period before the meeting which is specified in Standing Order 26.

### **Length of notice**

26. Notice of seven days shall be given for new business for the agenda, motions and amendments arising from the agenda, and questions under Standing Order 68.

### **When not required**

27. Notice of the following business shall not be required:-
- (i) a motion or amendment moved by permission of the chairman; provided that the full text of such motion or amendment shall be handed to the Secretary before it is moved;
  - (ii) business adjourned under Standing Order 54 or 55 to a specified time or meeting;
  - (iii) a procedural motion specified in Standing Order 50 (subject as provided in that Standing Order);
  - (iv) a supplementary question by a member who has asked a question under Standing Order 68.

## **GENERAL RULES OF DEBATE**

### **Quorum**

28. The Chairman and one-half of the members of each House shall form a quorum of the Synod which shall be necessary for the consideration of all business except the adjournment of the Synod under Standing Order 54 or of a debate under Standing Order 55.

### **If quorum not present**

29. If a quorum is not present, the chairman shall adjourn the Synod until such time as he shall determine, but the absence of a quorum shall only invalidate a decision of the Synod for which a quorum is necessary if:-
- (i) the attention of the chairman has been called to such absence before the question is put;
- or

- (ii) on the counting of votes, less than a quorum is found to have voted and in the opinion of the chairman, it is not certain whether a quorum was present at the time when the question was put.

#### **Order of speeches**

30. The Chairman shall call upon members who desire to speak and may require them to give their names to the Secretary in writing. He shall also determine the order in which they speak.

#### **Breach of order**

31. The chairman shall call a member to order for failure to address the chair, irrelevance, tedious repetition or arguments previously put forward in the same debate by the same or any other member, unbecoming language, reading a speech without permission of the chairman, disregard of the authority of the chairman or any other breach or order, and may order the member to end any speech which he is making.

#### **Points of order**

32. A member may submit a point of order under these Standing Orders at any time and for this purpose may interrupt another speaker. A member rising to a point of order shall state what he has to say in the form of a succinct question.

#### **Personal explanations**

33. A member may ask permission to interrupt a debate to make a personal explanation but only so as to correct an important misunderstanding of fact during the debate with regard to what he has said, or to explain some matter of strictly personal concern, and for this purpose may interrupt another speaker. Such permission shall be given only if any person interrupted, consents, and if in the opinion of the chairman the debate is likely to benefit from such an explanation.

#### **Interruptions otherwise not permitted**

34. Save as provided in Standing Orders 32 and 33 the interruption of a speech (by question, point of information or otherwise) shall not be permitted, but where it occurs in breach of this Standing Order it shall be reckoned as a speech on the question before Synod and shall preclude the interrupter from speaking further on that question. The ruling of the chairman on a point of order for the admissibility of a personal explanation shall not be open to question.

### **Speaking to a motion**

35. A member shall not speak unless upon a motion or amendment save as provided in Standing Orders 32, 33, and 68.



### **Speaking more than once**

36. A member shall not speak more than once upon the same question, except:-
- (i) as provided in Standing Orders 32 and 33;
  - (ii) by permission of the chairman and with the consent of the Synod;
  - (iii) that the mover of a motion (but not an amendment) may reply: such reply shall not introduce any new matter and shall close the debate;
  - (iv) that the mover of an amendment to a Standing Order may speak twice.

### **Length of speeches**

37. Save as provided in these Standing Orders, no speech shall exceed ten minutes or, in the case of a member introducing a report, fifteen minutes, but the chairman may at any time lengthen or shorten either of these periods; provided that he shall inform the Synod of his ruling which shall not be open to debate or question.

### **Moving and seconding**

- 38 (a) Every matter debated in the Synod shall have been moved and seconded, except that no seconder shall be required for:-
- (i) a motion by the chairman, or by a member on behalf of a committee in relation to the report of that committee;
  - (ii) an amendment;

Provided that any procedural motion under Standing Order 50 shall be seconded without speech.

- (b) A motion or amendment which, when called by the chairman is not moved by the member who has given notice thereof, may be moved by some other member in his stead.

### **Withdrawal**

39. A motion or amendment, once moved, may be withdrawn by the mover or at his request unless more than five members object.

### **Reconsideration and rescission**

40. No motion or amendment to the same effect as, or dependent on, one which has been rejected, shall be moved at the same session.

### **Division**

41. The chairman may, with the consent of the mover, divide any motion or amendment in such manner as to enable the Synod to express its judgment separately upon each part of the motion or amendment so divided.

### **Special powers of chairman**

42. Unless the Synod otherwise decides, the chairman shall:-
- (i) adjourn the Synod at the hours fixed in accordance with these Standing Orders,
  - (ii) adjourn the debate on any question at the hour fixed for the commencement of other business in accordance with Standing Order 23;
  - (iii) close the debate on any motion at the hour appointed in accordance with Standing Order 23, whether or not there are other members who still desire to speak, and thereupon the provisions of Standing Order 56(ii) shall apply.

### **AMENDMENTS**

#### **When permitted**

43. Except as provided in Standing Order 44 any member may move an amendment to a motion which has been duly moved and seconded and such amendment shall be disposed of before that motion is put or any further amendment is moved.

#### **When not permitted**

44. Amendments shall not be permitted to a procedural motion under Standing Order 50.

#### **Amendments to amendments**

45. No amendment may be moved to an amendment except by permission of the chairman.

#### **Delivery in writing**

46. Before an amendment is moved, a copy thereof in writing shall be delivered or handed to the Secretary.

#### **Form of amendments**

47. An amendment may be made:-
- (i) by leaving out words; or

- (ii) by leaving out words in order to insert other words; or
- (iii) by inserting or adding words.

### **Content**

48. An amendment shall be relevant to and shall not have the effect of negating the main motion or amendment.

### **Order of consideration**

49. Amendments shall be moved and put to vote in the order in which they first affect the main motion or amendment to which they relate; and if more than one amendment has been received affecting the same place in that motion or amendment, they shall be moved and put to the vote in the order determined by the chairman. By his permission, during the debate on an amendment, other amendments may be discussed but not moved.

## **PROCEDURAL MOTIONS**

### **Content**

50. Subject to these Standing Orders, the following procedural motions may, with the consent of the chairman, be moved with or without notice but not so as to interrupt the speech of any member:
- (i) "That the Synod do pass to the next business" ("next business");
  - (ii) "That the Synod do now adjourn" ("adjournment of the Synod");
  - (iii) "That the debate be now adjourned" ("adjournment of debate");
  - (iv) "That the debate be now closed" ("closure");
  - (v) "That all the further speeches on this question be limited to .... minutes" ("speech limit");
  - (vi) "That the .... be referred back" ("reference back");
  - (vii) a motion to vary the order of business;
  - (viii) a motion to suspend a Standing Order.

### **Seconding**

51. The seconding of procedural motions shall be formal and without speech.

### **When not permitted**

52. A motion shall not be moved:  
for next business or a reference back on an amendment or another procedural motion.

### **Next business**

53. The following rules of debate shall apply:-
- (i) the motion may be moved either in the form "That the Synod do forthwith pass to the next business" or in the form "That the Synod do pass to the next business before the question is put";
  - (ii) a motion for next business shall take precedence over all amendments of which notice has been given;
  - (iii) if such motion is carried, the ordinal motion shall lapse, either forthwith or before the questions put, as the case may be, and not be reconsidered during the same meeting of the Synod;
  - (iv) if negatived, such motion shall not be moved again on the original motion unless that motion be substantially amended;
  - (v) during discussion on a motion "That the Synod do pass to the next business before the question is put" it shall be in order to debate the merits of the original motion.

### **Adjournment of the Synod**

54. The following rules of debate shall apply:-
- (i) the motion to adjourn may but need not specify a time for the next sitting of the Synod or the resumption of the business interrupted;
  - (ii) the mover shall be allowed to speak for not more than three minutes; the mover of the original motion, if any, or if not, some other member may speak for not more than three minutes in reply; the question shall then be put without further debate;
  - (iii) if the motion to adjourn is carried and the Synod has not by the same resolution appointed a time for its next sitting, such sitting shall be held at the time appointed in accordance with Standing Order 18:
  - (iv) subject to any resolution of the Synod, the business interrupted shall be resumed at the next meeting;
  - (v) if negatived, the adjournment of the Synod shall not be moved again, except by permission of the chairman, until a further hour has elapsed.

### **Adjournment of debate**

55. Standing Order 53 shall, unless the context otherwise requires, apply also to this motion except that:-
- (i) if such motion is carried and the Synod has not by the same or a later resolution appointed a time for resuming the interrupted debate, it shall be resumed only by

- direction of the Standing Committee;
- (ii) if the question adjourned is an amendment, the debate on the main motion shall also stand adjourned.

#### **The closure**

56. The following rules of debate shall apply:-
- (i) if such motion is permitted by the chairman and seconded, it shall be put forthwith without discussion;
- (ii) if the closure is carried, the member, if any, who has a right of reply on a motion suspended by the closure shall be given an opportunity to speak for not more than five minutes in reply, and the motion amendment shall be put without further debate.

#### **Speech limit**

57. The following rules of debate shall apply:-
- (i) if this motion is permitted by the chairman and seconded, it shall be put forthwith without discussion;
- (ii) notwithstanding the time limits imposed by Standing Order 37, on this motion being carried, no speech shall exceed the number of minutes specified therein, but the chairman may, for any special reason of which he shall be the sole judge, allow a longer or shorter time to any member; provided that when giving his consent the Chairman shall inform members of his ruling and shall have particular regard to any member who has right of reply to the debate.

#### **Reference back**

58. If a motion to remit specifies no one to whom the matter is to be referred, this question shall be decided by the Standing Committee.

#### **Suspension of Standing Orders**

59. After notice or by permission of the chairman, without notice, a member may move that a Standing Order be suspended during a particular debate or meeting. Such motions shall not be deemed to have been carried unless at least three-fourths of those members present and voting are in favour.

#### **Assent of three Houses**

60. Subject to the two next following Standing Orders, nothing shall be deemed to have the assent of the Synod unless the three Houses which constitute the Synod have assented thereto.

#### **Procedure for decisions**

61. Questions relating only to the conduct of business shall be decided by the votes of all the members of the Synod present and voting, and every other question shall be decided in like manner, the assent of the three Houses being presumed, unless any ten members present demand that a separate vote of each of the Houses of Clergy and Laity be taken, or unless the Bishop requires his distinct opinion to be recorded.

#### **Votes by separate authorities**

62. A vote shall be taken by separate authorities on any question if the chairman so directs, except one which relates only to the conduct of business.

#### **Majority required for decisions**

63. Subject to any requirements of the Constitution, decisions of the Synod, when no separate vote is taken by each of the Houses shall require the votes of a majority of all the members of the Synod present and voting: and decisions of the Synod, when a separate vote is taken by each of the Houses, shall subject as aforesaid require the assent of the President and the votes of a majority of all the members of each of the Houses of Clergy and Laity present and voting, provided that a motion to suspend a Standing Order shall require the votes of at least three-fourths of the members of the Synod present and voting.

#### **Voting rights of a chairman**

64. The chairman (subject to the rights of the President when he is chairman) shall have the same voting rights as other members and shall have no second or casting vote.

#### **Mode of voting**

65. The chairman on putting any question to the vote shall take a show of hands, the result of which as announced by him shall be conclusive, and may at his discretion order the hands to be counted, and shall do so on a vote by Houses.

#### **Requests for separate voting**



66. Where any five members demand a separate vote of each House or the President requires his distinct opinion to be recorded, such demand or request shall be made before the question is put or immediately upon the announcement of a show of hands, whether counted or not.

### **Procedure for count of hands**

67. The counting of hands on a separate vote of each House shall be conducted in accordance with instructions to be issued from time to time by the Standing Committee and, subject thereto, the administrative arrangements for each count shall be made by the Secretary under direction of the chairman.

## **QUESTIONS**

### **To whom addressed**

68. Subject to due notice under Standing Orders 25 and 26 a question may be asked of:-
- (i) the Chairman;
  - (ii) any officer of the Synod referred to in these Standing Orders;
  - (iii) the chairman of any body constituted by the Synod or on which it is represented;
  - (iv) the chairman of any Committee, Board or Council or any other body to which the members are elected by the Synod;

Provided that the person asked may, without reason given, refuse to answer that question. A member who has asked a question may ask one supplementary question.

### **Content**

69. A question, if addressed to an officer, shall relate to the duties assigned to him and, if addressed to the chairman of any body, to the business of that body. Questions shall not ask for an expression of opinion or for the solution of either an abstract legal question or a hypothetical problem, and shall be otherwise in order.

### **Persons authorised to reply**

70. If the person of whom the question is asked is a member or officer of the Synod he shall reply personally, and if not, the reply may be given by one of its members nominated by the President; provided that:-
- (i) the President may instruct the Secretary to reply on his behalf,
  - (ii) a member who is absent may authorise another member to deputise for him.

## **ELECTION OF BISHOP**

71. At the meetings held for the election of the Bishop the Standing Orders shall continue to apply except in so far as the Constitution shall provide otherwise.

## **THE STANDING COMMITTEE**

### **Composition**

72. The Standing Committee shall consist of:-  
the Bishop;  
the Archdeacon;  
two Clerical members elected by the House of Clergy;  
three Lay members elected by the House of Laity.

### **Election to Standing Committee**

73. The elected members of the Committee shall be elected by the House of which each is a member, immediately after the election of a new Synod, and shall retire on the election of their successors or on ceasing to be qualified.

### **Officers**

74. The officers of the Committee shall be as follows:-
- (i) the President of the Synod shall be chairman;
  - (ii) a member of the Committee nominated by the President with the consent of the Committee shall be vice-chairman.

### **Functions**

75. The functions of the Standing Committee shall be:-
- (i) to plan the business of the Synod, to prepare the agenda for its sessions and to circulate to members information about matters for discussion;
  - (ii) to initiate proposals for action by the Synod and to advise it on matters of policy which are placed before it;
  - (iii) to advise the President on any matters which he may refer to it;
  - (iv) subject to the directions of the Synod to transact the business of the Synod when it is not in session;
  - (v) to appoint or elect members of committees or nominate members for election to committees subject to the directions of the Synod;

to carry out such other functions as the Synod may delegate to it.

### **REPRESENTATION ON OTHER BODIES**

76. The procedure for appointing or electing representatives to serve on any committees or other bodies which are not statutory committees or responsible to the Synod, but on which it is required or permitted to be represented, shall be determined in each case by the Standing Committee.

### **DOCTRINAL MATTERS AND FORMS OF SERVICE**

77. If notice is given of a motion which raises any question touching doctrinal formulae or the services or ceremonies of the Anglican Church of Bermuda, the Standing Committee shall include it on the agenda of the earliest convenient meeting of the Synod; provided that, save by permission of the chairman and the consent of the Synod, copies of such motion, together with a report thereon by the Standing Committee, shall be sent to members at least two months before it is finally voted on by the Synod.

### **GENERAL PROVISIONS**

#### **Admission of press and public**

78. Subject to any directions by the Synod or the Standing Committee, any member of the Synod may move that the representatives of the press and members of the public shall withdraw during the whole or part of the business before the Synod. If the motion is seconded and carried the chairman shall request the representatives of the press and the public to withdraw.

#### **Periods of notice**

79. Any period of notice required by these Standing Orders shall be deemed to consist of clear days or weeks, not including the date of despatch and the date of the event before which the notice must be delivered.

#### **Procedural defects**

80. A meeting of the Synod or any of its committees of which the minutes have been approved and signed shall be deemed to have been duly summoned and held notwithstanding any defect in the procedure for summoning or conducting such meeting and no proceedings thereat shall be invalidated by the accidental omission to

give the required notice of the meeting to any member.

### **Amendment of Standing Orders**

81. A motion for the addition to or amendment of these Standing Orders shall require the previous consent of the Synod, due notice having been given.

### **Adoption of or Amendment to the Constitution**

82. At the meeting held for the purpose of the adoption of a new Constitution or the amendment of the Constitution the Standing Orders shall continue to apply except in so far as the Constitution shall provide otherwise.

**V**

**REGULATIONS OF SYNOD RELATING  
to the  
ESTABLISHMENT OF THE  
CATHEDRAL CHAPTER  
of the  
DIOCESE OF BERMUDA**

**made pursuant to Section 8(d) of the  
Church of England in Bermuda Act 1975**

**Passed on January 26th, 1984**

**Amended January 24<sup>th</sup>, 1998**

1. The Chapter shall consist of:-
  - (a) the Bishop, who shall be Dean;
  - (b) the Archdeacon;
  - (c) the Canon Residentiary, who shall be Sub-Dean;
  - (d) two Canons Capitular, who shall be known as Honorary Canons;
  - (e) up to two Lay Canons.
  
2. Seeing that under those clauses of the Bermuda Cathedral Act 1966, declared by the Church of England in Bermuda Act 1975 to be regulations of the Synod, the Bishop and the Cathedral Vestry are responsible for the affairs of the Cathedral, they shall continue to exercise such responsibilities as heretofore.
  
3. The Cathedral Chapter is therefore a body of persons who, by virtue of their office or position of dignity in the Diocese, are entitled to a stall and a place of special recognition in the Cathedral.
  
4. A Canon Capitular shall hold office until he resigns his benefice or reaches the age of seventy. Lay Canons should retire at the age of seventy, subject to the discretion of the Bishop.
  
5. The Archdeacon and the Canon Residentiary shall hold office according to the ten-ns of the Constitution. The Canons Capitular and the Lay Canons shall be appointed by the Bishop.
  
6. The Bishop, as Dean, shall be responsible for the conduct of the affairs in the Cathedral, or in his absence the Canon Residentiary or Sub-Dean (in consultation with the Bishop's Commissary), or in his absence the Archdeacon, or in his absence the Senior Canon.
  
7. The members of the Chapter shall be entitled to a stall in the Cathedral.

Amended 8. The Bishop may confer on any person who has served as Canon Residentiary or Canon Capitular on retirement the title of Canon Emeritus. Stalls shall be assigned for Canons Emeriti.

24/1/98

Amended 9. The Bishop may confer upon any person who has served as Archdeacon on

24/1/98 retirement the  
title of Archdeacon Emeritus. Stalls shall be assigned for Archdeacons  
Emeriti.

## VI

### DIOCESE OF BERMUDA

#### REGULATIONS OF THE SYNOD RELATING TO THE CATHEDRAL AND PARISH CHURCHES

In these Regulations the following definitions shall apply:

**"Rector"** - 'A Rector is the priest, appointed by the Bishop who has the cure of souls in a Parish.'

**"Parish"** - 'An area under the spiritual care of a clergyman to whose religious ministrations all of its inhabitants are entitled. For the purpose of these Regulations, the term shall include the membership of the Cathedral.'

#### MEMBERSHIP AND MEMBERSHIP ROLL

1. Every Parish shall maintain a Membership Roll which shall be available for inspection by bona fide enquirers and shall be created before 30th April 1989 and subsequently reviewed annually before 30th April and renewed every third year.
2. The Membership Roll shall be kept and revised under the direction of the Churchwardens, who may appoint a Membership Roll Officer to carry out the necessary functions with regard to the Roll.
3. Any lay person who is eighteen years of age or over, has been baptized and habitually attends public worship in the Anglican Church of Bermuda (or a Church in communion with it) may have his or her name entered on the Membership Roll.
4. Such an eligible person should initially, and subsequently every three years, complete, sign and return to the Churchwardens an Application for Enrolment form similar to the one appearing in the First Schedule to these Regulations. Nobody may be entered upon more than one Membership Roll.
5. Persons whose names appear on the Membership Roll of a parish may vote in person at



the election of Churchwardens and members of the Church Vestry for that Parish. There shall be no voting by proxy.

6. Persons whose names appear on the Membership Roll should encourage their families and friends to attend Divine Service regularly; should support the Church to the best of their ability and should express their commitment by Christian giving towards the work of the Church.
7. A person's name shall, as the occasion arises, be removed from the Roll by the Membership Roll Officer or appropriate Committee of the Vestry if he or she:
  - (a) has died, or
  - (b) becomes a Clerk in Holy Orders, or
  - (c) states in writing his or her wish for removal from the Roll, or
  - (d) ceases to reside in the parish, unless after so ceasing he or she continues habitually to attend public worship there, or
  - (e) has not attended public worship in the parish during the preceding six months, not having been prevented from doing, so by illness or other sufficient cause; or
  - (f) was not entitled to have his or her name entered on the Roll at the time when it was entered.
8. The removal of a person's name from the Roll under any of the provisions of these rules shall be without prejudice to his or her right to reinstatement, if he or she acquires that right subsequently, or by appeal to the Vestry whose decision shall be final.
9. The Roll shall contain a record of the address of every person shown on it.

### **MEETINGS**

10. An Annual Meeting of the persons on the Membership Roll of each Parish shall be held in the Parish between Easter Day and 31st May on a day and at a time convenient to most persons to elect two duly qualified persons as Churchwardens and to elect sufficient members of the Church Vestry (who shall be on the Membership Roll of the Parish) to bring its membership (including the Rector and the two Churchwardens, who shall be ex-officio and voting members of the Vestry) to not more than thirteen and not less than seven in total. Any Assistant Priest of the Parish shall be entitled to attend Vestry meetings but not to vote. The Annual Meeting shall be convened by the Rector and Churchwardens or, if the incumbency is vacant, by the Churchwardens and three members of the Vestry. The Rector shall be Chairman of the meeting; in his absence a Chairman, who shall be one of the Churchwardens if present, shall be elected by the majority of members attending.

11. Not less than fourteen days notice of the time and place of each Annual Meeting shall be given, by advertisements in local newspapers or in other effective ways which the Vestry may decide.
12. The Agenda at the Annual Meeting shall include:
  - (a) The Minutes of the last Annual Meeting;
  - (b) The Rector's Annual Report;
  - (c) an annual report on the proceedings of the Vestry;
  - (d) an annual report on the financial affairs of the Parish, based upon audited financial statements;
  - (e) the election of an auditor for the forthcoming year;
  - (f) a report upon the fabric, goods and ornaments of the Church or Churches of the Parish;
  - (g) a report on the proceedings of the Diocesan Synod;
  - (h) the election of Churchwardens;
  - (i) the election of Vestry members by whichever method the Vestry chooses;
  - (j) the election of three representatives to the Diocesan Synod, which representatives shall be elected members of the Vestry.
13. Special Meetings of the persons on the Membership Roll ("Qualified Voters") may be convened by the Vestry Clerk when the Church Vestry considers them necessary or when not less than ten Qualified Voters make a written request for a meeting to the Rector or, in his absence, the Churchwardens.
14. Every question to be decided at any meeting of the Qualified Voters or at any meeting of the Church Vestry shall be determined by a majority of the votes of those present and voting on the question. In the case of an equal division of votes the Chairman shall have a second or casting vote.
15. At all General Meetings of the Qualified Voters and meetings of the Church Vestry, at least half the Vestry members who are on the Island must be present to form a quorum. In the event that a quorum is not present for a General Meeting, the meeting shall be adjourned for one week, at which time a quorum of not less than ten parishioners shall suffice.

### **CHURCH VESTRY**

16. The Church Vestry is a Body Corporate having perpetual succession. Any act of the Vestry may be signified by an instrument executed at a meeting of the Vestry and under the hands of the Chairman presiding at that meeting and two other members of the

Vestry. Where an instrument under Seal is required, the hands and Seal of the Chairman and two other members of the Vestry are necessary. The Rector shall be Chairman of the Vestry (or in the case of the Cathedral the Bishop, or in his absence the Canon Residentiary) but in his absence a Chairman shall be elected by the majority of members attending. If either of the Churchwardens is present, he or she should be elected Chairman.

17. The Church Vestry may act notwithstanding any vacancy in its members, who shall normally hold office until their successors are elected.

However, should a Vestry member die, resign or cease to be qualified, the other members may appoint another qualified person in his or her place who shall hold office until the next election of Vestry members.

18. It is the primary duty of the Church Vestry to co-operate with the Rector in the initiation, conduct and development of the Church's ministry.
19. It is the duty of the Church Vestry to raise sufficient funds to pay:
  - (a) the stipends of the Clergy of the Parish and their expenses of office, in accordance with the scale authorized by Synod, on a monthly basis;
  - (b) for the maintenance, repair and improvement of the Parish Church and all its belongings and the graveyard, Church Hall and Rectory;
  - (c) all necessary expenses relating to the celebration of Divine Service and the rites, ceremonies and offices of the Church, including the payment of the Organist, Sexton and any other necessary officers and servants whom the Vestry may appoint;
  - (d) insurance of the Church property, the cost of electricity, telephone, printing and all other expenses as are reasonable and necessary for the furtherance of the Church's work.
20. The Vestry shall provide a special account to be used, at the Rector's sole discretion, for charitable purposes.
21. Should the Christian giving within the Parish prove insufficient to meet the expenses of the Church and its ministry, the Vestry may request additional voluntary contributions from persons on the Membership Roll.
22. Regarding the term of office of Vestry members:
  - (a) the Annual Meeting may decide to elect the whole Vestry for the following year;
  - (b) however, the Meeting may decide that no lay member may hold office for more than a specified number of years continuously and may also decide that, after a period of one

year, a person who has ceased to be eligible for this reason may again stand for election to the Vestry;

- (c) alternatively, the Annual Meeting may decide that one third only (or the number nearest to one-third) of the lay representatives elected to the Vestry shall retire from office in every year.

In any case where it is so decided, the members to retire from office at each Annual Meeting shall be those who have been longest in office; and as between members elected on the same day, those to retire shall (unless they otherwise agree among themselves) be selected by lot. A lay member shall in any event retire at the end of the third Annual Meeting after that at which he was elected.

- 23. Subject to these Regulations, every Vestry shall have power to regulate its own procedures. The Vestry may appoint one of their number or another person to the office of Vestry Clerk, also to the office of Treasurer.

### **CHURCHWARDENS**

- 24. It is the primary duty of the Churchwardens to cooperate with the Rector in the initiation, conduct and development of the Church's ministry in the Parish and to act as stewards of the Church buildings, furnishings and finances.
- 25. Every Parish shall have two Churchwardens, chosen from persons whose names are on the Membership Roll of that Parish, who are at least twenty-one years of age and who have signified their consent to serve.
- 26. The Churchwardens of the Parish shall be chosen at the Annual Meeting by the Joint consent of the Rector (in the case of the Cathedral the Bishop or in his absence, the Canon Residentiary) and the parishioners. Such joint consent shall be deemed to have been shown:
  - (a) if any motion stating the names of the persons to be chosen as Churchwardens, or the name of either of them is declared by the Chairman of the Meeting to have been carried and;
  - (b) if in respect of any such motion the Rector announces his consent to the choice of the person or persons named, either before the putting of the motion to the Meeting or immediately after declaring the result;

Provided that no person shall be properly chosen as a Churchwarden under these provisions unless both Churchwardens have been so chosen.

27. If the Rector and the Parishioners cannot agree on the choice of both Churchwardens as provided above or, if after due opportunity has been given, no motions have been moved in accordance with such provisions, then one Churchwarden shall be appointed by the Rector (or in the case of the Cathedral by the Bishop or in his absence by the Canon Residentiary) and the other shall then be elected by the Meeting of the Parishioners.
28. During any period where there is no Rector, both Churchwardens shall be elected by the Meeting of the Parishioners.
29. The Churchwardens shall hold office until their successors are chosen, providing that if at any time there is no Churchwarden competent to act, a person may be chosen to fill such a vacancy, in the same manner as was the Churchwarden in whose place he was appointed.
30. The Annual Meeting may decide that no Churchwarden may hold office for more than a specified number of years continuously and may also decide that, after a period of one year, a person who has ceased to be eligible for this reason may again be chosen as Churchwarden.
31. The Churchwardens shall perform such duties relating to the Parish as are committed to them by law or custom or required of them by the Vestry (who shall determine the overall policy) and should in particular;
  - (a) maintain good order and decorum on the Church premises and particularly during Divine Service;
  - (b) be guardians of the interests of the Church and its property against all abuse;
  - (c) provide, at the expense of the Vestry, all items necessary for the Church, such as font, bible, altar, prayer books, bread, wine, chalice, bell, rope, register for baptism, banns, marriages, burials, robes and vestments, music and a chest or safe for valuables;
  - (d) maintain the Membership Roll in proper form and ensure that it is reviewed annually and up-dated as necessary;
  - (e) levy charges for weddings, funerals, the upkeep of graves and any other facilities agreed to by the Rector from time to time, in accordance with Synod regulations.
32. The Churchwardens are responsible to the Vestry for the proper management of the revenue and expenditure of the Church and shall not enter upon any expenditure other than ordinary or incidental expenses without previous sanction of the Vestry. This authority may be delegated to a Treasurer, if appointed by the Vestry.

33. The Financial Year of the Vestry shall run from the 1st April to the 31st March in each year regardless of the date of Easter Day. The Churchwardens, or Treasurer on their behalf, shall present Audited Accounts for the previous year to the Vestry not less than one week prior to the Annual Meeting.
34. The Churchwardens are the Officers of the Bishop and it is their duty, on the Bishop's or Archdeacon's visitation at the end of their year of office, to answer such questions as may be put to them about the state of the Parish and to report whatever may be amiss. They should also at any other time report to the Bishop any irregularity or failure of duty of which he ought to be informed.

### **THE PARISH CHURCH**

35. The Parish Church and the churchyard shall be maintained in proper repair, as is fitting for the House of God and consecrated ground. Every Baptism, Confirmation, Marriage, Burial and other service shall be duly recorded by the officiating minister in the appropriate Register of the Church (or Cathedral).
36. Before any alteration, addition, removal or major structural repair is carried out in the fabric, ornaments or furniture of the Church, the Rector and Churchwardens shall first write to the Archdeacon who will, upon due consideration and any necessary investigation, advise the Standing Committee of the Synod whose written approval is necessary. A record of all such alterations, removals or repairs must be included in the Minutes of the Vestry.
37. No-one shall place any memorial on church property without first obtaining the approval of the Rector and the church Vestry.
38. No-one shall place special decorations in the Parish Church for any occasion without the permission of the Rector; and the person to whom such permission shall be granted shall be responsible for their removal and for leaving the church in a neat and clean condition.
39. The organist shall be appointed by the Rector (or in the case of the Cathedral the Bishop or in his absence the Canon Residentiary). His or her salary shall be determined from time to time by the Vestry and the engagement shall be terminable on three month's written notice to or from the Rector.
40. The vergers shall be appointed by the Rector (or Bishop or Canon Residentiary as appropriate). His or her salary shall be determined by the Vestry and the employment

may be terminated upon one month's written notice to or from the Rector.

41. The Churchwardens shall ensure the availability at all times of a number of graves, to be called "church graves", which may be used for the burial of persons on varying terms.
42. Any parishioner may apply to the Rector through the Churchwardens for the reservation of a grave for his or her exclusive use, by purchasing such right of usage over an existing grave or over a new grave, if available. The cost of reserving the use of such grave shall include an amount for a suitable marker for it. Each grave shall be subject to an annual maintenance charge and any parishioner falling three years in arrears in such payments after due notice in writing may forfeit his or her right of usage. Removal of mortal remains from one site to another shall be subject to the approval of the Bishop as well as the Public Health Authorities.

#### **THE CATHEDRAL**

43. The Bishop of Bermuda shall be ex-officio Dean of the Cathedral.
44. The Bishop, the Canon Residentiary and the two Cathedral Wardens shall be ex-officio members of the Cathedral Vestry.
45. Suitable seating in the Cathedral shall be provided for the Governor, the mayor of Hamilton and the Cathedral Chapter.

14th October, 1988  
(Ref: 1868K)

**SCHEDULE**

Application for enrolment on .....Membership Roll.

I,.....  
(full name)

of.....  
(full address)

declare that I am baptised, have attained the age of eighteen years and am a member of the Anglican Church of Bermuda, or of a Church in communion therewith. I plan to attend public worship regularly and shall support the Church to the best of my ability. I hereby apply to be entered on the Membership Roll.

.....  
Date

.....  
Signed



## VII

### REGULATIONS OF SYNOD RELATING TO CHURCH LIVINGS AND GLEBE LANDS CONSOLIDATION

1. In this Act -
  - (a) the expression "Glebe Lands" includes all monies and investments arising from the sale of such lands or which may in the future arise from such sales;
  - (b) the expression "Synod" means the Synod of the Anglican Church of Bermuda.
2. That portion of St. George's Parish which is situated on the main Island of Bermuda and commonly called Tucker's Town shall be included in the Church Living of Hamilton Parish and subject thereto. For each Parish in these Islands there shall be separate church livings and in respect of each church living there shall be one incumbent or rector in priests orders, regularly ordained in the Church of England or in some church of the Anglican Communion in full communion therewith.
3. Each incumbent shall reside within his church living and shall duly perform therein all the ordinary and occasional services of the Church of England, and otherwise carry out his ecclesiastical and parochial duties.
4. All Glebe Lands in these Islands and the investments and monies resulting from the sale of Glebe Lands are hereby vested in the Synod subject to the trusts, terms and provisions hereinafter appearing and those already so vested are hereby confirmed subject as aforesaid.
5. The Synod shall stand possessed of all Glebe Lands in these Islands and the rents, income or interest arising from such lands and shall hold the same in trust for the Church Vestry of the particular parish to which the respective Glebe Lands do appertain subject to the provision hereinafter appearing.
6. The Synod shall manage the Glebe Lands for and on behalf of the Church Vestry or Vestries of the particular parish or parishes to which the same appertain and for such purpose shall have the following powers:-

(a) to let or lease any Glebe Lands, tenements and hereditaments vested in the Synod as aforesaid for such periods, not exceeding fifty years, and at such rents and upon such terms, conditions and stipulations as the Synod shall deem expedient;

(b) with the consent of the majority of the members of the Church Vestry concerned or if there be two such Vestries then with the consent of the majority of members of both Vestries in combined meeting assembled, to sell all or any of the Glebe Lands, tenements and hereditaments vested in the Synod as aforesaid, or to exchange the same for other lands, in such manner and on such terms and conditions as in all respects may appear to the Synod the most advantageous;

(c) to invest the proceeds of the sale of any Glebe Lands in the improvement of any remaining portion of such lands by the erection thereon of buildings or other installations or by the improvement of existing buildings or installations or to invest the proceeds in such investments as trustees in these Islands may lawfully invest in for the time being, or in such other investments as the Synod may from time to time approve, and receive the interest, dividends and income of such lands, buildings and investments;

(d) to withhold such portion of the annual income of the Glebe Lands as the Synod may from time to time deem expedient for the maintenance, repair and improvement of the said Lands, tenements and hereditaments by the erection thereon of new buildings, the improvement of rights-of-way over the said lands and of other installations thereon and with power for the purposes of this paragraph to accumulate funds for such purposes:

Provided always that, except with the consent of the Church Vestry or Church Vestries concerned, no portion of annual income so withheld shall exceed one-quarter part of the whole;

(e) in connection with the exercise of any of the powers conferred upon the Synod by the foregoing provisions, to employ such attorneys or agents at such terms as to their remuneration out of the rents and profits or out of the income of the trust funds as the Synod may deem proper;

(f) at its discretion, to delegate to a committee or committees all or any of the powers conferred by the foregoing provisions of this section.

7. After the reservation of any funds and the payment of expenses as authorized by the immediately foregoing section the Synod shall pay over annually at such convenient intervals as it may deem fit the remainder of the income of the Glebe Lands to the

Church Vestry or Church Vestries concerned.

- 8.(1) The stipend and other emoluments due to the Incumbent of the parish by the Church Vestry of the same shall be a first charge or lien on any income received or receivable by such vestry from the Synod under the provisions of the immediately preceding section. -
- (2) If the annual stipend or salary of the Incumbent of the parish is reduced, the Incumbent, notwithstanding the provisions of section 7 of the Church Vestries Act, 1961, shall be entitled to recover under the provisions of subsection (1) of this section such sum or sums not exceeding in the whole his annual stipend or salary as it may have been immediately prior to any such reduction.
9. On the coming into operation of this Act, it shall be the duty of each Church Vestry to pay over to the then Rector or Incumbent of the parish, for so long as he may continue in the living, over and above any stipend or other emoluments at that time payable to him, such portion of the income received from the Glebe Lands as may not be less than the amount he had previously been receiving as the former beneficiary of the income from Glebe Lands.
10. Subject to the provisions of section 5 and subject to any payment which may be due to the Rector or Incumbent under section 7 the residue of income derived from Glebe Lands may be used by the Church Vestry of the parish to which the said lands appertain for such purposes as may be deemed to be in the interest of the Church in the Parish as the said Vestry may from time to time determine.

VIII

CANONS  
OF THE  
ANGLICAN CHURCH  
OF BERMUDA

Passed by General Synod of  
The Anglican Church  
on the 11th day of March, 1980

**The Rt. Rev. Anselm Genders, C.R.  
Lord Bishop of Bermuda**

**Sir Bayard Dill, C.B.E., J.P.  
Chancellor of the Diocese**

# **CANONS OF THE ANGLICAN CHURCH OF BERMUDA**

## **1. OF THE DOCTRINE OF THE CHURCH**

The Anglican Church of Bermuda is in spiritual communion with the Church of England and the other churches in the Anglican communion. With them it is part of the One, Holy, Catholic and Apostolic Church, worshipping the one true God, Father, Son and Holy Spirit. It professes the faith uniquely revealed in the Holy Scriptures and set forth in the Catholic Creeds, which faith the Church is called upon to proclaim afresh in each Generation. Led by the Holy Spirit it bears witness to Christian truth in the historic formularies of the Church of England, the Thirty-Nine Articles, the Book of Common Prayer and the Ordering of Bishops, Priests and Deacons.

The Anglican Church of Bermuda will make no alterations in doctrine, liturgy or discipline except such as shall have been made in the Church of England or in a Church of the Anglican Communion with which it shall have agreed to form a closer relationship.

The Anglican Church of Bermuda declares, for the avoidance of doubt and misunderstanding, that it is our intention that the Church shall continue as heretofore to be in spiritual union and communion with the Church of England and the other Churches of the Anglican Communion. We recognise and accept the canon of Holy Scripture, received by the Church of England, as the rule and standard of our Christian faith; we acknowledge the Book of Common Prayer and Administration of the Sacraments and other rites authorised for use in the Church of England, together with the thirty-nine Articles of Religion, as interpreted and accepted by the Church of England, to be a true and faithful declaration of Christian doctrine. We also maintain, as scriptural and apostolic, the threefold order of the Christian Ministry - Bishops, Priests and Deacons.

## **2. OF CONFORMITY TO THE BOOK OF COMMON PRAYER**

1 Every minister shall follow the use and observe the orders, rites and ceremonies of the Book of Common Prayer, as well in public prayer and reading of Holy Scripture as in administration of the Sacraments, and none other except so far as shall be approved by lawful authority.

2. Such services as have been authorised by lawful authority in the Church of England and endorsed by the Synod of the Anglican Church of Bermuda may lawfully be used by any minister of that Church.

3. The Bishop may approve for use in the Cathedral or in a parish Church forms of service to meet circumstances for which no provision is made in the Book of Common Prayer.

4. The incumbent may in his discretion make and use variations which are not of substantial importance in any form of service prescribed by the Book of Common Prayer or authorised for use in the Anglican Church of Bermuda.

### **3. OF CONFORMITY OF WORSHIP**

The following forms of service shall be authorised for use in the Anglican Church of Bermuda:

- (a) the forms of service contained in the Book of Common Prayer;
- (b) the shortened forms of Morning and Evening Prayer which were set out in the Schedule of the Act of Uniformity Amendment Act 1872;
- (c) the form of service authorised by Royal Warrant for use upon the anniversary of the day of the accession of the reigning Sovereign; and
- (d) any forms of service approved under Canon 4, subject to any amendments so approved.

Every minister shall use only the authorised services aforesaid except so far as he may exercise the discretion allowed to him by Canon 5.

### **4. OF THE APPROVAL OF FORMS OF SERVICE**

It shall be lawful for the Synod:

- (a) to approve forms of services for use in the Anglican Church of Bermuda and to amend any form of service approved by the Synod under this Canon;
- (b) to approve the use of any such form of service for a limited period, or without limit of period;
- (c) to extend the period of use of any such form of service and to discontinue any such form of service;

and any form of service or amendment thereof approved by the Synod under this Canon shall be such as in the opinion of the Synod is neither contrary to, nor indicative of any departure

from the doctrine of the Anglican Church of Bermuda in any essential matter.

**5. OF THE FORM OF SERVICE TO BE USED WHERE ALTERNATIVE FORMS ARE AUTHORISED**

1. Decisions as to which of the forms of service authorised by Canon 3, other than the services known as occasional offices, are to be used in any church in a parish or church shall be taken jointly by the incumbent and the church vestry. In this Canon 'church' includes any building or part of a building licensed by the bishop for public worship according to the rites and ceremonies of the Anglican Church of Bermuda..

2. If there is disagreement as to which of the said forms of service are to be used in any such church, then, so long as the disagreement continues, the forms of service to be used in that church shall be those contained in the Book of Common Prayer; unless other forms of service authorised by Canon 3 were in regular use therein during at least two of the four years immediately preceding the date when the disagreement arose and the church vestry resolves that those other forms of service shall be used either to the exclusion of, or in addition to, the forms of service contained in the said Book.

3. Where more than one form of any of the services known as occasional offices, other than the Order of Confirmation, is authorised by Canon 3 for use on any occasion the decision as to which form of service is to be used shall be made by the minister who is to conduct the service, but if any of the persons concerned objects beforehand to the use of the service selected by the minister and he and the minister cannot agree as to which form is to be used, the matter shall be referred to the bishop of the diocese for his decision.

**6. OF THE DISCRETION OF THE MINISTER IN CONDUCT OF PUBLIC PRAYER**

1. The minister may in his discretion make and use variations which are not of substantial importance in any form of service authorised by Canon 3, according to particular circumstances.

2. Subject to any regulation made from time to time by the Synod the minister may on occasions for which no provision is made in the Book of Common Prayer or by the Synod under Canon 4, use forms of service considered suitable by him for those occasions.

3. All variations in forms of service and all forms of service used under this Canon shall be reverent and seemly and shall be neither contrary to, nor indicative of any departure from, the doctrine of the Anglican Church of Bermuda in any essential matter.

4. If any question is raised concerning the observance of the provisions of the last



preceding paragraph or whether a variation in a form of service is of substantial importance or not, it shall be referred to the Bishop in order that he may give such pastoral guidance or advice as he may think fit.

## **7. OF SUNDAYS AND OTHER DAYS OF SPECIAL OBSERVANCE**

1. The Lord's Day, commonly called Sunday, is ever to be celebrated as a weekly memorial of our Lord's resurrection and kept according to God's holy will and pleasure, particularly by attendance at divine service, by deeds of charity and by abstention from all unnecessary labour and business.
2. The Table of Feasts which are to be observed in the Anglican Church of Bermuda is contained in the Book of Common Prayer; whereof the principal ones are Christmas Day, Epiphany, the Annunciation of the Blessed Virgin Mary, Easter Day, Ascension Day, Whitsunday, Trinity Sunday and All Saints' Day.
3. The Days of Fasting or Abstinence and the Vigils which are to be observed in the Anglican Church of Bermuda are set out in the Book of Common Prayer, whereof the forty days of Lent, particularly Ash Wednesday and the Monday to Saturday before Easter, ought specially to be observed.
4. Good Friday is ever to be observed by prayer with meditation on the death and passion of our Lord and Saviour Jesus Christ, by self-discipline and by attendance at divine service.

## **8. OF THE GIVING NOTICE OF FEAST DAYS AND FAST DAYS**

The minister shall give notice, every Sunday publicly during the time of divine service, and by notice fixed at the church door or otherwise, so that the same may best be brought to the knowledge of the people, of the Feast Days and Fast Days which are to be observed in the week following, and of the times of the services thereon.

## **9. OF THE VESTURE OF MINISTERS DURING THE TIME OF DIVINE SERVICE**

1. At Morning and Evening Prayer the minister shall wear a cassock, a surplice and a scarf: and for the occasional offices a cassock and a surplice with scarf or stole.
2. At the Holy Communion the celebrant, as also the gospeller and the epistoler, if any, shall wear with the cassock either a surplice with scarf or stole or a surplice or alb with stole and cope, or an alb with the customary vestments.

3. On any appropriate occasion a cope may be worn at the discretion of the minister.
4. When a scarf is worn, the minister may also wear the hood of his degree.
5. The Anglican Church of Bermuda does not attach any particular doctrinal significance to the diversities of vesture permitted by this Canon, and the vesture worn by the minister in accordance with the provisions of this Canon is not to be understood as implying any doctrines other than those now contained in the formularies of the Anglican Church of Bermuda.
6. Notwithstanding the foregoing provisions of this Canon no minister shall change the form of vesture in use in the church or chapel in which he officiates unless he has ascertained by consultation with the church vestry that such changes will be acceptable: Provided always that in case of disagreement the minister shall refer the matter to the Bishop of the diocese, whose direction shall be obeyed.

#### **10. OF THE MINISTRY OF THE HOLY COMMUNION**

1. No person shall consecrate and administer the holy sacrament of the Lord's Supper unless he shall have been ordained priest by episcopal ordination in accordance with the provisions of Canon 29.
2. Every minister, as often as he shall celebrate the Holy Communion, shall receive that sacrament himself.
3. No person shall distribute the holy sacrament of the Lord's Supper to the people unless he shall have been ordained in accordance with the provisions of Canon 29, or unless he has been specially authorised to do so by the Bishop.
4. Subject to the general directions of the Bishop, the Epistle and the Gospel may at the invitation of the minister be read by a lay person at the celebration of the Holy Communion.

#### **11. OF THE RECEIVING OF HOLY COMMUNION**

1. It is the duty of all who have been confirmed to receive the Holy Communion regularly, and especially at the festival of Christmas, Easter, and Whitsun.
2. The minister shall teach the people from time to time, and especially before the festivals of Christmas, Easter and Whitsun, that they come to this holy sacrament with such preparation as is required by the Book of Common Prayer.
3. There shall be admitted to the Holy Communion:

(a) members of the Anglican Church of Bermuda who have been confirmed in accordance with the rites of that Church or are ready and desirous to be so confirmed or who have been otherwise episcopally confirmed with unction or with the laying on of hands, except as provided by the next following Canon;

(b) baptised persons who are communicant members of other Churches which subscribe to the doctrine of the Holy Trinity, and who are in good standing in their own Church;

(c) any other baptised persons authorised to be admitted under regulations of the Synod; and

(d) any baptised person in immediate danger of death.

4. If any person by virtue of sub-paragraph (b) above regularly receives the Holy Communion over a long period which appears likely to continue indefinitely, the minister shall set before him the normal requirements of the Anglican Church of Bermuda for communicant status in that Church.

5. Where any minister is in doubt as to the application of this Canon, he shall refer the matter to the Bishop of the diocese or other Ordinary and follow his guidance thereon.

## **12. OF THE HYMNS, ANTHEMS AND MUSIC OF THE CHURCH**

1. In all churches and chapels, other than the Cathedral, it belongs to the minister to direct when the organ shall be played and when it shall not be played and to decide what parts of the service shall be sung.

2. Where there is an organist or choirmaster the minister shall pay due heed to his advice and assistance in the choosing of chants, hymns, anthems, and other settings and in the ordering of the music of the Church; but at all times the final responsibility and decision in these matters rests with the minister.

3. It is the duty of the minister to ensure that only such chants, hymns, anthems and other settings are chosen as are appropriate, both the words and the music, to the solemn act of worship and prayer in the House of God as well as to the congregation assembled for that purpose; and to banish all irreverence in the practice and in the performance of the same.

## **13. OF HOLY BAPTISM**

It is desirable that every minister having a cure of souls shall from time to time administer the

sacrament of Holy Baptism upon Sundays or other Holy Days at or immediately after public worship when the most number of people come together, that the congregation there present may witness the receiving of them that be newly baptised into Christ's Church and be put in remembrance of their own profession made to God in their baptism. Nevertheless (if necessity so require) a person may be baptised on any other day or place.

#### **14. OF THE BAPTISM OF INFANTS**

1. Due notice, normally of at least a week, shall be given before a child is brought to the church to be baptised.
2. If the minister shall refuse or unduly delay to baptise any such infant, the parents or guardians may apply to the bishop of the diocese who shall, after consultation with the minister, give such directions as he thinks fit.
3. The minister shall instruct the parents or guardians of an infant to be admitted to Holy Baptism that the same responsibilities rest on them as are in the service of Holy Baptism required of the godparents.
4. No minister shall refuse or, save for the purpose of preparing or instructing the parents or guardians or godparents, delay to baptise any infant within his cure that is brought to the church to be baptised, provided that due notice has been given and the provisions relating to godparents in these Canons are observed.
5. A minister who intends to baptise any infant whose parents are residing outside the boundaries of his cure, unless the names of such persons or of one of them be on the church electoral roll of the same, shall not proceed to the baptism without having sought the good will of the minister of the parish in which such parents reside.
6. No minister being informed of the weakness or danger of death of any infant within his cure, and therefore desired to go to baptise the same shall either refuse or delay to do so.
7. A minister so baptising an infant in a hospital or nursing home, the parents of the child not being resident in his cure, nor their names on the church electoral roll of the same, shall send their names and address to the minister of the parish in which they reside.
8. If any infant which is privately baptised do afterwards live, it shall be brought to the church and there, by the minister, received into the congregation of Christ's flock according to the form and manner prescribed.
9. The minister of every parish shall warn the people that without grave cause and

necessity they should not have their children baptised privately in their houses.

## **15. OF GODPARENTS AND SPONSORS**

1. For every child to be baptised there shall be not fewer than three godparents, of whom at least two shall be of the same sex as the child and of whom at least one shall be of the opposite sex; save that, when three cannot conveniently be had, one godfather and godmother shall suffice. Parents may be godparents for their own children provided that the child have at least one other godparent.
2. The godparents shall be persons who will faithfully fulfil their responsibilities both by their care for the children committed to their charge and by the example of their own godly living.
3. When one who is of riper years is to be baptised he shall choose three, or at least two, to be his sponsors, who shall be ready to present him at the font and afterwards put him in mind of his Christian profession and duties.
4. No person shall be admitted to be a sponsor or godparent who has not been baptised and confirmed. Nevertheless the minister shall have power to dispense with the requirement of confirmation in any case in which in his judgment need so requires.

## **16. OF THE BAPTISM OF SUCH AS ARE OF RIPER YEARS**

1. When any such person as is of riper years and able to answer for himself is to be baptised, the minister shall instruct such person, or cause him to be instructed in the principles of the Christian religion, and exhort him so to prepare himself with prayers and fasting that he may receive this holy sacrament with repentance and faith.
2. Every person thus baptised shall be confirmed by the Bishop so soon after his baptism as conveniently may be; so that he may be admitted to the Holy Communion.

## **17 (A) OF CONFIRMATION**

1. The Bishop of every diocese shall himself minister (or cause to be ministered by some other Bishop lawfully deputed in his stead) the rite of confirmation throughout his diocese as often and in as many places as shall be convenient, laying his hands upon children and other persons who have been baptised and instructed in the Christian faith.
2. Every minister who has a cure of souls shall diligently seek out children and other persons whom he shall think meet to be confirmed and shall use his best endeavour to instruct them in the Christian faith and life as set forth in the Holy Scriptures, the Book of Common Prayer and the Church Catechism.
3. The minister shall present none to the Bishop but such as are come to years of discretion and can say the Creed, the Lord's Prayer and the Ten Commandments; and can also render an account of their faith according to the said Catechism.
4. The minister shall satisfy himself that those whom he is to present have been validly baptised, ascertaining the date and place of such baptism and, before or at the time assigned for the confirmation, shall give to the Bishop their names, together with their age and the date of their baptism.
5. If the minister is doubtful about the baptism of a candidate for confirmation he shall conditionally baptise him in accordance with the form of service authorised before presenting him to the Bishop to be confirmed.
6. If it is desired for sufficient reason that a Christian name be changed, the Bishop may confirm a person by a new Christian name, which shall be thereafter deemed the lawful Christian name of such person.

## **17 (B) OF RECEPTION INTO THE ANGLICAN CHURCH OF BERMUDA**

1. Any person desiring to be received into the Anglican Church of Bermuda who has not been baptised or the validity of whose baptism can be held in question, shall be instructed and baptised or conditionally baptised and such baptism, or conditional baptism, shall constitute the said person's reception into the Anglican Church of Bermuda.
2. If any such person has been baptised but not episcopally confirmed and desires to be formally admitted into the Anglican Church of Bermuda he shall, after appropriate instruction, be received by the rite of confirmation or- if he be not yet ready to be presented for confirmation, he shall be received by the parish priest with appropriate prayers.
3. If any such person has been episcopally confirmed with unction or with the laying on of hands he shall be instructed and, with the permission of the Bishop, received into the Anglican Church of Bermuda according to the Form of Reception approved by the Bishop, or with other appropriate prayers; and if any such person be a priest he shall be received into the said Church only by the Bishop of the diocese or by the commissary of such Bishop.

## **18. OF THE MINISTRY OF ABSOLUTION**

1. It is the duty of baptised persons at all times to the best of their understanding to examine their lives and conversations by the rule of God's commandments, and whereinsoever they perceive themselves to have offended by will, act, or omission, there to bewail their own sinfulness and to confess themselves to Almighty God with full purpose of amendment of life, that they may receive of Him the forgiveness of their sins which He has promised to all who turn to Him with hearty repentance and true faith, acknowledging their sins and seeking forgiveness, especially in the general Confessions of the congregation and in the Absolution pronounced by the priest in the services of the Church.
2. If there be any who by these means cannot quiet his own conscience, but requires further comfort or counsel, let him come to some discreet Priest; that by the ministry of God's holy Word he may receive the benefit of absolution, together with counsel and advice, to the quieting of his conscience and avoiding of all scruple and doubtfulness.
3. In particular a sick person, if he feels his conscience troubled in any weighty matter, should make a special confession of his sins, that the priest may absolve him if he humbly and heartily desire it.
4. No priest shall exercise the ministry of absolution in any place without the permission of the minister having the cure of souls thereof: Provided always that, notwithstanding the foregoing provisions of the Canon, a priest may exercise the ministry of absolution anywhere in respect of any person who is in danger of death or if there is some urgent or weighty cause.

## **19. OF HOLY MATRIMONY**

1. The Anglican Church of Bermuda affirms, according to our Lord's teaching, that marriage is in its nature a union permanent and lifelong, for better for worse, till death them do part, of one man with one woman, to the exclusion of all others on either side, for the procreation and nurture of children, for the hallowing and right direction of the natural instincts and affections and for the mutual society, help and comfort which the one ought to have of the other, both in prosperity and adversity.
2. The teaching of our Lord affirmed by the Church of England is expressed and maintained in the Form of Solemnisation of Matrimony contained in the Book of Common Prayer.
3. It shall be the duty of the minister, when application is made to him for Matrimony to be solemnised in the church of which he is the minister, to explain to the two persons who desire to be married the Church's doctrine of marriage as herein set forth and the need of God's grace in order that they may discharge aright their obligations as married persons.

## **20. OF CERTAIN IMPEDIMENTS TO MARRIAGE**

1. No person who is under sixteen years of age shall marry and all marriages purported to be made between persons either of whom is under sixteen years of age are void. (See The Marriage Act, 1944).
2. No person shall marry within the degrees expressed in the following Table and all marriages purported to be made within the said degrees are void.



**A TABLE OF KINDRED AND AFFINITY**

<p>A man may not marry his:</p> <p>mother          daughter          adopted daughter          father's mother          mother's mother          son's daughter          daughter's daughter          sister          wife's mother          wife's daughter          father's wife          son's wife          father's father's wife          mother's father's wife          wife's father's mother          wife's mother's mother          wife's daughter's daughter          wife's son's daughter          son's son's wife          daughter's son's wife          father's sister          mother's sister          brother's daughter          sister's daughter</p>	<p>A woman may not marry her:</p> <p>father          son          adopted son          father's father          mother's father          son's son          daughter's son          brother          husband's father          husband's son          mother's husband          daughter's husband          father's mother's husband          mother's mother's husband          husband's father's father          husband's mother's father          husband's son's son          husband's daughter's son          son's daughter's husband          daughter's daughter's husband          father's brother          mother's brother          brother's son          sister's son</p>
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In this Table the term "brother" includes a brother of the half-blood and the term "sister" includes a sister of the half-blood.

This Table shall be in every church publicly set up and fixed at the charge of the parish.

**21. OF CERTAIN IMPEDIMENTS TO THE SOLEMNISATION OF MATRIMONY**

No minister shall solemnise matrimony between two persons either of whom (not being a widow or widower) is under twenty-one years of age otherwise than in accordance with the requirements of the law relating to the consent of parents or guardians in the case of the marriage of a person under twenty-one years of age. (See The Marriage Act, 1944).

## **22. OF THE DUTY OF THE MINISTER TO INQUIRE AS TO IMPEDIMENTS**

It shall be the duty of the minister, when application is made to him for matrimony to be solemnised in the church or chapel of which he is the minister, to Inquire whether there be any impediment either to the marriage or to the solemnisation thereof.

## **23. OF REQUIREMENTS PRELIMINARY TO THE SOLEMNISATION OF MATRIMONY**

A marriage according to the rites of the Anglican Church of Bermuda may be solemnised

- (a) after the publication of Banns of Marriage;
- (b) on the authority of a special licence;
- (c) on the authority of a certificate issued by the Registrar General;
- (d) in accordance with the provisions of The Marriage Act, 1944.

## **24. OF RULES TO BE OBSERVED AS TO THE PRELIMINARIES AND TO THE SOLEMNISATION OF HOLY MATRIMONY**

1. In all matters pertaining to the granting of licences of marriage every ecclesiastical authority shall observe the law relating thereto.
2. In all matters pertaining to the publication of banns of marriage and to the solemnisation of matrimony every minister shall observe the law relating thereto including, so far as they are applicable, the rules prescribed by the rubric prefixed to the office of Solemnisation of Matrimony in the Book of Common Prayer.
3. Every marriage shall be solemnised in the presence of two or more witnesses besides the minister who shall solemnise the same.
4. When matrimony is to be solemnised in any church, it belongs to the minister of the parish to decide what music shall be played, what hymns or anthems shall be sung, or what furnishings or flowers should be placed in or about the church for the occasion.

## **25. OF A SERVICE AFTER CIVIL MARRIAGE**

1. If any persons have contracted marriage before the Registrar General under the provisions of the statute law, and shall afterwards desire to add thereto a service of Solemnisation of Matrimony, a minister may, if he see fit, use such form of service as may be approved by the Bishop in the church or chapel in which he is authorised to exercise his ministry: Provided that the minister be duly certified that the civil marriage has been contracted.

2. In connection with such a service there shall be no publication of banns nor any licence of certificate authorising a marriage: and no record of any such service shall be entered by the minister in the marriage register.

## **26. OF THE MINISTRY TO THE SICK**

1. The minister shall use his best endeavours to ensure that he be speedily informed when any person is sick or in danger of death in the parish; and shall as soon as possible resort unto him to exhort, instruct, and comfort him in his distress in such manner as he shall think most needful and convenient.

2. When any person sick or in danger of death or so impotent that he cannot go to church is desirous of receiving the most comfortable sacrament of the Body and Blood of Christ, the priest, having knowledge thereof, shall as soon as may be visit him, and unless there be any grave reason to the contrary shall reverently minister the same to the said person at such place and time as may be convenient.

3. If any such person so desires, the priest may lay hands upon him and may anoint him with oil on the forehead with the sign of the Cross using a form of service authorised by the Bishop and using pure olive oil consecrated by the Bishop of the diocese or otherwise by the priest himself in accordance with such form of service.

## **27. OF THE BURIAL OF THE DEAD**

1. In all matters pertaining to the burial of the dead every minister shall observe the law from time to time in force in relation thereto and, subject to this paragraph in general, the following paragraphs of this Canon shall be obeyed.

2. No minister shall refuse to bury, according to the rites of the Anglican Church of Bermuda the corpse or ashes of any person deceased within his cure or of any parishioner whether deceased within his cure or elsewhere that is brought to a church or burial ground or

cemetery under his control in which the burial or interment of such corpse or ashes may lawfully be effected, due notice being given; except the person deceased have died unbaptised, or being of sound mind have laid violent hands upon himself, or have been declared excommunicate for some grievous and notorious crime and no man to testify to his repentance; in which case and in any other case at the request of the relative, friend, or legal representative having charge of or being responsible for the burial he shall use at the burial such service as may be prescribed or approved by the Bishop, being a service neither contrary to, nor indicative of any departure from, the doctrine of the Anglican Church of Bermuda in any essential matter.

3. Cremation of a dead body is lawful in connection with Christian burial.

4.(a) When a body is to be cremated, the burial service may precede, accompany, or follow the

cremation; and may be held either in the church or at the crematorium: Provided that no incumbent shall be under any obligation to perform a funeral service within the grounds of any burial authority; but, on his refusal so to do, any clerk in Holy Orders, not being prohibited under ecclesiastical censure may, with the permission of the Bishop and at the request of the person having charge of the cremation or interment of the cremated remains, perform such service within such grounds.

(b) Save for good and sufficient reason the ashes of a cremated body should be interred or deposited, by a minister, in consecrated ground.

5. When a body is to be buried according to the rites of the Anglican Church of Bermuda in any unconsecrated ground, the officiating minister, on coming to the grave, shall first bless the same.

6. If any doubts shall arise whether any person deceased may be buried according to the rites of the Anglican Church of Bermuda, the minister shall refer the matter to the Bishop and obey his order and direction.

## **28. OF THE REGISTRATION OF BAPTISM, CONFIRMATIONS, MARRIAGES AND BURIALS**

1. In all matters pertaining to the registration of baptisms, marriages and burials every minister shall observe the law from time to time in force relating thereto.

2. When any person is presented for confirmation, the minister presenting the said person shall record and enter the confirmation in his register book of confirmations provided together with any change of name.

## **29. OF HOLY ORDERS IN THE ANGLICAN CHURCH OF BERMUDA**

1. The Anglican Church of Bermuda holds and teaches that from the Apostles' time there have been these orders in Christ's Church: bishops, priests and deacons; and no man shall be accounted or taken to be a lawful bishop, priest or deacon in the Anglican Church of Bermuda, or suffered to execute any of the said offices, except he be called, tried, examined and admitted thereunto according to the Ordinal or any form of service alternative thereto approved by the Synod under Canon 4, or has had formerly episcopal consecration or ordination in some Church whose orders are recognised and accepted by the Anglican Church of Bermuda.

2. No person who has been admitted to the order of bishop, priest or deacon can ever be divested of the character of his order, but a minister may either by legal process voluntarily relinquish the exercise of his orders and use himself as a layman, or may by canonical process be deprived of the exercise of his orders or deposed finally therefrom.

3. According to the ancient law and usage of the Church as in the Realm of England, the inferior clergy who have received authority to minister in the diocese owe canonical obedience in all things lawful and honest to the bishop of the same; and the bishop of the diocese owes due allegiance to the Archbishop as his Metropolitan.

### **30. OF THE CONSECRATION OF BISHOPS**

1. No person shall be consecrated to the office of the bishop by fewer than three bishops present together and joining in the act of consecration, of whom one shall be the metropolitan or a bishop appointed to act on his behalf.

2. The consecration of a bishop shall take place upon some Sunday or Holy Day, unless the Archbishop, for urgent and weighty cause, shall appoint some other day.

3. No person shall be consecrated bishop except he shall be at least thirty years of age.

4. No person shall be refused consecration as bishop on the ground that he was born out of lawful wedlock.

### **31. OF THE ORDINATION OF PRIESTS AND DEACONS**

1. Ordination to the office of priest or deacon shall take place upon the Sundays immediately following the Ember Weeks, or upon Michaelmas Day or St. Thomas's Day, unless the bishop of the diocese on urgent occasion shall appoint some other day, being a Sunday, a Holy Day or one of the Ember Days.

2. Ordinations of priests and deacons shall be in the cathedral church of the diocese, or other church or chapel at the discretion of the Bishop.

3. The Archdeacon or his deputy, or such other persons as by ancient custom have the right so to do, shall present to the Bishop every person who is to be ordained.

4. The priests taking part in an ordination shall together with the Bishop lay their hands upon the head of every person who receives the order of priesthood.

5. Any form of service of Holy Communion which is authorised by the Bishop or by Canon 4 may be used at an ordination.

6. No person shall be made deacon, except he be at least twenty-three years of age, unless he have a faculty from the Archbishop of Canterbury.

7. No person shall be ordained priest, except he be at least twenty-four years of age, unless being over the age of twenty-three he have a faculty from the Archbishop of Canterbury.

8. No person shall be ordained both deacon and priest upon one and the same day, unless he have a faculty from the Archbishop of Canterbury.

9. A deacon shall not be ordained to the priesthood for at least one year, unless the Bishop shall find good cause for the contrary, so that trial may be made of his behaviour in the office of deacon before he be admitted to the order of priesthood. During a vacancy of the see, the power of the Bishop under this paragraph shall be exercisable by the Archbishop of Canterbury.

### **32. OF THE QUALITY OF SUCH AS ARE TO BE ORDAINED DEACONS OR PRIESTS**

1. The Bishop shall take care that he admit no person into holy orders but such as he knows either by himself, or by sufficient testimony, to have been baptised and confirmed, to be sufficiently instructed in Holy Scripture and in the doctrine, discipline and worship of the Anglican Church of Bermuda and to be of virtuous conversation and good repute and such as to be a wholesome example and pattern to the flock of Christ.

2. No person shall be admitted into Holy Orders who is suffering, or who has suffered, from any physical or mental infirmity which in the opinion of the Bishop will prevent him from ministering the word and sacraments or from performing the other duties of the minister's office.

3. No person shall be admitted into Holy Orders who has re-married and, the wife of that marriage being alive, has a former wife still living; or who is married to a person who has been previously married and whose former husband is still living.

4. No person shall be refused ordination as deacon or priest on the ground that he was born out of lawful wedlock.

### **33. OF THE TITLES OF SUCH AS ARE TO BE ORDAINED DEACONS OR PRIESTS**

1. Any person to be admitted into Holy Orders shall first exhibit to the Bishop a certificate that he is provided of some ecclesiastical office within the diocese, which the Bishop shall judge sufficient, wherein he may attend the cure of souls and execute his ministry.

2. No person shall be admitted into Holy Orders by any Bishop other than the Bishop of the diocese in which he is to exercise his ministry, except he shall bring with him Letters

Dismissory from the Bishop of such diocese.

3. No Bishop shall admit any person into Holy Orders except such as having been examined by the Archdeacon, and other ministers appointed for this purpose, be found to possess a sufficient knowledge of Holy Scripture and of the doctrine, discipline, and worship of the Anglican Church of Bermuda as set forth in the Thirty-nine Articles of Religion, the Book of Common Prayer, and the Ordinal; and to fulfill the requirements as to learning and other qualities which, subject to any directions given by the Synod (if any) the Bishop deems necessary for the office of deacon.

**34. OF THE CERTIFICATES AND LETTERS TESTIMONIAL TO BE EXHIBITED TO THE BISHOP BY SUCH AS ARE TO BE ORDAINED DEACONS OR PRIESTS**

1. Every person who is to be made a deacon shall exhibit to the bishop of the diocese:
  - (a) a certificate or other sufficient evidence of the date and place of his birth;
  - (b) a certificate or other evidence of his baptism and confirmation;
  - (c) a certificate signed by the officiating minister and a church-warden of the parish in which he usually resides or in which his name is entered on the church electoral roll, certifying that the form commonly called Si Quis was read in the time of divine service on some Sunday at least a week before the day of ordination and that no impediment was alleged;
  - (d) Letters Testimonial of his good life and conversation from three priests, of whom one at least must be beneficed, who have had personal knowledge of his life and doctrine by the space of three years next before or of such time as shall satisfy the bishop; whose signatures shall be countersigned by the bishop of the diocese wherein the said priests are respectively either beneficed or licensed, if he be other than the bishop to whom the said letters are addressed;
  - (e) if he shall have resided in any college or hall in any university, or in any theological college, similar Letters Testimonial from each such college or hall.
2. Every deacon who is to be ordained priest shall exhibit to the bishop of the diocese:
  - (a) his Letters of Orders;
  - (b) a certificate signed by the officiating minister and a church-warden of the parish or



ecclesiastical district wherein he serves as a stipendiary curate or, if he be not such, wherein he usually resides, that the form Si Quis was read according to the provisions of paragraph I of this Canon and that no impediment was alleged;

- (c) Letters Testimonial of his good life and conversation from three priests, of whom one at least must be beneficed, who have had personal knowledge of his life, work and doctrine during his deaconate.

### **35. OF MINISTERS EXERCISING THEIR MINISTRY**

1. Every minister shall exercise his ministry in accordance with the provisions of this Canon.
2. A minister duly ordained priest or deacon, may officiate in any place only after he has received authority to do so from the Bishop.

Save that: The minister having the cure of souls of a church or chapel may allow a minister, concerning whom he is satisfied either by actual personal knowledge or by good and sufficient evidence that he is of good life and standing, and otherwise qualified under this Canon, to minister within his church or chapel for a period of not more than seven days within three months without reference to the Bishop or other Ordinary; and a minister so allowed shall be required to sign the services register when he officiates.

3. The Bishop confers such authority on a minister either by instituting him to a benefice, or by admitting him to serve within the diocese by licence under his hand and seal, or by giving him written permission to officiate within the same.
4. No minister who has such authority to exercise his ministry in the diocese shall do so therein in any place in which he has not the cure of souls without the permission of the minister having such Cure, except at the homes of persons whose names are entered on the electoral role of the parish which he serves.

### **36. OF ASSISTANT CURATES**

1. A clergyman is admitted to the office of an Assistant Curate in a benefice by the Bishop's Licence on the nomination of the incumbent.
2. Before obtaining such a Licence the minister shall present to the Bishop the form of nomination signed by the minister having the cure of souls in the place wherein he is to serve, and the Stipendiary Curate's Declaration signed by himself and the said minister, defining the stipend to be paid.

3. An assistant curate must act in accordance with the direction of the incumbent and the incumbent is responsible for what is done by a curate under his direction or with his consent.
4. With the previous written assent of the Bishop an incumbent can determine the curacy of any curate by at least three months notice.
5. For any cause which seems to him to be good and reasonable the Bishop may at any time summarily revoke a curate's licence and remove him, after giving him an opportunity of showing reason to the contrary.
6. A curate may quit his curacy at the expiration of three months after he has given notice of his intention so to do to the incumbent and the Bishop, or sooner with the Bishop's written consent.

### **37. OF COLLATION AND PRESENTATION**

1. A vacancy or impending vacancy in any benefice shall be notified to the bishop of the diocese by the Church Vestry, and the provisions of the law from time to time in force relating to the filling of such vacancy shall be complied with.
2. The Bishop shall have twenty-eight days' space to inquire and inform himself of the sufficiency and qualities of every minister, after he has been presented to him to be instituted to any benefice.

### **38. OF ADMISSION AND INSTITUTION**

1. No person shall be admitted or instituted to any benefice before such time as he shall have been duly ordained priest by episcopal ordination.
2. The Bishop shall not admit or institute to a benefice any priest who has been ordained by any other Bishop, except such priest first show unto him his Letters of Orders or other sufficient evidence that he has been ordained, and bring him sufficient testimony, if the Bishop shall require it, of his former good life and behaviour; and lastly, shall appear on due examination to be of sufficient learning.
3. The Bishop may refuse to admit or institute any priest to a benefice on the ground that at the date of presentation not more than three years have elapsed since the priest who has been presented to him was ordained deacon, or that the said priest is unfit for the discharge of the duties of a benefice by reason of physical or mental infirmity or incapacity, pecuniary embarrassment of a serious character, grave misconduct or neglect of duty in an ecclesiastical office, evil life, having by his conduct caused grave scandal concerning his moral character

since his ordination or having, with reference to the presentation, been knowingly party or privy to any transaction or agreement which is invalid.

4. The Bishop shall not admit or institute any priest to a benefice until the expiration of one month after notice, in the prescribed manner, that he proposes to institute such priest has been served on the churchwardens of the parish; which notice shall be duly published by the churchwardens.

5. After the expiration of one month from the serving of such notice on the churchwardens of the parish the Bishop shall, as speedily as may be, proceed to give institution to the priest to whom he has collated the benefice, or who has been presented to him to be instituted thereto, in accordance with the laws and statutes in that behalf provided; which institution he shall use his best endeavour to give in the parish church of the benefice.

6. The Bishop, when he gives institution, shall read the words of institution from a written instrument having the episcopal seal appended thereto; and during the reading thereof the priest who is to be instituted shall kneel before the Bishop and hold the seal in his hand.

7. If the Bishop for some grave and urgent cause be unable to give institution himself he shall delegate power to some commissary in Holy Orders to give the same on his behalf.

8. The provisions of this Canon are without prejudice to the right of a patron or a presentee to appeal, in accordance with the laws of these Islands, against the refusal of the Bishop to institute.

### **39. OF INDUCTION**

1. The Bishop, after giving institution to any priest, shall issue Letters Mandatory for induction directed to the Archdeacon or other the person to whom induction belongs, who shall thereupon induct the said priest into possession of the temporalities of the benefice, save that of the freehold.

2. Notwithstanding Canon 38, the Bishop may, with the agreement of the Church Vestry concerned, institute a suitable and qualified priest to a benefice with all the usual rights, privileges and appurtenances of the office except that of freehold. Such an incumbent would be appointed for a period of four years by contractual agreement and the period could be reviewed by the agreement of all parties, namely the incumbent, the Church Vestry and the Bishop. The incumbent would receive the courtesy title of Rector.

3. The Archdeacon or other such person, when he makes the induction, shall take the priest who is to be inducted by the hand and lay it upon the key or upon the ring of the church door, or if the key cannot be had and there is no ring on the door, or if the church be in ruins,

upon any part of the wall of the church or churchyard, at the same time reading the words of induction; after which the priest who has been inducted shall toll the bell to make his induction public and known to the people.

4. If the Archdeacon be unable to make the induction himself, he shall issue the accustomed mandate to all and singular ministers beneficed or licensed within his archdeaconry, by virtue of which any one such minister may make the induction on his behalf.

#### **40. OF THE LICENSING OF MINISTERS UNDER SEAL**

1. A licence, granted by a bishop under his hand and seal to any minister to serve within his diocese shall be in the form either

- (a) of a general licence to preach or otherwise to minister in any parish or ecclesiastical district,
- (b) of a licence to perform some particular office.

2. The Bishop shall not grant any such licence to any minister who has come from another diocese, except such minister first show unto him Letters of Orders or other sufficient evidence that he is ordained, and bring him testimony, from the Bishop of the diocese whence he has come, of his honesty, ability, and conformity to the doctrine, discipline, and worship of the Anglican Church of Bermuda together with Letters Testimonial of his good life and conversation from three priests who are beneficed in the said diocese, counter-signed by the Bishop of the same.

3. The Bishop may revoke summarily, and without further process, any licence granted to any minister within his diocese, for any cause which shall appear to him to be good and reasonable, after having given such minister sufficient opportunity of showing reason to the contrary: Provided that any such minister may, within one month after service upon him of such revocation, appeal to the Metropolitan, who shall confirm or annul such revocation as to him shall appear just and proper and from whose decision therein there shall be no appeal. During a vacancy of the See, the powers of a bishop under this paragraph shall be exercisable by the Commissary of the Bishop.

#### **41. OF THE OATHS OF OBEDIENCE**

1. Every person whose election to any bishopric is to be confirmed, or who is to be consecrated bishop, shall first take the oath of due obedience to the Metropolitan.

2. Every person who is to be ordained priest or deacon, or to be instituted to any benefice,

or to be licensed to serve in any place, shall first take the Oath of Canonical Obedience to the Bishop by whom he is to be ordained, instituted, or licensed, in the presence of the said Bishop or his commissary, and in the form following:

I, AB, do swear by Almighty God that I will pay true and canonical obedience to the Lord Bishop of Bermuda and his successors in all things lawful and honest: So help me God.

#### **42. OF THE DECLARATION OF ASSENT**

- 1.(a) The following preface which shall precede the Declaration of Assent shall be spoken (with in each case such adaptations as are appropriate) by the Archbishop or Bishop or commissary in whose presence the declaration is to be made in accordance with the succeeding paragraphs of this Canon:

##### **PREFACE**

The Anglican Church of Bermuda is part of the one, Holy, Catholic and Apostolic Church worshipping the one true God, Father, Son and Holy Spirit. It professes the faith uniquely revealed in the Holy Scriptures and set forth in the catholic creeds, which faith the Church is called upon to proclaim afresh in each generation. Led by the Holy Spirit, it has borne witness to Christian truth in its historic formularies, the Thirty-nine Articles of Religion, the Book of Common Prayer and the Ordering of Bishops, Priests and Deacons. In the declaration you are about to make will you affirm your loyalty to this inheritance of faith as your inspiration and guidance under God in bringing the grace and truth of Christ to this generation and making Him known to those in your care?

- (b) Every person appointed to be Bishop of Bermuda or appointed to the incumbency or curacy of a parish shall thereupon make the following Declaration of Assent:

##### **DECLARATION OF ASSENT**

I, A B, do so affirm, and accordingly declare my belief in the faith which is revealed in the Holy Scriptures and set forth in the catholic creeds and to which the historic formularies of the Anglican Church of Bermuda bear witness; and in public prayer and administration of the sacraments, I will use only the forms of service which are authorised or allowed by Canon.

Every person appointed to be Bishop of Bermuda or appointed to the incumbency or curacy of a parish shall make the Declaration of Assent in Schedule C of the Constitution of the Synod 1900.

2. Every person who is to be consecrated bishop or suffragan bishop shall on the occasion

of his consecration publicly and openly make and subscribe the Declaration of Assent in the presence of the Archbishop by whom he is to be consecrated and of the congregation there assembled.

3. Every person who is to be ordained priest or deacon shall before ordination make and subscribe the Declaration of Assent in the presence of the Bishop or the Bishop's commissary by whom he is to be ordained.

4. Every person who is to be instituted or admitted to any benefice or other ecclesiastical preferment, or licensed to any lectureship or otherwise licensed by the Bishop shall first make and subscribe the Declaration of Assent in the presence of the Bishop of whom he is to be instituted or licensed or of the Bishop's commissary.

5. Every person who is to be licensed to any curacy shall first make and subscribe the Declaration of Assent in the presence of the Bishop by whom he is to be licensed or of the Bishop's commissary unless he has been ordained the same day and has made the Declaration.

#### **43. OF THE BISHOP**

1. The Bishop is the chief pastor of all that are within the diocese, as well laity as clergy, and their father in God, it appertains to his office to teach and to uphold sound and wholesome doctrine, and to banish and drive away all erroneous and strange opinions; and, himself an example of righteous and godly living, it is his duty to set forward and maintain quietness, love, and peace among all men.

2. The Bishop has within the diocese jurisdiction as Ordinary except in places and over persons exempt by law or custom.

3. Such jurisdiction is exercised by the Bishop himself, or by his commissary, to whom all authority in that behalf shall have been formally committed by the Bishop.

4. The Bishop is, within the diocese, the principal minister, and to him belongs the right of celebrating the rites of ordination and confirmation; of conducting, ordering, controlling and authorising, all services in churches, chapels, churchyards and consecrated burial grounds; of granting a faculty or licence for all alterations, additions, removals or repairs to the walls, fabric, ornaments or furniture of the same; of consecrating new churches, churchyards and burial grounds; of instituting to all vacant benefices, whether of his own collation or of the presentation of others; of admitting by licence to all other vacant ecclesiastical offices; of holding visitations at times limited by canon law or custom to the end that he may get some good knowledge of the state, sufficiency and ability of the clergy and other persons whom he is to visit; of being president of the synod.

5. Where the assent of the Bishop is required to a resolution of the synod it shall not lightly nor without grave cause be withheld.

6. The Bishop shall be faithful in admitting persons into Holy Orders and in celebrating the rite of confirmation as often and in as many places as shall be convenient, and shall provide, as much as in him lies, that in every place within his diocese there shall be sufficient priests to minister the word and sacraments to the people that are therein.

#### **44. OF ARCHDEACONS**

1. No person shall be appointed archdeacon until he has been six years complete in priest's orders.

2. The Archdeacon within his archdeaconry exercises the Jurisdiction which he has therein as an ordinary jurisdiction.

3. Such Jurisdiction is exercised either by the Archdeacon in person or by an official or commissary to whom authority in that behalf shall have been formally committed by the Archdeacon.

4. The Archdeacon shall within his archdeaconry carry out his duties under the Bishop and shall assist the Bishop in his pastoral care and office, and particularly he shall see that all such as hold any ecclesiastical office within the same perform their duties with diligence, and shall bring to the Bishop's attention what calls for correction or merits praise.

5. The Archdeacon shall hold yearly visitations save when inhibited by the Bishop; he shall also survey in person or by deputy all churches, chancels and churchyards and give direction for the amendment of all defects in the walls, fabric, ornaments and furniture of the same, and in particular shall exercise the powers conferred on him by the Synod or the Bishop; he shall also, on receiving Letters Mandatory of the Bishop, induct any priest who has been instituted to a benefice into possession of the temporalities of the same.

#### **45. OF PRIESTS HAVING A CURE OF SOULS**

I. Every priest having a cure of souls shall;

- (a) except for some reasonable cause approved by the Bishop, celebrate, or cause to be celebrated, the Holy Communion on all Sundays and other greater Feast Days and on Ash Wednesday, and shall diligently administer the sacraments and other rites of the Church.





- (b) except for some reasonable cause approved by the Bishop, preach or cause to be preached, a sermon in his church at least once each Sunday.
  - (c) instruct the children, or cause them to be instructed, in the Christian faith; and shall use such opportunities of teaching or visiting in the schools within his cure as are open to him.
  - (d) carefully prepare, or cause to be prepared, all such as desire to be confirmed and, if satisfied of their fitness, shall present them to the Bishop for confirmation.
  - (e) be diligent in visiting his parishioners, particularly those who are sick and infirm; and shall provide opportunities whereby any of his parishioners may resort unto him for spiritual counsel and advice.
2. Every priest having a cure of souls and the Church Vestry shall consult together on matters of general concern and importance to the parish.

3. If at any time the priest having the cure of souls shall be unable to discharge his duties the churchwarden shall provide for his cure to be supplied by a priest licenced or otherwise approved by the Bishop.

#### **46. OF THE RESIDENCE OF PRIESTS IN THEIR BENEFICES**

1. Every beneficed priest shall keep residence in his benefice or in one of them if he shall hold two or more in plurality, and in the house of residence (if any) belonging thereto.
2. In the case of any benefice in which there is no house, or no fit house of residence, the priest holding that benefice may be licensed by the Bishop to reside in some fit and convenient house, although not belonging to that benefice.

#### **47. OF THE MANNER OF LIFE OF MINISTERS**

1. The Bishop and every priest and deacon is under obligation, not being let by sickness or some other urgent cause, to say daily the Morning and Evening Prayer, either privately or openly; and to celebrate the Holy Communion, or be present thereat, on all Sundays and other principal Feast Days. He is also to be diligent in daily prayer and intercession, in examination of his conscience and in the study of the Holy Scriptures and such other studies as pertain to his ministerial duties.
2. A minister shall not give himself to such occupations, habits or recreations as do not befit his sacred calling, or may be detrimental to the performance of the duties of his office, or

tend to be a just cause of offence to others; and at all times he shall be diligent to frame and fashion his life and that of his family according to the doctrine of Christ; and to make himself and them, as much as in him lies, wholesome examples and patterns to the flock of Christ.

#### **48. OF THE DRESS OF MINISTERS**

The apparel of a bishop, priest or deacon shall be suitable to his office; and, save for purposes of recreation and other justifiable reasons, shall be such as to be a sign and mark of his calling and ministry as well to others as to those committed to his spiritual charge.

#### **49. OF THE OCCUPATIONS OF MINISTERS**

1. No minister holding ecclesiastical office shall engage in trade or any other occupation in such manner as to affect the performance of the duties of his office, except so far as he be authorised so to do under a licence from the Bishop in this behalf for the time being in force or he have a licence so to do granted by the Bishop.

2. The Bishop shall have power to grant such a licence after consultation with the church vestry of the parish in which the minister holds office or to refuse such a licence after consultation with that vestry.

3. If the Bishop shall refuse such a licence, the minister may within one month of such refusal appeal to the Metropolitan, who shall confirm or overrule such refusal as may seem good to him.

#### **50. OF CANONS**

1. The Bishop is empowered to create Canons from among the Clergy in the Diocese under a licence issued under his seal.

2. The Bishop is empowered to confer distinction of honour upon deserving churchmen in the Diocese, either clerical or lay, by creating Honorary Canons under a licence issued under his seal.

#### **51. OF READERS**

1. A lay person, whether man or woman, who is baptised and confirmed and who satisfies the Bishop that he is a regular communicant of the Anglican Church of Bermuda may be admitted by the Bishop of the diocese to the office of reader in the Church and licensed by him to perform any duty or duties which may lawfully be performed by a reader according to the provisions of paragraph 2 of this Canon or which may from time to time be so determined by

Act of Synod.

2. It shall be lawful for a reader:
  - (a) to visit the sick, to read and pray with them, to teach in Sunday School and elsewhere, and generally to undertake such pastoral and educational work and to give such assistance to any minister as the Bishop may direct;
  - (b) during the time of divine service to read Morning and Evening Prayer (save for the Absolution), to publish banns of marriage at Morning or Evening Prayer (on occasions on which a layman is permitted to read the Word of God), to preach, to catechise the children and to receive and present the offerings of the people; and give such further assistance as may be authorised by the Bishop.
3. The Bishop shall keep a register book wherein shall be entered the names of every person whom he has either admitted to the office of reader or licensed to exercise that office in any place.

## **52. OF THE NOMINATION AND ADMISSION OF READERS**

1. A candidate for the office of reader in a parish or district shall be nominated to the Bishop by the minister of that parish or district.
2. The nominator in making such nomination shall also satisfy the Bishop that the said person is of good life, sound in faith, a regular communicant and well fitted for the work of a reader; and shall provide all such other information about the said person and the duties which it is desired that he should perform as the Bishop may require.
3. No person shall be admitted to the office of reader in the Church except it be found on examination, held by the Bishop or by competent persons appointed by the Bishop for this purpose, that he possesses a sufficient knowledge of Holy Scripture and of the doctrine and worship of the Anglican Church of Bermuda as set forth in the Book of Common Prayer, that he is able to read the services of the Church plainly, distinctly, audibly and reverently and that he is capable both of teaching and preaching.
4. Every person who is to be admitted to the office of reader shall first in the presence of the Bishop by whom he is to be so admitted or of the Bishops' commissary, make and subscribe the declarations set out below:

I, A B, do so affirm, and accordingly declare my belief in the faith which is revealed in the Holy Scriptures and set forth in the catholic creeds and to which the historic formularies of the

Anglican Church of Bermuda bear witness; and in public prayer I will use only the forms of service which are authorised or allowed by Canon.

I, A B, will give due obedience to the Lord Bishop of Bermuda and his successors in all things lawful and honest.

5. The Bishop shall admit a person to the office of reader by the delivery of the New Testament, but without imposition of hands.

### **53. OF THE LICENSING OF READERS**

1. No person who has been admitted to the office of reader shall exercise his office until he has been licensed so to do by the Bishop: Provided that, when any reader is to exercise his office temporarily, the written permission of the bishop shall suffice.

2. Every reader who is to be licensed to exercise his office in any diocese shall first, in the presence of the Bishop by whom he is to be so licensed, or of the commissary of the Bishop,

- (a) make the declarations of assent and of obedience in the form and manner prescribed by paragraph 4 of Canon 52
- (b) make and subscribe the declaration following:

I, A B, about to be licensed to exercise the office of reader of Bermuda, do hereby promise to endeavour, as far as in me lies, to promote peace and unity and to conduct myself as becomes a worker for Christ, for the good of his Church and for the spiritual welfare of my fellow men. I will give due obedience to the Bishop of Bermuda and his successors and the minister in whose cure I may serve, in all things lawful and honest.

3. A reader, when required to do so by the Bishop, shall cease from the exercise of his functions and return his licence to the Bishop for cancellation.

### **54. OF THE COMMISSIONING AND LICENSING OF CHURCH WORKERS**

1. A person who satisfies the Bishop that he or she is baptised, confirmed and a regular communicant of the Anglican Church of Bermuda, and possesses the necessary qualifications, may be commissioned by him as a Church worker.

2. The Bishop shall give to every person so commissioned by him a certificate of his or her commission as a worker of the Church, and the commission shall not be repeated if he or

she shall move to another diocese.

3. The Bishop shall not commission or licence any person as a church worker, except he be satisfied that

- (a) he or she is competent to carry out the duties which may be assigned;
- (b) if he or she is to be a stipendiary worker in any place, adequate provision has been made for the salary, for the insurance against sickness or accident and for a pension on his or her retirement.

4. Every worker who is to be commissioned or licensed as a church worker shall make and subscribe the declarations set out below, the Preface which precedes the Declaration of Assent in Canon 50 (with the appropriate adaptations) having first been spoken by the Bishop or commissary:

I, A B, do so affirm, and accordingly declare my belief in the faith which is revealed in the Holy Scriptures and set forth in the catholic creeds and to which the historic formularies of the Anglican Church of Bermuda bear witness.

I, A B, will give due obedience to the Lord Bishop of Bermuda and his successors in all things lawful and honest.

## **55. OF THE CARE AND REPAIR OF CHURCHES**

1. The churches and chapels in every parish shall be decently kept and from time to time, as occasion may require, shall be well and sufficiently repaired and all things therein shall be maintained in such an orderly and decent fashion as best becomes the House of God.

2. The like care shall be taken that the churchyards be enclosed, and that the said enclosures be maintained at the charge of those to whom by custom the liability belongs, and that the churchyards be kept in such an orderly and decent manner as becomes consecrated ground.

3. It shall be the duty of the minister and churchwardens, if any alterations, additions, removals or major structural repairs are proposed to be made in the fabric, ornaments or furniture of the church, to obtain the approval of the Diocesan advisory committee before proceeding to execute the same.

4. In the case of every parochial church and chapel, a record of all alterations, additions, removals or repairs so executed shall be kept in a book to be provided for the purpose and the

record shall indicate where specifications and plans may be inspected if not deposited with the book.

## **56. OF THE PROVISION OF THINGS APPERTAINING TO CHURCHES**

The things appertaining to churches and chapels, and the obligations relating thereto, and to the care and repair of churches, chapels and churchyards referred to in the foregoing Canons shall be provided and performed in the case of parochial churches and chapels by and at the charge of the church vestry.

## **57. OF PLAYS, CONCERTS AND EXHIBITIONS OF FILMS AND PICTURES IN CHURCHES**

1. When any church or chapel is to be used for a play, concert or exhibition of films or pictures, the minister shall take care that the words, music and pictures are such as befit the House of God, are consonant with sound doctrine and make for the edifying of the people.

2. The minister shall obey any general directions relating to such use of a church or chapel issued from time to time by the Bishop.

3. No play, concert or exhibition of films or pictures shall be held in any church or chapel except the minister has first consulted the authorities concerned with the precautions against fire and other dangers required by the law to be taken in the case of performances of plays, concerts or exhibitions of cinematograph films, and the said authorities have signified that the proposed arrangements are a sufficient compliance with the regulations in force as to precautions against fire or other dangers.

4. If any doubt arises as to the manner in which the preceding clauses of this Canon are to be observed, the minister shall refer the matter to the bishop and obey his directions therein.

## **58. OF KEEPING A RECORD OF THE PROPERTY OF CHURCHES**

1. The Bishop shall procure so far as he is able that a full note and terrier with detailed description of all lands, goods and other possessions of the parochial churches and chapels therein be compiled and kept by the minister and churchwardens in accordance with instructions and forms prescribed from time to time by the Synod.

2. The Archdeacon shall at least once in three years, in person, satisfy himself that the directions of the preceding paragraph of this Canon have been carried out in all the parishes within his jurisdiction.

## **59. OF THE SURVEY OF CHURCHES**

The Archdeacon shall survey the churches, chancels and churchyards within his jurisdiction at least once in three years, either in person or by a representative appointed by him, and shall give direction for the amendment of all defects in the fabric, ornaments, and furniture of the same.

## **60. OF VISITATIONS AND PRESENTATIONS**

1. The Bishop and the Archdeacon have the right to visit, at times and places limited by custom, the diocese, in a more solemn manner; and in such visitation to perform all such acts as by custom are assigned to their charge in that behalf for the edifying and well-governing of Christ's flock, that means may be taken thereby for the supply of such things as are lacking and the correction of such things as are amiss.

2. The Bishop and the Archdeacon and every other person having ecclesiastical jurisdiction, when they summon their visitation, shall deliver or cause to be delivered to the minister and churchwardens of every parish,, or to some of them, such articles of inquiry as they, or any of them, shall require the minister and churchwardens to ground their presentments upon.

3. With the said articles shall be delivered the form of declaration which must be made immediately before any such presentment, to the intent that the minister and churchwardens having had before-hand sufficient time to consider both what their said declarations shall be, and also the articles upon which they are to ground their presentments, may frame them advisedly and truly according to their consciences.

## **61. OF EXORCISM**

No Anglican Priest or other Minister of The Anglican Church shall conduct or perform an Exorcism of places and/or people without the written permission of the Bishop who shall be entitled to impose such conditions to such permission as he shall consider desirable.

## **62. SAVING CLAUSE**

Should circumstances arise which are not covered by these Canons then and in such case the appropriate Canon of The Church of England in England shall apply suitably modified to reflect local conditions in Bermuda.



**THE BERMUDA CHURCH SOCIETY  
INTERPRETATION**

**Interpretation.**

In these Rules, unless there is something in the subject or context inconsistent therewith

"Archdeacon" means the Archdeacon of the Diocese of Bermuda;

"Bishop" means the Bishop of the Diocese of Bermuda;

"Clergy" means the clergy of the Diocese of Bermuda;

"Council" means the Council of the Society;

"Society" means the Bermuda Church Society;

"President" means the President of the Society;

"Vice-President" includes any Vice-President of the Society;

"Secretary" means the Secretary of the Society and includes any Assistant Secretary;

"Treasurer" means the Treasurer of the Society and includes any Assistant Treasurer;

"May" shall be construed as permissive;

"Shall" shall be construed as imperative;

Words importing the singular number only include the plural number and vice versa.

Words importing the masculine gender only include the feminine gender.

**MEMBERSHIP OF THE SOCIETY**

**Membership.**

2. (1) The membership of the Society at any particular time shall consist of
  - (a) the Clergy;
  - (b) every person who is a member of the Anglican Church of Bermuda.
- (2) Prior to the Annual General Meeting of the Society in each year the Church Vestry Clerk of each parish shall submit to the Secretary a copy of the membership roll of such parish and the Secretary shall cause a copy of every membership roll so submitted to be available for inspection at the Annual General Meeting.

**Church Membership.**

- (3) If the membership of any person shall be challenged on the ground that he is not a member of the Anglican Church then such person shall not be entitled to the rights attending to membership unless he shall make and subscribe the following

declaration; "I declare that I am a member of the Anglican Church of Bermuda".

## **MEETINGS OF THE SOCIETY**

### **Annual General Meeting.**

3. The Annual General Meeting of the Society shall be held in each year prior to the first day of October of that year on a date, at a time and place to be fixed by the President or in his absence by a Vice-President.

### **Special General Meeting.**

4. A Special General Meeting of the Society shall be convened by the Secretary upon the written request of the President, or of any Vice-President, or of any ten members of the Society and any such written requisition shall specify the objects for which the meeting is required.

### **Notice of General Meetings.**

5. Notice of any General Meeting of the Society shall be given by the Secretary by an advertisement in one or more of the local newspapers at least five days before the meeting takes place, AND TO THE VESTRY CLERK OF EACH PARISH AT LEAST FOURTEEN (I 4) DAYS BEFORE THE MEETING TAKES PLACE, stating the time, date and place, and, so far as practicable, the objects of the meeting.

### **Quorum.**

6. At any General Meeting of the Society not less than twelve members of the Society shall form a quorum for the transaction of business and if a quorum shall not assemble within half an hour after the time appointed for the meeting the meeting shall be adjourned to a future date and notice of such future date shall be given by the Secretary by advertisement in one or more of the local newspapers.

### **Adjournment.**

7. The Chairman of a General Meeting may with the consent of the meeting adjourn the same from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

### **Voting.**

8. Each member of the Society who has attained the age of eighteen years should be entitled

to vote at any meeting of the Society.

### **Method of determining questions**

9. (1) Subject to the provisions of paragraph (3) of this Rule, any question proposed for consideration at any meeting of the Society shall be decided on a show of hands.
- (2) At any meeting of the Society a declaration by the Chairman that a question proposed for consideration has, on a show of hands, been carried or carried unanimously or by a particular majority or lost and any entry to that effect in the minute book shall, subject to the provisions of paragraph (3) of this Rule, be conclusive evidence of that fact without proof of the number or proportion of votes recorded in favour or against such question.
- (3) Notwithstanding the provisions of paragraph (1) of this Rule, at any General Meeting of the Society it shall be lawful, in respect of any question proposed for consideration (whether before or on the declaration of a show of hands as provided in paragraph (1) of this Rule) for a poll to be demanded by any of the following persons
  - (a) the Chairman of such meeting; or
  - (b) at least three members of the Society.

### **Poll.**

10. Where a poll has been demanded such poll shall be taken in such manner as the Chairman of the meeting shall direct.

### **THE COUNCIL**

11. (1) The Council shall consist of the officers of the Society, the Clergy and such other number of lay members of the Society, being not less than eighteen nor more than thirty-six, as the Society may from time to time determine.
- (2) So far as is practicable each Parish shall be represented by at least two lay members on the Council.

### **Election of Council.**

12. The election of lay members of the Council other than those who are ex officio members shall take place at the Annual General Meeting of the Society in each year and any lay members of the Council so elected shall hold office until the next Annual General

Meeting of the Society or until their successors are duly appointed or elected.

**Vacation of office.**

13. Any member of the Council shall cease to be a member of the Council if
- (a) he ceases to be a member of the Society; or
  - (b) he by notice in writing to the Secretary resigns his membership of the Council.

**Casual vacancy.**

14. The Council shall have power from time to time and at any time to appoint a member of the Society to fill a casual vacancy in the Council who shall hold office until the next election of the Council and the continuing members of the Council may act notwithstanding the vacancy in their number.

**Committees.**

15. The Council may delegate any of its powers to a committee or committees consisting of three or more members of the Council duly elected by the Council but every such committee shall conform to such directions as the Council shall impose upon it.

**Meetings of the Council**

16. (1) The Secretary shall convene a meeting of the Council whenever he shall be required to do so by the President or by a Vice-President or on a requisition signed by any three members of the Council and specifying the object of such meeting, or whenever, in his judgment, a meeting is necessary.
- (2) Meetings of the Council shall be convened by NOTICE OF AN AGENDA ACCOMPANIED BY A COPY OF THE MINUTES OF THE PREVIOUS MEETING to the members of the Council not less than four days before the date fixed for the meeting and specifying the time and the date and the place of the meeting.

**Quorum.**

17. (1) The quorum necessary for the transaction of the business of the Council shall be twelve including at least one officer of the Society.
- (2) The quorum necessary for the transaction of the business of a committee of the Council shall be a majority of the members of such committee in Bermuda.





### **Proceedings of Committee**

18. The meetings and proceedings of any committee of the Council shall be governed by the provision of these Rules for regulating meetings and proceedings of the Council so far as the same are applicable thereto.

### **Validity of acts where appointment defective.**

19. All acts done by any meeting of the Council or by any committee of the Council shall notwithstanding that it is afterwards discovered that there was some defect in the appointment or election of any member of the Council or of such committee or that such member was disqualified be as valid as if every such member had been duly appointed or elected.
20. THE COUNCIL SHALL HAVE POWER TO ELECT A BUSINESS COMMITTEE ENTITLED "THE DIOCESAN FUND COMMITTEE" WHICH SHALL CONSIST OF THE BISHOP (EX OFFICIO), THE ARCHDEACON (EX OFFICIO), A CHAIRMAN, THE SECRETARY, THE TREASURER AND SIX OTHER MEMBERS WHO ARE TO BE ELECTED AT THE ANNUAL GENERAL MEETING OF THE SOCIETY.

### **OFFICERS**

#### **Officers.**

- 2 1. (1) The officers of the Society shall consist of a President, a Senior Vice-President, such number of other Vice-Presidents not exceeding four as the Council may from time to time determine, a Secretary and a Treasurer.
- (2) The Bishop shall be the President of the Society and the Archdeacon shall be the Senior Vice President of the Society.
- (3) The Council shall as soon as conveniently may be after the election of the Council determine the number of other Vice-Presidents and choose or elect from among the members of the Council persons to fill the offices created. If more persons are nominated than there are offices to be filled then there shall be an election by ballot.
- (4) The Secretary shall be appointed or elected by the Council and shall hold office during the pleasure of the Council.
- (5) The Treasurer shall be appointed or elected by the Council and shall hold office during the pleasure of the Council.



### **Chairman of Meetings**

22. The President shall act as Chairman of all meetings of the Society or of the Council at which he is present. In his absence the Senior Vice-President, if present, shall be Chairman and in the absence of both of them the meeting shall choose from among the other Vice-Presidents present a Chairman; if none of these are present, a Chairman shall be chosen by the meeting.

### **Duties of Secretary.**

23. It shall be the duty of the Secretary to attend all meetings of the Society and of the Council and (when so requested) of committees of the Council and shall keep correct minutes of all such meetings and shall enter the same in proper books provided for the purpose.

### **Duties of Treasurer.**

24. The Treasurer shall be responsible for the safe custody of all moneys of the Society and, may without further authority, pay the current incidental expenses of the Society such as postage, insurance premiums, taxes and costs of repairs.

### **Books of account and financial statements.**

25. The Treasurer shall keep or cause to be kept true account of all transactions of the Society in such manner as to show the assets and liabilities of the Society for the time being, and the books of account and financial statements shall be kept at such place as the Council shall from time to time direct and shall be open to the inspection of the Officers and of the Council.

### **Remuneration.**

26. The remuneration of the Secretary and of the Treasurer shall be fixed from time to time by the Council.

## **AUDIT**

### **Appointment of Auditor.**

27. At the Annual General Meeting of the Society or at a subsequent Special General Meeting in each year an individual or firm shall be appointed as Auditor of the financial statements of the Society and such Auditor shall hold office until his successor shall be

appointed. No member of the Council shall be eligible to act as Auditor. The remuneration of the Auditor shall be fixed from time to time by the Council.

**Vacancies in office of Auditor.**

28. If the Auditor's office becomes vacant by the resignation or death of the Auditor or by his becoming incapable of acting by reason of illness or absence from Bermuda at a time when his services are required, the President shall, as early as practicable, convene a Special General Meeting of Society to appoint an Auditor to fill the vacancy as an Acting Auditor to act during the incapacity of the Auditor.

**Duty to examine books etc.**

29. (1) The Auditor shall examine such books, accounts and vouchers as may be necessary for the performance of his duties.

**Report.**

- (2) The Auditor shall make a report to the Society of the accounts examined by him and on every financial statement laid before the Society in General Meeting during his tenure of office, and the report shall state -
- (a) whether or not he has obtained all the information and explanations he has required; and
- (b) whether in his opinion the financial statement referred to in the Report is properly drawn up so as to present fairly the financial position of the Society and of its operations for the period under review in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding period.

**Report to be read.**

- (3) The report of the Auditor shall be presented at the General Meeting at which the financial statement is submitted.

**Auditor to be furnished with list of books, etc.**

- (4) The Auditor shall be furnished with a list of all books kept by the Society and shall at all times have the right of access to all records, books, documents, accounts and vouchers of the Society, and shall be entitled to require from the Council and Officers of the Society such information and explanations as may be necessary for

the performance of his duties.

### **Right to attend meetings**

- (5) The Auditor shall be entitled to attend any General Meeting of the Society at which any accounts which have been examined or reported on by him are to be laid before the Society and to make any statement or explanations as he may desire with respect to the accounts.

## **GRANTS**

### **Grants**

30. Grants shall be allocated by the Council out of the income of the Society for the purpose of defraying in whole or in part any or all of the following expenses-
- (i) Stipends in certain cases;
  - (ii) Medical and Hospital Insurance;
  - (iii) Education of Clergy children (see Schedule of Grants);
  - (iv) Vacations for Clergy and Families (see Schedule of Grants);
  - (v) Travelling expenses of a Clergyman, wife and not more than two children under the age of 18 years in connection with appointment to a post in Bermuda (see Schedule of Grants);
  - (vi) Expenses incurred by visiting Clergy;
  - (vii) Expenses incurred in the erection, repair, improvement, maintenance and insurance of ecclesiastical property;
  - (viii) Honoraria to non-stipendiary Clergy and donations to or in support of such persons or causes as the Council shall see fit;
  - (x) Salaries of such servants and officers as the Council shall see fit;
  - (x) Postage, advertising, taxes and such other incidental expenses of the Society as the Council may deem reasonable;

Provided that such grants may be varied and additional grants made by the Council at any time and for any other purpose in connection with the Anglican Church of Bermuda or any church in communion therewith by resolution of not less than two-thirds of those present and voting at a meeting of the Council duly convened by notice specifying so far as practicable the substance of such resolution.

## **RETIREMENT, WIDOWS AND OTHER BENEFITS**

### **Retirement, Widows and other Benefits**

- 31.(1) Benefits shall be payable in accordance with the conditions and terms set out in the attached Schedule of Benefits.
- (2) Any amendment to the Schedule of Benefits shall not endanger the rights of existing beneficiaries by retrospective process.
- (3)The Council shall be at liberty from time to time to authorize such increases in benefits as it shall deem proper.

## **COMMON SEAL**

### **Common Seal.**

32. The Council shall provide for the safe custody of the Common Seal of the Society and every instrument to which the Common Seal shall be affixed shall be signed by the President or one of the Vice-Presidents and countersigned by the Secretary or Treasurer or by some other member of the Council so authorized.

## **AMENDMENTS TO RULES**

### **Amendments to Rules.**

33. No Rule shall be rescinded, altered or amended, and no new Rule shall be made unless the same has been submitted in writing to the Secretary of the Society, and distributed to all members of the Council with the notice of the meeting at which the proposed change is to be considered, and until such time as the change has been agreed at a meeting of the Council and confirmed at a General Meeting of the Society.

1st October 1989

448116

**THE BERMUDA CHURCH SOCIETY**  
**Established in 1876**

**R U L E S**

**Revised in 1999.**



**SOCIETY**

**THE BERMUDA CHURCH**

**INTERPRETATION**

**Interpretation.**

1. In these Rules, unless there is something in the subject or context inconsistent therewith

- "Archdeacon" means the Archdeacon of the Diocese of Bermuda;
- "Bishop" means the Bishop of the Diocese of Bermuda;
- "Clergy" means the clergy of the Diocese of Bermuda;
- "Council" means the Council of the Society;
- "Society" means the Bermuda Church Society;
- "President" means the President of the Society;
- "Vice-President" includes any Vice-President of the Society;
- "Secretary" means the Secretary of the Society and includes any Assistant Secretary;
- "Treasurer" means the Treasurer of the Society and includes any Assistant Treasurer;
- "May" shall be construed as permissive;
- "Shall" shall be construed as imperative;
- Words importing the singular number only include the plural number and vice versa.
- Words importing the masculine gender only include the feminine gender.

**MEMBERSHIP OF THE SOCIETY**

**Membership.**

- 2. (1) The membership of the Society at any particular time shall consist of
  - (a) the Clergy;
  - (b) every person who is a member of the Anglican Church of Bermuda.
- (2) Prior to the Annual General Meeting of the Society in each year the Church Vestry Clerk of each parish shall submit to the Secretary a copy of the membership roll of such parish and the Secretary shall cause a copy of every membership roll so submitted to be available for inspection at the Annual General Meeting.

**Church Membership.**

- (3) If the membership of any person shall be challenged on the ground that he is not a

member of the Anglican Church then such person shall not be entitled to the rights attending to membership unless he shall make and subscribe the following declaration; "I declare that I am a member of the Anglican Church of Bermuda".

## **MEETINGS OF THE SOCIETY**

### **Annual General Meeting.**

3. The Annual General Meeting of the Society shall be held in each year prior to the first day of October of that year on a date, at a time and place to be fixed by the President or in his absence by a Vice-President.

### **Special General Meeting.**

4. A Special General Meeting of the Society shall be convened by the Secretary upon the written request of the President, or of any Vice-President, or of any ten members of the Society and any such written requisition shall specify the objects for which the meeting is required.

### **Notice of General Meetings.**

5. Notice of any General Meeting of the Society shall be given by the Secretary by an advertisement in one or more of the local newspapers at least five days before the meeting takes place, AND TO THE VESTRY CLERK OF EACH PARISH AT LEAST FOURTEEN (I 4) DAYS BEFORE THE MEETING TAKES PLACE, stating the time, date and place, and, so far as practicable, the objects of the meeting.

### **Quorum.**

6. At any General Meeting of the Society not less than twelve members of the Society shall form a quorum for the transaction of business and if a quorum shall not assemble within half an hour after the time appointed for the meeting the meeting shall be adjourned to a future date and notice of such future date shall be given by the Secretary by advertisement in one or more of the local newspapers.

### **Adjournment.**

7. The Chairman of a General Meeting may with the consent of the meeting adjourn the same from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the

adjournment took place.

### **Voting.**

8. Each member of the Society who has attained the age of eighteen years should be entitled to vote at any meeting of the Society.

### **Method of determining questions**

9. (1) Subject to the provisions of paragraph (3) of this Rule, any question proposed for consideration at any meeting of the Society shall be decided on a show of hands.
  - (2) At any meeting of the Society a declaration by the Chairman that a question proposed for consideration has, on a show of hands, been carried or carried unanimously or by a particular majority or lost and any entry to that effect in the minute book shall, subject to the provisions of paragraph (3) of this Rule, be conclusive evidence of that fact without proof of the number or proportion of votes recorded in favour or against such question.
  - (3) Notwithstanding the provisions of paragraph (1) of this Rule, at any General Meeting of the Society it shall be lawful, in respect of any question proposed for consideration (whether before or on the declaration of a show of hands as provided in paragraph (1) of this Rule) for a poll to be demanded by any of the following persons
    - (a) the Chairman of such meeting; or
    - (b) at least three members of the Society.

### **Poll.**

10. Where a poll has been demanded such poll shall be taken in such manner as the Chairman of the meeting shall direct.

### **THE COUNCIL**

11. (1) The Council shall consist of the officers of the Society, the Clergy and such other number of lay members of the Society, being not less than eighteen nor more than thirty-six, as the Society may from time to time determine.

- (2) So far as is practicable each Parish shall be represented by at least two lay members on the Council.

### **Election of Council.**

12. The election of lay members of the Council other than those who are ex officio members shall take place at the Annual General Meeting of the Society in each year and any lay members of the Council so elected shall hold office until the next Annual General Meeting of the Society or until their successors are duly appointed or elected.

### **Vacation of office.**

13. Any member of the Council shall cease to be a member of the Council if
  - (a) he ceases to be a member of the Society; or
  - (b) he by notice in writing to the Secretary resigns his membership of the Council.

### **Casual vacancy.**

14. The Council shall have power from time to time and at any time to appoint a member of the Society to fill a casual vacancy in the Council who shall hold office until the next election of the Council and the continuing members of the Council may act notwithstanding the vacancy in their number.

### **Committees.**

15. The Council may delegate any of its powers to a committee or committees consisting of three or more members of the Council duly elected by the Council but every such committee shall conform to such directions as the Council shall impose upon it.

### **Meetings of the Council**

16.
  - (1) The Secretary shall convene a meeting of the Council whenever he shall be required to do so by the President or by a Vice-President or on a requisition signed by any three members of the Council and specifying the object of such meeting, or whenever, in his judgment, a meeting is necessary.
  - (2) Meetings of the Council shall be convened by NOTICE OF AN AGENDA ACCOMPANIED BY A COPY OF THE MINUTES OF THE PREVIOUS MEETING to the members of the Council not less than four days before the date fixed for the meeting and specifying the time and the date and the place of the meeting.



### **Quorum.**

17. (1) The quorum necessary for the transaction of the business of the Council shall be twelve including at least one officer of the Society.
- (2) The quorum necessary for the transaction of the business of a committee of the Council shall be a majority of the members of such committee in Bermuda.

### **Proceedings of Committee**

18. The meetings and proceedings of any committee of the Council shall be governed by the provision of these Rules for regulating meetings and proceedings of the Council so far as the same are applicable thereto.

### **Validity of acts where appointment defective.**

19. All acts done by any meeting of the Council or by any committee of the Council shall notwithstanding that it is afterwards discovered that there was some defect in the appointment or election of any member of the Council or of such committee or that such member was disqualified be as valid as if every such member had been duly appointed or elected.
20. THE COUNCIL SHALL HAVE POWER TO ELECT A BUSINESS COMMITTEE ENTITLED "THE BERMUDA CHURCH SOCIETY BUSINESS COMMITTEE" WHICH SHALL CONSIST OF THE BISHOP (EX OFFICIO), THE ARCHDEACON (EX OFFICIO), A CHAIRMAN, THE SECRETARY, THE TREASURER AND SIX OTHER MEMBERS WHO ARE TO BE ELECTED AT THE ANNUAL GENERAL MEETING OF THE SOCIETY.

### **OFFICERS**

#### **Officers.**

21. (1) The officers of the Society shall consist of a President, a Senior Vice-President, such number of other Vice-Presidents not exceeding four as the Council may from time to time determine, a Secretary and a Treasurer.
- (2) The Bishop shall be the President of the Society and the Archdeacon shall be the Senior Vice President of the Society.
- (3) The Council shall as soon as conveniently may be after the election of the Council determine the number of other Vice-Presidents and choose or elect from among the members of the Council persons to fill the offices created. If

more persons are nominated than there are offices to be filled then there shall be an election by ballot.



- (4) The Secretary shall be appointed or elected by the Council and shall hold office during the pleasure of the Council.
- (5) The Treasurer shall be appointed or elected by the Council and shall hold office during the pleasure of the Council.

#### **Chairman of Meetings**

- 22. The President shall act as Chairman of all meetings of the Society or of the Council at which he is present. In his absence the Senior Vice-President, if present, shall be Chairman and in the absence of both of them the meeting shall choose from among the other Vice-Presidents present a Chairman; if none of these are present, a Chairman shall be chosen by the meeting.

#### **Duties of Secretary.**

- 23. It shall be the duty of the Secretary to attend all meetings of the Society and of the Council and (when so requested) of committees of the Council and shall keep correct minutes of all such meetings and shall enter the same in proper books provided for the purpose.

#### **Duties of Treasurer.**

- 24. The Treasurer shall be responsible for the safe custody of all moneys of the Society and, may without further authority, pay the current incidental expenses of the Society such as postage, insurance premiums, taxes and costs of repairs.

#### **Books of account and financial statements.**

- 25. The Treasurer shall keep or cause to be kept true account of all transactions of the Society in such manner as to show the assets and liabilities of the Society for the time being, and the books of account and financial statements shall be kept at such place as the Council shall from time to time direct and shall be open to the inspection of the Officers and of the Council.

#### **Remuneration.**

- 26. The remuneration of the Secretary and of the Treasurer shall be fixed from time to time by the Council.

## **AUDIT**

### **Appointment of Auditor.**

27. At the Annual General Meeting of the Society or at a subsequent Special General Meeting in each year an individual or firm shall be appointed as Auditor of the financial statements of the Society and such Auditor shall hold office until his successor shall be appointed. No member of the Council shall be eligible to act as Auditor. The remuneration of the Auditor shall be fixed from time to time by the Council.

### **Vacancies in office of Auditor.**

28. If the Auditor's office becomes vacant by the resignation or death of the Auditor or by his becoming incapable of acting by reason of illness or absence from Bermuda at a time when his services are required, the President shall, as early as practicable, convene a Special General Meeting of Society to appoint an Auditor to fill the vacancy as an Acting Auditor to act during the incapacity of the Auditor.

### **Duty to examine books etc.**

29. (1) The Auditor shall examine such books, accounts and vouchers as may be necessary for the performance of his duties.

### **Report.**

- (2) The Auditor shall make a report to the Society of the accounts examined by him and on every financial statement laid before the Society in General Meeting during his tenure of office, and the report shall state -
- (a) whether or not he has obtained all the information and explanations he has required; and
  - (b) whether in his opinion the financial statement referred to in the Report is properly drawn up so as to present fairly the financial position of the Society and of its operations for the period under review in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding period.

### **Report to be read.**

- (3) The report of the Auditor shall be presented at the General Meeting at which the financial statement is submitted.

### **Auditor to be furnished with list of books, etc.**

- (4) The Auditor shall be furnished with a list of all books kept by the Society and shall at all times have the right of access to all records, books, documents, accounts and vouchers of the Society, and shall be entitled to require from the Council and Officers of the Society such information and explanations as may be necessary for the performance of his duties.

### **Right to attend meetings**

- (5) The Auditor shall be entitled to attend any General Meeting of the Society at which any accounts which have been examined or reported on by him are to be laid before the Society and to make any statement or explanations as he may desire with respect to the accounts.

## **GRANTS**

### **Grants**

30. Grants shall be allocated by the Council out of the income of the Society for the purpose of defraying in whole or in part any or all of the following expenses-
- (i) Stipends in certain cases;
  - (ii) Medical and Hospital Insurance;
  - (iii) Education of Clergy children (see Schedule of Grants);
  - (iv) Vacations for Clergy and Families (see Schedule of Grants);
  - (v) Travelling expenses of a Clergyman, wife and not more than two children under the age of 18 years in connexion with appointment to a post in Bermuda (see Schedule of Grants);
  - (vi) Expenses incurred by visiting Clergy;
  - (vii) Expenses incurred in the erection, repair, improvement, maintenance and insurance of ecclesiastical property;
  - (viii) Honoraria to non-stipendiary Clergy and donations to or in support of such persons or causes as the Council shall see fit;
  - (ix) Salaries of such servants and officers as the Council shall see fit;
  - (x) Postage, advertising, taxes and such other incidental expenses of the Society as the Council may deem reasonable;

Provided that such grants may be varied and additional grants made by the Council at any time and for any other purpose in connection with the Anglican Church of Bermuda or any church in communion therewith by resolution of not less than two-thirds of those present and voting at a meeting of the Council duly convened by notice specifying so far as practicable the substance of such resolution.

## **RETIREMENT, WIDOWS AND OTHER BENEFITS**

### **Retirement, Widows and other Benefits**

31. (1) Benefits shall be payable in accordance with the conditions and terms set out in the attached Schedule of Benefits.
- (2) Any amendment to the Schedule of Benefits shall not endanger the rights of existing beneficiaries by retrospective process.
- (3) The Council shall be at liberty from time to time to authorize such increases in benefits as it shall deem proper.

## **COMMON SEAL**

### **Common Seal.**

32. The Council shall provide for the safe custody of the Common Seal of the Society and every instrument to which the Common Seal shall be affixed shall be signed by the President or one of the Vice-Presidents and countersigned by the Secretary or Treasurer or by some other member of the Council so authorized.

## **AMENDMENTS TO RULES**

### **Amendments to Rules.**

33. No Rule shall be rescinded, altered or amended, and no new Rule shall be made unless the same has been submitted in writing to the Secretary of the Society, and distributed to all members of the Council with the notice of the meeting at which the proposed change is to be considered, and until such time as the change has been agreed at a meeting of the Council and confirmed at a General Meeting of the Society.

\_\_\_\_\_ 1999

**BERMUDA CHURCH SOCIETY**  
**SCHEDULE OF BENEFITS**  
**(as at 1<sup>st</sup>. November, 1994)**

1. RETIREMENT BENEFITS.

A member shall be eligible for Retirement Benefits if the member satisfies all of the following conditions:-

- (a) The member has served in Bermuda for at least 5 years (this service qualification shall be waived in the case of a Bishop); and
- (b) the member has retired from whatever ecclesiastical office was being held; and
- (c) the member has reached the age of 65 years; or
- (d) the member has become incapacitated from continuing in office by reason of permanent disability.

Retirement Benefits shall be as follows:-

A. Retirement Grant: A single lump-sum payment shall be made at the actual retirement date of an amount according to the following scale:-

Service in Bermuda (completed years)

5	\$13,200
6	\$14,520
7	\$15,840
8	\$17,160
9	\$18,480
10	\$19,800
11	\$21,120
12	\$22,440
13	\$23,760
14	\$25,080
15	\$26,400
16	\$27,720
17	\$29,040
18	\$30,360
19	\$31,680

20 or more     \$33,000

Bishops of Bermuda will receive a Retirement Grant 25% more than this general scale.

- B. Retirement Pension: a monthly pension of \$46.64 for each year of service in the Diocese shall be paid to all retired members the first payment becoming due at the retirement date and payments continuing throughout the lifetime of the retired member.

Bishops of Bermuda will receive a Retirement Pension 25% more than stated above.

## 2. SPOUSE'S PENSION

A pension shall be payable to the surviving spouse of any deceased member who served in Bermuda for at least 5 years (but this service qualification shall be waived in the case of a Bishop).

- (i) If the member died before retirement, the monthly spouse's pension shall be calculated as follows:-
- a.. If the member had not retired but was already over 65 years of age, the spouse's pension is two-thirds of the pension the member would have received had the member retired immediately prior to death.
  - b. If the member had not retired and was under 65 years of age then the spouse's pension would be \$31.09\* per month for each year of service in Bermuda plus potential years of service to age 65.
- (ii) If the member died after retirement, the spouse's pension shall be two-thirds of the Retirement Pension for which the member was entitled at the time of death.

\* The surviving spouse of a Bishop of Bermuda shall receive a SPOUSE'S PENSION 25% more than shown above.

## 3. RETIREMENT HOUSING ALLOWANCE.

A member shall be entitled to a Retirement Housing Allowance if the member satisfies all the following conditions:-

- a. the member is receiving a Retirement Pension from the Church Society;

- b. the member was serving in Bermuda at the time of retirement;
- c. the member does not qualify for any form of retirement housing assistance from the Church authorities in any other territory in which the member may have served;  
and
- d. the member continues to reside in Bermuda, though this may be waived if the member has served in Bermuda for 25 years or more.

The amount of the Retirement Housing Allowance shall be \$466.40 per month payable to the eligible retired member or \$310.93 to the surviving spouse.

#### 4. OTHER BENEFITS.

(i) Death in service benefit:

In the event of the death of a serving member, a lump sum payment of \$40,000 shall be made to the surviving spouse or, if there is no spouse, to the member's dependents. This benefit is insured with a Bermuda Insurance Company.

(ii) Transfer Gratuity:

In the event that a member leaves before completing 5 years service in the Bermuda Diocese, an age related gratuity may be granted for each year of service in Bermuda for the purpose of "buying into" the Pension Plan of the country of origin. The amount of gratuity shall be determined by the Funds Committee.

(iii) Deferred Pension:

In the event that a member leaves after completing 5 years service in the Bermuda Diocese, a deferred pension and deferred retirement grant shall be payable from age 65.

1<sup>st</sup>. November, 1994.





**SCHEDULE OF GRANTS**  
**(as of 1st November 1994)**

- (1) Education Grants will be paid for Clergy children in the sum of \$750 per child per annum up to completion of Secondary School education and in the sum of \$1,500 per child per annum while in attendance at the Bermuda College\* and in the sum of \$2,000 per child per annum at College abroad.
- (2) Vacation Grants will be paid for Clergy and their families in each second year of service in the sum of \$1,000 per person.
- (3) Travelling expenses will be paid for Clergy and their families under the following terms:-
  - (a) To Bermuda from previous place of residence.
  - (b) From Bermuda to country of origin after the termination of the terms of contract or agreement. (In the event of not returning to country of origin the fares payable shall not exceed those to the United Kingdom).
  - (c) Travelling expenses are defined as:-
    - (i) passenger fares.
    - (ii) transport of household and personal effects up to a cost of \$7,000.

\*The Senior Year Programmes at The Saltus Grammar School and The Bermuda High School are also the equivalent of attendance at The Bermuda College.

1st. November, 1994.

## DENTAL CARE BENEFIT

### BASIC PLAN (Preventative)

This plan is designed to meet basic needs of an insured individual on a day to day basis and includes:

Diagnostic Services  
Preventative Services  
Restorative Services (other than major)  
Simple Surgical Services  
Examinations  
Consultations  
Radiographics  
Professional Visits  
Endodontic Services (Root Canal)  
Periodontal Services (Gum Tissue)  
Anaesthetic Services (where necessary only for covered surgical services)

### MAJOR RESTORATIVE

This is optional and may be added to the Basic Plan to extend coverage to include major restorative procedures such as dentures, gold and metal restorations, crowns, retainers and other prosthodontic services, including:

Complete and Partial Dentures (once every 3 years)  
Denture Repairs and Adjustments  
Rebasing and Relining of Dentures  
Gold foil restorations  
Metal inlay restorations  
Porcelain inlays  
Crowns  
Fixed Prosthodontic Services (once every 3 years)  
- Pontics  
- Retainers  
- Repairs  
- Splinting

### ORTHODONTICS

This option may be added after the Major Restorative has been included. These services are not available if only the Basic Plan has been purchased. Orthodontic coverage is provided only for dependent children. Orthodontic Services include:

Dental Fee Guide:                      Related diagnostic coverage (costs)  
    Related preventative services (space maintainers)  
    Observation and Adjustment  
    Orthodontic Appliances  
    Current Bermuda Dental Association

<u>Level of Coverage</u>	<u>Payment by Plan</u>	<u>Maximum</u>
Preventative	100%	Unlimited
Major Restorative	80%	\$1,500 per year
Orthodontic	50%	\$ 750 per year \$1,500 per lifetime

NIL DEDUCTIBLE

SERVICES NOT COVERED

Cosmetic dentistry except for the repairs of accidental injury and then only within 90 days of the accident causing the injury; dental care, services or supplies provided in connection with temporomandibular joint (TMJ) dysfunction.

## VISION CARE BENEFITS

Eligible expenses include the following on recommendation of a legally licensed physician, surgeon, ophthalmologist or optometrist:

1. Frames, regular, bifocal and trifocal lenses, including tints and fitting of prescription glasses, subject to a maximum of \$200 in any 2 consecutive years for each insured individual.
  
2. Contact lenses, when initially required or if required due to a change in the prescription, and fitting of contact lenses, subject to the following conditions:
  - (i) if they are prescribed for severe corneal astigmatism, severe corneal scarring, keratoconus or aphakia; or
  
  - (ii) if visual acuity is improved to at least the 20/40 level and such visual acuity is not possible through the use of regular eyeglasses,

subject to a maximum of \$400 per pair in any 2 consecutive calendar years, 3 pairs per lifetime for each insured individual.

Exclusions.

No payment shall be made under this benefit for the following charges:

1. Duplicate or spare eyeglasses
2. Duplicate or spare contact lenses
3. Eye examinations, as coverage is provided under the Home & Office benefit.
4. Sunglasses, prescription or otherwise.
5. Safety glasses.
6. Services for visual training or remedial exercises.

The above eligible expenses will be reimbursed 100% by this Company, subject to the maximums stated above. The insured individual is responsible for the payment of any excess charges.

NIL DEDUCTIBLE.

## **THE BERMUDA CHURCH SOCIETY**

Rules and Policy for the Bermuda Church Society Capital Development Fund.

### 1. THE PURPOSE OF THE FUND.

The Bermuda Church Society Capital Development Fund ("the Fund") has been established for the purpose of assisting Vestries to fund capital projects, and to meet emergency expenditure relating to church properties.

### 2. ESTABLISHING THE FUND.

a) Based on the Audited Accounts of the Bermuda Church Society, and using the Income and Expenditure figures and the Balance Sheet at 30<sup>th</sup> June 1994, and annually thereafter, one third of the excess income of the Society's general fund over expenditure of that fund will be paid as a grant to the Fund.

b) For the first year 100% of the money assigned by the Society to the Fund will be used to build up capital. Thereafter, 25% of the monies assigned annually will be used to build up capital.

### 3. ADMINISTRATION OF THE FUND

a) A Bermuda Church Society Capital Development Fund Committee, ("the Fund Committee") consisting of the Honorary Treasurer of the Bermuda Church Society as Chairman, and three others appointed by the Business Committee, will be responsible for the administration of the Fund.

b) A bank account, in the name of "The Bermuda Church Society Capital Development Fund", will be established for the purpose of receiving and disbursing the funds under the set policies. The signatories will be the members of the Fund Committee.

c) Once a year, in September or as soon as possible thereafter, the Fund Committee will advise the Business Committee of all transactions. They will provide a statement of funds received, funds set aside to build up capital, and funds disbursed.

d) Rules and policy will be reviewed by the Rules and Grants Committee and by the Business Committee from time to time, but not less than every three years.

### 4. POLICY FOR AWARDING GRANTS TO VESTRIES.

- a) Applications will be considered in order of receipt and on the basis of the importance of the project to the applicant Church, to the Diocese and to the Society.
- b) In making a grant, the Fund Committee will take into account the efforts of the applicant Church, the amount of funds required and the amount of funds raised.
- c) No applicant Church will receive more than 50% of the total funds available in any twelve month period, and no further application from a Church which has received a grant will be considered until all other applications have been determined.

5. APPLICATIONS.

- a) First applications for assistance must be made by 31<sup>st</sup> August, 1995, and by 31<sup>st</sup> August of each year thereafter. All applications must be accompanied by the applicant Church's current audited statements of Income and Expenditure and Balance Sheet at 31<sup>st</sup> March of that year.
- b) Applications should be made to:

The Chairman  
The Bermuda Church Society Capital Development Fund Committee  
PO Box HM 875  
Hamilton HM DX

Approved by the Bermuda Church Society Business Committee at a meeting held on Tuesday  
May 31<sup>st</sup>. 1994.