

**SPECIAL RESOLUTION OF THE MEMBERS**  
of the  
**ANGLICAN NETWORK IN CANADA**  
(hereinafter called the “*Corporation*”)

**WHEREAS:**

- A. The Canons Committee has reviewed the Canons of ANiC and recommended certain amendments;
- B. The ANiC Council considers it to be in the best interests of the Corporation to amend its Canons as outlined in these resolutions.

**NOW THEREFORE BE IT RESOLVED AS A SPECIAL RESOLUTION THAT:**

- 1. The Canons be amended as follows and, where necessary, subsequent paragraphs, sections and articles be renumbered accordingly:
  - I.1 A definition of the “Canons Committee” be insert alphabetically in section I.1 as follows:

“ **“Canon’s Committee”** refers to a committee that may be established by the ANiC Council from time to time and whose membership shall include the Chancellor, at least one member of the ANiC Council, and such other additional persons as the ANiC Council sees fit to appoint, for the purpose of reviewing and recommending amendments to these Canons, for making recommendations of a Canonical or legal nature to the ANiC Council or for considering any other Canonical or legal issues referred to it by the ANiC Council.”
  - I.4.2(aa) The text of section I.4.2(aa) be moved to become the last sentence of section I.4.2 (a).
  - I.4.2(c) and I.4.3(d) That the typographical error “days notice” be amended to “days’ notice”.
  - I.4.2(f) That the typographical error “Synods” be corrected to “Synod”.
  - I.4.2(q)(i) and (ii) That the typographical error “Resolution” be corrected to “Resolutions”.
  - I.4.2(q)(iv) That the phrase “Any other resolution specified by the Moderator or the ANiC Council to be voted on “by House” by way of special resolutions.” be amended to read:

“Any other resolution specified by the Moderator or the ANiC Council to be voted on “by House” or any other resolution identified as a “special resolution”.”
  - I.4.2(aa) That the following provisions be inserted as I.4.2(aa) (or as I.4.2(bb) if the above resolution concerning the existing I.4.2(aa) does not pass):

“(aa) Once the date of the annual Synod has been set by the ANiC Council, the Canons Committee or any ANiC Member (or a duly selected representative of a Parish Member) may propose an amendment to these canons provided such amendment is

submitted in accordance with these Canons as follows:

- (i) Where the Synod is a special Synod, the ANiC Council may make special rules concerning proposed amendments including whether or not proposed amendments will be accepted from Members, provided copies of the proposed amendments are distributed to Members not less than twenty-one (21) days prior to the special Synod;
- (ii) Where the Synod is an annual Synod, amendments must be received by the Canons Committee not less than the 84<sup>th</sup> day prior to the Synod (which deadline shall be extended to the next business day if the 84<sup>th</sup> day is a Saturday or Sunday or day on which the ANiC is closed for a statutory holiday). A proposed amendment shall be deemed to have been received by the Canons Committee if it has been delivered to the ANiC Office or to any member of the Canon's Committee prior to 5:00 p.m. local time on the day of the deadline; and
- (iii) Amendments shall be subject to review by the Canons Committee for the purpose of making non-substantive changes to ensure conformity of presentation, consolidating like amendments, and conforming terminology to the terminology of these Canons. The Committee shall use reasonable efforts to confirm such changes are acceptable to the proposers prior to distribution of the amendments to the Members; and
- (iv) The Canons Committee shall prepare the amendments for distribution and the ANiC Council shall cause the amendments to be distributed to the Members not less than twenty-one (21) days prior to the Synod at which they are to be submitted for a vote of the members; and

Amendments may not be made from the floor of Synod, nor may non-substantive changes to proposed amendments be made from the floor of Synod and in order to pass, proposed amendments to these Canons shall be subject to the requirements of section I.4.2(q) of these Canons."

III.1.2 Rephrase "The following are the charges or accusations regarding which the Moderator, an ANiC Bishop, a Presbyter, or a Deacon may be presented:" to read as follows:

"The following charges or accusations may be presented in respect of the Moderator, an ANiC Bishop, a Presbyter, or a Deacon, following the procedures for presentment established in these Canons:"

III.2.2 Section III.2.2 be amended to read as follows:

"At any time after the receipt of an accusation(s), the accused may confess to the truth of the allegation(s) and submit to the discipline of ANiC as provided for in these Canons. Submission to the discipline of

ANiC must include the following:

- (a) co-operation in any investigation or further investigation by, or required by, the Moderator or the Moderator after consultation with the ANiC Council; and
- (b) submission to sentence as determined pursuant to Section III Article 4 of these Canons.”

III.2.3(a) Amend the heading to read:

“Concerning Canonical Investigation”

III.2.3(a) Section III.2.3(a) be amended to read as follows:

“Upon receipt of an accusation pursuant to this Article III.2.1, the Moderator shall, within forty-five (45) days consult with the ANiC Council and appoint a canonical investigator:

- (i) to ascertain the merit of the accusations; and
- (ii) to make a recommendation to the ANiC Council as soon as practicable regarding whether further juridical process should be pursued.

An accusation shall not fail or be deemed not to have merit merely because of a delay in convening a consultation with the ANiC Council and appointing a canonical investigator and the occurrence of any such a delay shall not be interpreted in favour of or against any party.”

III.2.3(f) That the phrase “his or her” be amended to: “such person’s”.

III.2.3(g) That III.2.3(g) be renumbered III.2.4 and subsections (i) and (ii) be renumbered (a) and (b). This is to correct a typographical error that listed the section heading as a paragraph.

III.3.1 That section III.3.1 be deleted and replaced by the following:

“An ANiC Bishop may be charged under Title IV Canon 2 of the Canons of the Province by:

- (a) resolution of the ANiC Council; or
- (b) three (3) bishops of the Province with jurisdiction; or
- (c) not fewer than ten (10) Presbyters, Deacons, or Lay Members in good standing, of whom at least two (2) shall be Presbyters; or
- (d) not fewer than ten (10) Presbyters, Deacons, or adult baptised parishioners in a Diocese, in any case in good standing, of whom:
  - (i) at least two (2) shall be Presbyters, one (1) of whom may be a Presbyter in the Diocese in which the alleged offense was alleged to have been committed; and
  - (ii) not fewer than six (6) shall either be Lay Members in an ANiC Parish or parishioners in good standing in the Diocese in which the alleged offense was alleged to have been committed; and

such charges shall be in writing, signed and sworn to by all the accusers

and shall be presented to the Archbishop, the Archbishop's delegate, or the College of Bishops of the Province. The grounds of accusation must be set forth with reasonable certainty of time, place and circumstance. The charges shall be referred to the Board of Inquiry of the Province."

III.3.3 Following the words "...baptized members" Insert the words "of the Province" and after the word "eight" insert "(8)".

III.3.6 That section III.3.6(b), which reads as follows, "(b) If the ANiC Council has delivered a request to the College of Bishops of the Province regarding a presentment under Title IV Canon 2 of the Canons of the Province, but at the end of the review by the College of Bishops, Members holding at least thirty (30) votes eligible to be cast at the next Synod meeting are dissatisfied with the results, they may express in writing their dissatisfaction to the secretary of ANiC. As a result of such written expression of dissatisfaction, the ANiC Council shall bring a motion to the next Synod requesting the Province to release the said ANiC Bishop from his oversight responsibilities within ANiC 0." be deleted and replaced by the following:

"(b) If the ANiC Council has delivered a request to the College of Bishops of the Province regarding a presentment under Title IV Canon 2 of the Canons of the Province but at the end of the review by the College of Bishops Lay Members holding at least thirty (30) votes eligible to be cast at the next Synod meeting are dissatisfied with the results, such Lay Members may express in writing their dissatisfaction to the secretary of ANiC and the secretary of ANiC shall present the written notice of dissatisfaction to the ANiC Council promptly and the ANiC Council shall bring a motion to the next Synod to require ANiC Council, on behalf of Synod, to request that the Province release the subject ANiC Bishop from his oversight responsibilities within 0ANiC. Outside of the provisions of this paragraph, no such or similar motion may be brought before Synod."

III.4 That the word "Evidence" be inserted in the heading of section III.4, as follows: "OF EVIDENCE, COURTS, MEMBERSHIP AND PROCEDURES"

III.4.1, III.4.2 and III.4.3 That the following sections be inserted as III.4.1, III.4.2 and III.4.3 and the remaining sections be renumbered accordingly:

III.4.3 "III.4.1 Oaths and Solemn Declarations

Wherever these Canons require that a document is to be sworn or testimony is to be given in an ecclesiastical court, such document or evidence shall be "sworn" and in these Canons "sworn" refers to making an oath or solemn declaration according to the provisions of and in the form required by the *Canada Evidence Act*, R.S.C. 1985, c. C-5 or any amendments or successor to that act. In the matter of provision of oral evidence before any tribunal or court established under these Canons, the presiding bishop shall make provisions for a notary public or commissioner or other person authorized by that act to take an oath or solemn declaration to be available to take such oath or solemn declaration prior to the giving of any oral evidence.

### III.4.2 Service

Where a document or notice is required to be served upon a party, it shall be served according to the Rules of the Federal Court of Canada as to the delivery of service, personal service, foreign service, non-personal service and service on those unavailable or avoiding service and not the format of the document or notice itself. For this purpose, any Rules of the Federal Court of Canada for delivery by post, courier or registered mail, shall be valid if to the party's address on the Parish Roll of their last known ANiC Parish regardless of whether the party signs a receipt for the notice. Where the party is an ANiC Bishop, Presbyter or Deacon, may be effected by delivery to an adult person at the diocesan office, in the case of an ANiC Bishop or Deacon, or the Presbyter's ANiC Parish office, in the case of a Presbyter, together with hand delivering or posting a copy of the notice to such person's address as recorded at the Diocesan office or in the relevant ANiC Parish Roll.

### III.4.3 Standards of Proof

The burden of proof in any ecclesiastical proceeding established by ANiC shall be on a "balance of probabilities", provided that no sentence of suspension for life or deposition from ministry shall be invoked except the sentencing judge finds that the burden of proof "beyond a reasonable doubt" has been met."

- III.4.1(b) That III.4.1(b) be renumbered III.4.4(b) and the words "or its committee" be deleted from the end of the sentence.
- III.4.1(c) That III.4.1(c) be renumbered III.4.4(c) and the words "unless the accused agrees in writing to waive such period," be inserted after the words "...conviction by Trial Court, " and "(30)" be inserted after the word "thirty".
- III.4.2(a) That III.4.2 be renumbered III.4.5 and the word "Trial" be amended in paragraph (a) to use the lower case, "trial".
- III.4.2(b) That the sentence "The term of each member of the Court shall be three years or until a successor is elected and qualified." be amended to read "The term of each member of the Court shall be the greater of three years or until a successor is elected and qualified."
- III.4.3, III.4.4 and III.4.5 That the sections be renumbered III.4.6, III.4.7 and III.4.8 and the word "Canons" be amended to "canons".
- III.4.6 That the section III.4.6 be renumbered III.4.9 and the phrase ", is under or has reason to believe that they are or may in the future" be inserted after "...under these Canons..."
- III.4.6.7 That the section III.4.7 be renumbered III.4.6.10 and that the phrase in paragraph (a) "If there is no Moderator,..." be amended to read:  
 "If there is no Moderator, or if the Moderator fails or refuses to pronounce sentence within one hundred twenty (120) days,..."

- III.4.7(a) That the section III.4.7 be renumbered III.4.6.10 and that the phrase in paragraph (a) "If there is no Moderator,..." be amended to read:  
"If there is no Moderator, or if the Moderator fails or refuses to pronounce sentence within one hundred twenty (120) days,..."
- III.4.7(c) That the phrase "Sentences shall include:" be amended to read "Sentences shall include one or more of the following:".
- III.4.7(c)(iii) That the word "or" be deleted from the end of item (iii) and that the period at the end of item (iv) be changed to a semi-colon and the phrase "in addition, other measures for restoration of the accused as may be required" be numbered item (iv) and amended to read:  
"other measures for restoration of the accused as the person pronouncing sentence deems to be appropriate".
- III.4.8 That section III.4.8 be renumbered III.4.11 and the phrase "With the advice and consent of the ANiC Council, such inhibition may be extended until..." be amended to read:  
"With the advice and consent of the ANiC Council, the Moderator may extend such inhibition until...".
- III.4.8(b) That the phrase "In the case of the presentment of a bishop of the Province (including the Archbishop)..." be amended to read:  
"In the case of the presentment of an ANiC Bishop (including the Archbishop)..."
- III.5 Insert the word "or" at the beginning of the final clause so that it reads:  
"or by the canons of the Province."
2. Any one of the officers and directors of the Corporation is authorized to take all such actions and execute and deliver all such documentation, including the annexed Articles of Continuance (transition), the notice of registered office and of directors in the forms fixed by the Director, which are necessary or desirable for the implementation of these resolutions.

The undersigned, being the duly appointed Secretary of the Corporation, certifies that the above is a true and correct copy of a special resolution of ANGLICAN NETWORK IN CANADA, passed at a meeting of members held on the \_\_\_\_ day of November, 2012 by a majority of not less than two-thirds of the votes cast by the members of the Corporation who voted in respect of the resolution, and the resolution is in full force and effect, unamended as of the date below.

DATED the \_\_\_\_ day of November, 2012

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Secretary