

# CONSTITUTION

AND

# BYLAWS

British Columbia Synod

Evangelical Lutheran Church in Canada

Amended April 2016

Transition completed 2017

## **AMENDMENTS PROPOSED BY SYNOD COUNCIL**

**for consideration at the 2018 BC Synod Convention.**

**Additions or changes in wording are in Bold.**

**Deletions are in Bold and are shown as “strike-through.”**

## CONSTITUTION

### ARTICLE 1. Name

The name of this synod shall be the British Columbia Synod of the Evangelical Lutheran Church in Canada (referred to herein as "this Synod").

### ARTICLE 2. Purpose

As the regional expression of the Evangelical Lutheran Church in Canada (referred to herein as "this Church") and in faithfulness to the Lord of the Church, this Synod shall facilitate and advance the mission of this Church within the province of British Columbia. Guided and empowered by the Holy Spirit, it shall carry out this mission by shepherding its congregations and rostered ministers, and by engaging in other forms of ministry that proclaim God's Word and serve to bring reconciliation to the world.

## BYLAWS

### BYLAW 1. Mission

Section 1. In seeking to achieve its mission, this Synod shall:

- a. organize, recognize, receive, release, and exclude congregations and approve or disapprove of relocation or merger of congregations;
- b. ordain or consecrate ministerial candidates and receive, nurture, support, and discipline rostered ministers;
- c. recruit, approve, supervise, and support ministerial candidates;
- d. co-operate with this Church to provide for theological education at Lutheran Theological Seminary, Saskatoon, Saskatchewan, and elect two members to its Board of Governors;
- e. provide for higher education for the members of this Church and others and for ministry to persons engaged in higher education at universities and colleges on its territory;
- f. encourage congregational evangelism and works of mercy;
- g. encourage congregational programs for justice and service;
- h. maintain and support social and health care agencies and institutions in accordance with the standards adopted by the Church;
- i. co-operate with this Church and other organizations or groups in activities that promote justice and reconciliation, meet human need and alleviate suffering;
- j. interpret and support the nation-wide and worldwide work of the Church through effective co-operation with this Church;
- k. acknowledge the official auxiliaries as partners in carrying out the mission of the Church;
- l. participate in a provincial council of churches and similar co-operative, province-wide Christian movements that have been approved by this Church as adhering to sound principles;
- m. adjudicate appeals from congregational discipline in accord with the procedure in Bylaw 3, Section 9;
- n. administer this Synod as stipulated in the constitution and bylaws of this Church and this Synod;
- o. carry out such other ministries that may be identified by this Synod or by this Church;
- p. research and interpret current societal conditions and restate the church's mission in response to such changes;
- q. organize, recognize, adopt, support or discontinue special ministries of this Synod, depending on congregational support and appropriateness.

### BYLAW 2. Membership

Section 1. The membership of this Synod shall consist of congregations and synodically recognized ministries that have applied for membership in this Synod and have been recognized by this Synod, as a regional manifestation of this Church.

Section 2. Voting members are those who register no later than thirty days in advance of the opening day of a convention of this Synod, and shall comprise:

- a. one lay delegate from each congregation officially recognized by this Synod. Congregations having more than 100 baptized members may have one lay delegate

for each additional 200 baptized members or major fraction thereof. Delegates shall cease to be members in good standing upon the termination of their membership in the congregation;

- b. rostered ministers on the roster of this Synod who are members in good standing of their respective congregations and not under suspension from office by the Bishop;
- c. lay members of Synod Council who are members in good standing, who shall cease to be members in good standing upon removal from office in the manner described in these bylaws;
- d. one youth delegate from each Region who is appointed by his/her Region, ~~and~~ who is a member in good standing of a member congregation, **and who will be between the ages of 14 and 21 years inclusive on the first full day of the convention;**
- e. ordained ministers of a church with which this Church has a full communion agreement and who are serving in this Synod under the provisions of that full communion agreement.

Section 3. This Synod at its organizational meeting shall recognize those congregations on its territory that are recognized by the Evangelical Lutheran Church in Canada and certified to it by the secretary of this Church.

Section 4. A congregation and its baptized members seeking to be admitted into this Synod shall submit to the Bishop a formal application and a copy of the constitution and bylaws of the congregation which this Synod, prior to admitting such congregation and their baptized members, shall ascertain to be in harmony with the faith and polity of this Church. Every congregation that is recognized by this Synod shall have a constitution and bylaws that conform to the requirements of the Society Act of British Columbia and, in the judgement of the Synod Council, is in harmony with the constitution and bylaws of this Church and this Synod.

Section 5. A congregation and its baptized members may be suspended or excluded from this Church and this Synod by action of this Synod if the congregation persists in any of the following offences:

- a. turning aside from the faith confessed by this Church and this Synod as set forth in Article 3 of the constitution of this Synod;
- b. refusing or neglecting to exercise proper discipline over its members;
- c. willfully violating or disregarding the constitution and bylaws or official actions of this Church and this Synod

The Bishop of this Synod shall counsel with any congregation where such offences exist. If necessary, the Bishop shall then admonish the congregation in writing. If the admonition is unheeded a representative committee composed of rostered ministers and laity shall be appointed by the Synod Council to investigate the congregation. Upon the recommendation of the committee, the Synod Council may suspend or exclude the congregation from this Church and this Synod.

Disciplinary action of the Synod Council may be appealed to the Court of Adjudication of this Church within thirty days of receiving notification of the action of the Synod Council. The decision of the Court of Adjudication is final.

### BYLAW 3. Congregations

Section 1. Every congregation of this Synod shall choose a delegate or delegates to represent it at conventions of this Synod. An alternate or alternates may act in the stead of the delegate or delegates in the event of their absence.

Section 2. Congregations shall have the right to petition this Synod, according to procedures set forth in these bylaws.

- Section 3. When a pastor resigns, the congregational council shall receive the resignation, report it to the congregation, and notify the Bishop of this Synod.
- Section 4. The alignment of congregations in pastoral charges shall be subject to approval by the Synod Council.
- Section 5. The approval of this Church or a convention of this Synod or of Synod Council shall be required for the solicitation of funds from congregations for institutions, agencies, and causes of this Church.
- Section 6. In cases of strife and division in a congregation, the congregational council shall seek the advice of the Bishop of this Synod.
- Section 7. A congregation considering the severing of its relationship with this Church shall confer with the Bishop of this Synod before any formal steps are taken leading to such action. Subsequent to such consultation with the Bishop, a motion to sever the relationship with this Church may be considered at a legally called and conducted meeting of the congregation and a two-thirds majority vote shall be required for approval of the motion. Written notices of the motion and the date and time of the congregational meeting shall be sent to the Bishop of this Synod by registered mail at least thirty days before the meeting. A decision to sever the relationship with this Church shall not be effective until it has been ratified by a two-thirds majority vote at a second legally called and conducted congregational meeting held at least ninety days after the first meeting. Notice of the date and time of this second meeting shall be sent to the Bishop of this Synod by registered mail at least ninety days before the meeting.
- Section 8. A congregation of this Synod that has ceased to exist, or whose membership has so diminished in numbers as to render it impossible or impractical for the congregation to function according to its constitution and bylaws, shall, after consultation with any remaining members, be deemed by this Synod to be defunct. The Synod Council shall appoint trustees, including where feasible former members of the congregation, who shall take charge and control of the property of said congregation to hold, manage, and convey the same on behalf of this Synod.
- Section 9. A lay member of any congregation may appeal to this Synod from the disciplinary action of the congregation. All such appeals must be made in writing to the Bishop within thirty days after the action has been taken. Copies of said appeal shall be transmitted by the appellant to the pastor and to the secretary of the congregation. The Bishop shall appoint a special committee to investigate the appeal. The decision of the committee shall be final and reported to the appropriate parties.
- Section 10. Members in this Synod shall cease to be in good standing upon the termination of their membership in this Synod.
- Section 11. The Bishop of this Synod, or the Bishop's designate, shall have the privilege of voice in each congregation or ministry of this Synod, including congregational meetings.

#### BYLAW 4. Synodically Recognized Ministries

- Section 1. This Synod shall maintain a roster of synodically recognized ministries.
- Section 2. Synodically recognized ministries are groups and organizations other than congregations that promote and implement the mission of this church.
- Section 3. Synodically recognized ministries may choose a representative to conventions of this Synod. Representatives of synodically recognized ministries shall have voice but no vote at Synod conventions.
- Section 4. This Synod may organize, recognize, receive, release and exclude synodically recognized ministries within its geographical boundaries.

## BYLAW 5. Rostered Ministers – Ordained

Section 1. To be eligible for ordination or acceptance onto the roster of ordained ministers of this Synod, a candidate must have accepted a call (which call might be subject to the candidate's ordination) and must have met one of the following standards:

- a. be a graduate of a recognized college or university and a theological seminary of this church and present satisfactory reports of regular and frequent contact with the Committee on Theological Education and Leadership and the Bishop of this Synod. In the case of an older candidate the requirements for graduation from a recognized college or university may be waived by the Committee on Theological Education and Leadership.
- b. if theological education was received at a seminary other than one of this Church, give evidence of graduation from an approved theological school and have fulfilled a year internship acceptable to the appropriate synodical authorities.
- c. have been a member of the clergy of another denomination and have undertaken additional theological preparation in a seminary of this church, or have passed a comprehensive examination prepared by the National church and administered by a synodical committee, which may also require the successful completion of an internship in a parish of this Church. Persons who have been ordained in the name of the Triune God through laying on of hands by another denomination, and have been approved by colloquy, shall be accepted into the roster of ordained ministers of this Church through a public rite that includes affirmation of the ordination vows of this Church.

Section 2. The western Synods' Examining Committee, in which this Synod shall participate, shall interview all candidates for ordination and all persons applying for acceptance on the roster of ordained ministers and shall ensure their:

- a. acceptance of and adherence to the Confession of Faith of this Church;
- b. fulfillment of academic requirements; and
- c. personal qualifications for carrying out the functions of ordained ministry.

Section 3. Continuance on the Roster of Ordained Ministers

In order to remain on the roster of ordained ministers of this Synod, each ordained minister, except those who are retired, disabled, on leave from call, or suspended from pastoral ministry, shall be in possession of a proper call from a congregation, a synod or this Church itself. Such a call may be for an indefinite or a specified length of time. Before issuing the call, the calling agency shall consult with the Bishop of this Synod.

Following the procedural guidelines found in the Constitution and Bylaws of this Church, the Synod Council shall subject an ordained minister to discipline and may suspend the minister or remove the minister from the roster for the following:

- a. preaching or teaching of doctrine in conflict with the confession of faith of this Church;
- b. conduct unbecoming an ordained minister;
- c. willful disregard for or violation of the functions and standards established by this Church for the office of Word and Sacrament;
- d. willful disregard of the constitution, administrative bylaws and enactments of this Church and of this Synod.

Section 4. Ordination of approved candidates shall take place at a time and location as designated by the Bishop.

Section 5. Every pastor shall preach the Word, administer the Sacraments, and conduct public worship in harmony with the faith and practices of this Church; shall baptize, confirm, and marry in accordance with the teaching of this Church and with the laws of the province; shall visit the

- sick and distressed and bury the dead; shall inculcate piety in individual and family life and provide pastoral leadership to all schools and auxiliary organizations of the congregation; shall install members of the congregational council and, with the council, administer discipline; shall seek out and encourage qualified persons to prepare for the ministry of the Gospel and strive to extend the Kingdom of God in the community, at home, and abroad; and shall encourage the members to be generous in support of the ministry of the congregation, this Synod, and this Church.
- Section 6. Every pastor shall keep accurate congregational membership records, including baptisms, confirmations, marriages, burials, and communicants, and shall submit a report of such statistics annually to the secretary of this Synod on forms provided by this Church. The records shall be kept in a separate book, which shall remain the property of the congregation.
- Section 7. When members of a congregation move, the pastor shall commend them to the pastoral care of the parish in which their new home is located.
- Section 8. Each congregation shall consult the Bishop of this Synod before taking any steps leading to the extending of a call to a prospective pastor.
- Section 9. Upon receiving a call to another ministry, the pastor shall consult with the Bishop and the chairperson of the congregational council before a decision is reached. The pastor shall inform the congregation and the Bishop of the decision on the call within thirty days of official notice. When a call has been accepted, the pastor shall terminate the ministry within two months unless an extension has been agreed upon by the pastor and the congregational council.
- Section 10. The regular call of a congregation when accepted by a pastor, or letter of appointment when accepted by another worker, shall constitute a relationship, which shall be terminated only for the following causes:
- a. resignation or the expiry of the term for which the person was called;
  - b. retirement of the pastor;
  - c. disqualification through discipline;
  - d. division of a pastoral charge;
  - e. physical or mental incapacity;
  - f. continued neglect of ministry;
  - g. inability to conduct the pastoral office satisfactorily in that parish in the view of local conditions, without reflection on the moral and spiritual character of the pastor.

In the last three contingencies, when such difficulties are made known, the Bishop may, following consultation with the Dean, appoint an Advisory Committee of two ordained ministers and two lay members to investigate. Upon the request of the congregational council or the receipt of a petition signed by at least one-third of the voting members of the congregation, the Bishop shall appoint an Advisory Committee to investigate.

In case of alleged physical or mental disability, medical testimony shall be secured. When such incapacity is evident, the Bishop, on the advice of the Committee and with the concurrence of the congregational council, shall declare the pastorate vacant. Upon the restoration of such a pastor to health, the Bishop of this Synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labour.

In the case of alleged neglect of ministry or of local conditions which imperil the well-being of the congregation, all those concerned shall be heard, after which the Bishop of this Synod together with the Advisory Committee shall counsel with the pastor and the congregation on a proper course of action. Such counsel shall be offered out of Christian love and is not to be regarded as an act of discipline. After such counsel, if the problem has not been resolved, the congregation may terminate the call by majority vote. The Bishop of this Synod at any point

in the foregoing proceedings, with the concurrence of the congregational council, may suspend the pastor from the functions of the ministry within the congregation, pending completion of the formal proceedings.

The foregoing procedure shall never be invoked when questions of doctrine or morality are involved, all such cases being treated as disciplinary matters.

- Section 11. No ordained minister shall preach or perform any ministerial act within the parish of another pastor except at the latter's request or consent, or visit or perform ministerial acts in a time of a pastoral vacancy except by invitation of its congregational council.
- Section 12. During a pastoral vacancy, an interim pastor shall be selected by the congregational council after consultation with the Bishop. The interim pastor shall have the responsibility of a regularly called pastor. All interim and supply pastors shall refrain from exerting influence in the call process of the congregation.
- Section 13. All ordained ministers serving under call shall attend all conventions of this Synod, the annual study conference and the meetings of the Regions to which they belong.

#### BYLAW 6. Rostered Ministers – Diaconal

- Section 1. This Synod shall maintain a roster of diaconal ministers.
- Section 2. To be eligible for consecration into the diaconal ministry and be on this Synod's roster of diaconal ministers, a candidate must have accepted a call in this Synod (which call may be subject to the candidate's consecration) and must have met the standards set forth in the candidacy manual of this Church.
- Section 3. The western Synods' Examining Committee, in which this Synod shall participate, shall interview all candidates for consecration and all persons applying for acceptance on the roster of diaconal ministers, shall ensure their:
- a. acceptance of and adherence to the Confession of Faith of this Church;
  - b. fulfillment of academic requirements;
  - c. personal qualifications for carrying out the functions of the diaconal ministry to which a call has been extended.

#### Section 4. Continuance on the Roster of Diaconal Ministers

In order to remain on the roster of diaconal ministers of this Synod, each consecrated minister, except those who are retired, disabled, on leave from call, or suspended from pastoral ministry, shall be in possession of a proper call from a congregation, a synod or this Church itself. Such a call may be for an indefinite or a specified length of time. Before issuing the call, the calling agency shall consult with the Bishop of this Synod.

Following the procedural guidelines found in the Constitution and Bylaws of this Church, the Bishop may subject the diaconal minister to discipline and may suspend that minister for the following reasons:

- a. teaching of doctrine in conflict with the Confession of Faith of this Church as expressed in the constitution of this Synod;
- b. conduct unbecoming a diaconal minister;
- c. willful disregard of the constitution, administrative bylaws and enactments of this Church and of this Synod.

#### BYLAW 7. Regions

- Section 1. This Synod may be divided into up to eight Regions as decided by Synod Council. Individual congregational membership within Regions shall be determined by Synod Council.

- Section 2. Each Region shall choose from its membership a Dean for a three year term. The Dean shall be an ordained minister.
- Section 3. The purpose of the Regions shall be to:
- a. respond in consultation with this Synod to particular needs within its territory;
  - b. identify nominees for Synod Council.
  - c. appoint a **confirmed** youth between the ages of 14 and 21 years inclusive on the first full day of the convention who is a member in good standing of a congregation in that Region as a voting delegate to the Synod Convention.
- Section 4. The Dean of each Region shall make a written report to this Synod through the Bishop's report.
- Section 5. The Deans of the Regions shall meet at least once a year with the Bishop; the purpose of such a meeting shall be consultative and advisory.
- Section 6. The Dean of each Region shall carry out, as delegated by and on behalf of the Bishop, the call and placement of pastors and other ministers, first level intervention in cases of congregational distress, representation of this Synod at special congregational or regional events, and the articulation and promotion of this Synod's theology of mission and ministry.

#### BYLAW 8. Ministry Areas

- Section 1. This Synod may be organized into Ministry Areas whose number and boundaries shall be determined by Synod Council **and approved by the Synod in Convention.**
- Section 2. The Bishop of this Synod, in consultation with Synod Council, may appoint a Ministry Area leadership team of one to three persons for each Ministry Area, who shall report annually to the Bishop.

#### BYLAW 9. Conventions

##### A. Synod Conventions

- Section 1. The convention of this Synod shall be its highest legislative authority.
- Section 2. The regular convention of this Synod shall be held triennially in the year preceding a national convention.
- Section 3. For the purpose of satisfying the requirements of the B.C. Society Act, one meeting of the Synod Council annually shall include the annual general meeting of this Synod which meeting shall be held within six months of the end of the fiscal year. For purposes of this annual general meeting a voting member shall be any person who holds membership in a congregation of the Synod and a quorum shall be three persons. Furthermore, thirty days written notice of this annual general meeting shall be given to every member of the Synod Council and to each congregation of this Synod. In addition members of this Synod will be informed of such meeting by posting notice where each congregation and its members regularly meet.
- Section 4. Special conventions for specified purposes may be called by the Bishop and shall be called by the Bishop at the request of two thirds of the Synod Council or by request of 10% of this Synod's congregations or by request of 10% of rostered ministers on the roster of this Synod who are in good standing and not under suspension from the office by the Bishop. Such requests for a special convention shall be in writing with accompanying signatures delivered to the address of this Synod and stating the purpose of such a general meeting. Such special conventions shall be convened within 21 days and to be held within 90 days of receiving the request in writing .
- Section 5. The secretary shall publish the time and place of each regular convention at least six months

in advance. The secretary shall give written notice of a special convention to each congregation and each rostered minister and shall publish the same at least thirty days prior to the opening date of the convention.

Section 6. A quorum at a convention shall be one third of the registered convention delegates.

Section 7. The voting membership at a special convention shall be those who were seated in the preceding regular convention, provided that they have not been disqualified by termination of membership in the congregation they represented. Vacancies in this voting membership shall be filled by the parishes so represented as necessary.

**Section 8. At the discretion of Synod Council, participation by delegates in a regular Synod convention or a special convention may be by telephone or other communication medium, provided all persons participating in the meeting, whether by telephone, by other communication medium, or in person, are able to communicate with one another. [Subsequent sections to be renumbered.]**

Section 8. The national Bishop of this Church and such other official representatives of this Church as may be designated by the National Church Council shall have seat and voice in the conventions of this Synod, as shall representatives chosen by synodically recognized ministries of this Synod. Like privileges shall be accorded to representatives of institutions and agencies related to or officially recognized by this Synod, to the presidents of the synodical units of the official auxiliaries of this Church, and to the chairpersons of synodical committees in connection with the committee reports.

Section 9. Convening:

- a. The secretary shall give notice of the time and place of the convention, including registration costs, to all pastors and the chairperson of each congregation at least four months before the opening day of the convention.
- b. The Synod Council shall determine the amount of the registration for delegates to cover convention expenses.
- c. Arrangements for conventions shall be made by the officers, or by a committee named for that purpose by the Synod Council, acting in conjunction with a local committee.
- d. The Synod Council shall prepare the proposed agenda.
- e. The secretary shall make available a bulletin of reports to all voting members at least thirty days before each regular business convention.
- f. All arrangements for worship services or public meetings shall be made in consultation with the Bishop.

Section 10. Delegates:

- a. Delegates to conventions of this Synod shall be paid travel costs at a rate to be determined by the Synod Council.
- b. Each congregation or employing agency shall pay the registration fee of its delegate(s). In the case of a rostered minister serving a multiple-congregation parish, such expenses shall be borne by the congregations pro rata on the basis of baptized membership.

Section 11. Procedure:

- a. During the first sitting of each regular business convention, the Bishop shall announce the appointment of the convention committees, as follows:
  - i. Committee on the Report of the Bishop;
  - ii. Committee of Reference and Counsel;
  - iii. Committee on Nominations;

- iv. Committee on Minutes;
  - v. Committee on Registration and Attendance;
  - vi. Committee on Elections.
- b. The report of the Bishop to each regular business convention shall be referred to the Committee on the Report of the Bishop, which shall study it, make appropriate comments, and transmit to the convention the recommendations of the Bishop, together with any additional recommendations that it considers appropriate.
  - c. Petitions from congregations shall be submitted to the secretary of this Synod prior to the convention for referral to the Committee of Reference and Counsel.
  - d. The Committee of Reference and Counsel shall:
    - i. receive and study petitions submitted to the secretary by congregations, as well as those referred to it by the convention, a synodical committee, or a delegate, and report to the convention its recommendations, together with the original resolutions;
    - ii. recommend special orders for the hearing of representatives;
    - iii. grant or deny permission to distribute printed matter not issuing from the office of the secretary; and
    - iv. give such assistance to the Bishop as this officer may desire in the course of the convention.
  - e. All reports published in the bulletin of reports shall be received by the convention by virtue of that fact without vote.
  - f. Votes shall be conducted with the delegates' use of green 'yes' and red 'no' voting cards according to the instructions of the Chair;
  - g. Procedures enumerated in this section may be suspended during a convention by a two-thirds majority vote of the delegates present and voting.

## B. Election of Delegates to National Church Conventions

Section 1. The process for electing lay, rostered and youth delegates to National Church conventions shall be determined by an elections policy adopted by the Synod Council.

## BYLAW 10. Nominations and Elections

Section 1. At the first meeting following the regular business convention of this Synod, the Synod Council shall appoint a Committee on Nominations consisting of six members.

Section 2. The Committee on Nominations shall invite the congregational councils, ordained ministers, diaconal ministers, and synodical committees to suggest names for the vacancies to be filled at each convention and for which the Committee on Nominations is to propose candidates.

Section 3. The Committee on Nominations shall **endeavour to** nominate two persons for each position to be filled by election at a convention of this Synod, except for the Bishop and treasurer of this Synod, ~~and the three governors of the seminary nominated by the National Church Council.~~ With the prior **or in-person** consent of the person being nominated, additional nominations may be made from the floor for all elections for which the nominations are made by the Committee on Nominations.

Section 4. All elections shall be by ballot. In all elections, except for the Bishop of this Synod, a majority of the votes cast on any ballot shall elect.

Section 5. The election of Bishop, chairperson, and secretary of this Synod shall proceed in order as listed.

Section 6. The nomination of the treasurer shall be made by the Synod Council. Additional nominations may be made from the floor, with prior consent of the person being nominated.

Section 7. The election of the Bishop shall be by secret ballot without oral nomination. On the first ballot for Bishop, three-fourths of the votes cast shall be required for election. Thereafter only such votes as are cast for persons who have received votes on the first ballot shall be valid. On the second ballot, two-thirds of the votes cast shall be required for election. On the third ballot, the voting shall be limited to the four persons receiving the highest vote on the second ballot, and a majority of the votes cast shall elect.

Section 8. The result of each ballot in every election shall be announced in detail to the convention.

**Section 9. The election of an individual as a member of Synod Council is invalid unless:**

- a. **the individual consents in writing to be a member of Synod Council, or**
- b. **the election is made at a meeting at which the individual is present, and the individual does not refuse, at the meeting, to be a member of the Synod Council.**

#### BYLAW 11. Officers

Section 1. The officers of this Synod shall be the Bishop, chairperson, secretary, and treasurer. The Bishop shall be on the roster of ordained ministers of this church and shall serve full time in office. At least two of these officers shall be lay members of a congregation of this Synod.

Section 2. The Bishop shall be elected by Synod convention for a term of six years. The chairperson, secretary and treasurer shall each be elected by the Synod convention for a term of three years, according to procedures established in Bylaw 10. All officers shall serve until their successors assume office.

Section 3. Should a vacancy occur ad interim in any of the offices, the Synod Council is empowered to fill the same until the next regular business convention, or to call a special convention to fill the vacancy. Each election by a **regular** convention shall be for a full term of office. **Should the unexpired term be two years or less, it shall not be considered in determining eligibility for re-election.**

Section 4. The terms of the officers shall begin on the first day of the third full month following election.

~~Section 5. An officer or other member of Synod Council may be removed from office by:~~

- ~~a. a 75% majority vote of those delegates present and voting at a duly called convention of this Synod; or~~
- ~~b. a 75% majority vote of those members of Synod Council present and voting at a duly called meeting of Synod Council. [Subsequent sections to be re-numbered.]~~

Section 6. Assistants to the officers, if and when such positions are created by this Synod in convention, shall be elected by the Synod Council on nomination by the officer concerned. Such persons may be recalled or dismissed on proper notice by the action of the Synod Council. They shall be ineligible for membership on the Council.

Section 7. The Bishop shall:

- a. serve as leader and counsellor of this Synod;
- b. be its chief executive officer and oversee the offices of chairperson, secretary, and treasurer, co-ordinate the work of all staff of this Synod, and appoint all committees not otherwise provided for;
- c. ensure that the constitution and bylaws of this Synod are observed and that its resolutions are implemented;
- d. visit the congregations and pastors of this Synod and confer with them concerning

- their spiritual and temporal welfare;
- e. have the privilege of voice in each congregation or ministry of this Synod, including congregational meetings;
- f. ordain or consecrate, or provide for the ordination or consecration of, all candidates accepted for the ministerial office;
- g. install, or provide for the installation of, the pastors of all congregations of this Synod and other rostered ministers called to service within this Synod, and induct into office the other officers of this Synod;
- h. be ex officio member of all committees of this Synod, its chief representative on the boards of directors or trustees of all institutions in which this Synod is entitled to representation;
- i. be the custodian of the seal of this Synod and attest all documents as required;
- j. appoint the (Synod) archivist for this Synod;
- k. report and make observations and recommendations to each regular convention of this Synod concerning its mission and ministry.

Section 8. The chairperson shall:

- a. convene and preside over Synod conventions and at meetings of the Synod Council;
- b. perform such additional duties as prescribed in the Synod Council governance and policy manuals.

Section 9. The secretary shall:

- a. keep the minutes of all conventions of this Synod, be responsible for the printing and distribution of such minutes and perform such other duties as this Synod may from time to time direct;
- b. keep a roster of the rostered ministers and of the congregations of this Synod;
- c. report to the secretary of this Church additions to and subtractions from the synodical roster, issue certificates of transfer for rostered ministers who are moving to other synods, and enter on the roster of this Synod the names of all rostered ministers for whom such certificates of transfer have been received;
- d. file a copy of the Annual Report with the Registrar of Companies within 30 days of the annual meeting or convention;
- e. be authorized, in the name of this Synod to attest all documents as required;
- f. deposit all papers and documents of historical value with the Synod archivist;
- g. serve as statistician of this Synod, secure the parochial reports of the congregations, collate the same for annual report to this Synod, and make composite figures available to the secretary of this Church;
- h. serve as the necrologist of this Synod.

Section 10. The treasurer shall:

- a. have charge of all the monies and accounts of this Synod, its deeds, mortgages, contracts, evidences of claims and revenues, and trust funds, holding the same at all times subject to the order of this Synod;
- b. manage the investment of funds owned or held in trust by this Synod, as authorized by the Synod Council;
- c. receive, record, and acknowledge all offerings, contributions, and legacies made to this Synod; collect all interest and income from its investment funds; and disburse funds as approved and directed by the Synod Council;
- d. transmit each month to the treasurer of the Evangelical Lutheran Church in Canada the funds received by this Synod for the general work of the Church;

- e. inform each congregation, at least quarterly, of its record of giving to this Synod;
- f. keep an account for the Regions of this Synod and disburse to them such funds as are budgeted or otherwise appropriated for their use;
- g. present to each convention a detailed and audited report of all receipts and disbursements for the preceding fiscal year;
- h. be bonded under the fidelity coverage provided by this Church.

## BYLAW 12. Synod Council

Section 1. The membership of the Synod Council shall be the Bishop, chairperson, secretary and treasurer, together with eight additional members consisting of an equal number of rostered ministers and lay persons. Of the eight additional members there shall be at least one rostered minister or layperson from each Region. Synod Council members, with the exception of the Bishop, shall be elected by the convention to serve for a three year term with a limit of no more than three consecutive terms. The Bishop shall be elected for a six year term with no limits on the number of consecutive terms. **All members of Synod Council shall be members in good standing of member congregations of this Synod, and shall be 16 years of age or older.**

Section 2. The officers of this Synod shall be the officers of the Synod Council.

Section 3. The Synod Council shall:

- a. elect a vice-chairperson from its membership,
  - i. who shall preside at Synod conventions and at meetings of the Synod Council at the request of the chairperson;
  - ii. perform such additional duties as prescribed in the Synod governance and policy manuals.
- b. plan, co-ordinate, supervise, and evaluate the activities of this Synod in carrying out its mission and ministry;
- c. be the directors of the corporation and trustees for this Synod;
- d. represent this Synod and attend to its business between conventions;
- e. elect executive staff if and when such positions are created by this Synod in convention;
- f. issue letters of call to rostered ministers who are full-time officers or staff officials of this Synod, or who are called to special service;
- g. provide for an annual review of the rosters of rostered ministers and congregations;
- h. determine the time and place for each convention and prepare its proposed agenda and program;
- i. recommend annual budgets to the regular business conventions;
- j. set the salaries of the Bishop and staff of this Synod;
- k. elect the representatives to the governing bodies of inter-church agencies to which this Synod is related;
- l. fill vacancies to any elective position until the next business convention;
- m. appoint members to standing and ad hoc committees as required;
- n. report its actions to the regular business convention;
- o. approve candidates for call, ordination or consecration, and admission to the roster of ordained ministers;
- p. perform the additional duties prescribed in the constitution, bylaws, and resolutions of this Synod;

~~q. provide for the publication of a synodical paper and appoint its editor; [Subsequent sub-sections to be renumbered.]~~

- r. establish personnel policies for this Synod;
- s. revise the synodical budget, as may be required.

Section 4. The Synod Council shall have at least two regular meetings annually. Special meetings may be called by the Bishop or chairperson of this Synod. A majority of the members of the Synod Council shall constitute a quorum.

~~Section 5. A resolution in writing, sent to all members of Synod Council and signed by 75% of the members of Synod Council and placed with its minutes shall be valid and effective as if regularly passed at a meeting of Synod Council. [Subsequent sections to be renumbered.]~~

Section 6. The Synod Council shall provide for the discharge of the Bishop's duties in the event of the resignation, incapacity, or death of the Bishop, pending the election of a new Bishop at the next regular or specially called Synod convention.

**Section 7 An officer or other member of Synod Council may be removed from office by:**

- a. ~~special resolution at any legally called a 75% majority vote of those delegates present and voting at a duly called convention of this Synod; or~~
- b. **a 2/3s 75% majority vote of those members of Synod Council present and voting at a duly called meeting of Synod Council.**

### BYLAW 13. Financial Matters

Section 1. The fiscal year and the budget year of this Synod shall be from July 1 to June 30 of the following year.

Section 2. The annual budget and financial reports of this Synod shall reflect the entire range of its activities. The income listed shall include support from all sources.

Section 3. The annual budget ~~shall~~ **may** include an amount for contingency not to exceed 7% of the budget.

Section 4. There shall be an operating reserve, determined by the Synod Council, of no more than 15% of the following year's budget.

Section 5. Representatives of the Synod Council shall meet with representatives appointed by the National Church Council to agree upon this Synod's commitment goal for support of the budget of the Church during the next fiscal year. These representatives shall recommend for approval by this Synod and by the National Church Council, the amount of support to be transmitted through this Synod to this Church

Section 6. Special appeals to congregations for the raising of funds shall require the consent of the convention or the Synod Council.

Section 7. Subject to Section 8 of this Bylaw 13, the Synod Council may borrow money on behalf of and in the name of this Synod in order to carry out the purposes of this Synod.

Section 8. No debentures shall be issued except by resolution adopted by a ~~75%~~ **2/3s** majority vote of this Synod in convention.

Section 9. No real estate shall be purchased, disposed of, or encumbered in any manner except by resolution adopted by a ~~75%~~ **2/3s** majority vote of the Synod Council or this Synod in convention.

Section 10. The financial accounts of this Synod shall be submitted annually for audit to a chartered professional accountant named by the Synod Council.

Section 11. This Synod shall be carried on without purpose of gain for its members, and any profits or other accretions to the organization shall be used in promoting its objects.

#### BYLAW 14. Standing Committees

Section 1. Standing committees of this Synod may be established as needed by Synod Council or by a convention of this Synod. The terms of reference for each standing committee shall be articulated in the Policy Manual of Synod Council.

Section 2. Members of all standing committees shall be appointed by Synod Council with effort made to provide parity in regional representation and between lay and rostered members.

Section 3. Standing committees shall be accountable to Synod Council and shall report through the office of the Bishop.

#### BYLAW 15. Theological and Educational Institutions

##### A. Seminary

Section 1. This Synod acknowledges its responsibility to maintain a theological seminary within the guidelines provided by this Church, to strengthen this seminary spiritually and academically, and to provide for its financial support.

Section 2. Lutheran Theological Seminary, Saskatoon, Saskatchewan:

- a. The Board of Governors of Lutheran Theological Seminary, Saskatoon, Saskatchewan, shall control and manage the seminary and determine its academic and administrative affairs. The property of the seminary, both real and personal, shall be held by the Board of Governors in trust for and under the guidance of the synods of British Columbia, Alberta and the Territories, Saskatchewan, and Manitoba-Northwestern Ontario.
- b. ~~The board may, in consultation with the National Church Council, propose to the synod(s) an increase in the number of its members, such increase to include an equal number of rostered ministers and lay persons. Any proposal for increase in the number of members of the board must have the approval of the synod(s). [Subsequent sub-sections to be renumbered.]~~
- c. The term of office for each member of the board shall be ~~four~~ **three** years, except in the following cases:
  - i. Where a member is appointed to fill a vacancy, such appointment shall be by the Synod Council and shall be for the remainder of the term of the predecessor;
  - ii. ~~In the case of the first of any new elections in connection with increasing the number of the said board, the terms of office shall be for two or four years, so spaced that one-half of the membership of the board shall be elected each biennium.~~
- d. Members of the board shall be eligible to serve for not more than ~~two~~ **three** consecutive terms.
- e. Financial support for the seminary shall be determined by a process of consultation between the Board of Governors, ~~the National Church Council~~, and the Synod Council.
- f. The board shall make an annual report to the regular convention of this Synod.

#### BYLAW 16. Auxiliaries

Section 1. There shall be synodical units of the official auxiliaries of this church. Such units shall report to the Synod Council and convention. The Bishop, or an appointee, shall have seat and voice at synodical unit conventions and board meetings.

## BYLAW 17. Synod Policies

Section 1. This Synod shall have policies approved by the Synod Council and in compliance with the guidelines of this Church regarding sexual abuse or harassment and regarding the protection of vulnerable persons.

## BYLAW 18. Synod Study Conference for Rostered Ministers

Section 1. A committee appointed by the rostered ministers of this Synod and approved by the Bishop shall plan and implement an annual study conference.

Section 2. The Study Conference Committee shall work in consultation with the Bishop to decide time, place and topic for the study conference and to establish a budget to be approved by Synod Council.

## BYLAW 19. Amendments

Section 1. Amendments to this constitution and bylaws ~~may be enacted~~ **shall be made** by special resolution at any Synod convention, provided they are proposed in writing by Synod Council, the National Church Council, or a congregation at a duly called meeting, and are circulated in the convention ~~mailings documents~~ or to the chairpersons of all congregations of this Synod at least thirty days in advance of the Synod convention, and adopted, with or without change, by ~~75% a 2/3s majority vote~~ **of those present and voting.**

Section 2. Amendments become effective upon acceptance by the Registrar of Companies.

## **BYLAW 20. Transition**

~~Section 1. The officers of this Synod and members of Synod Council elected by the Synod Convention in 2016 will each serve for a term of two years.~~

**[Proposed that the following Bylaw be moved to become a new Bylaw 1, with renumbering of subsequent bylaws.]**

## BYLAW 21. Confession of Faith

The Confession of Faith shall be that of the Evangelical Lutheran Church in Canada, ~~as follows (see Constitution of the ELCIC, Article II).~~

~~Section 1. This Synod confesses the Triune God—Father, Son, and Holy Spirit—as the one true God. It proclaims the Father as Creator and Preserver, His Son Jesus Christ as Redeemer and Lord, and the Holy Spirit as Regenerator and Sanctifier.~~

~~Section 2. This Synod confesses that the Gospel is the revelation of God's saving will and grace in Jesus Christ, which He imparts through Word and Sacrament. Through these means of grace the Holy Spirit creates believers and unites them with their Lord and with one another in the fellowship of the Holy Christian Church.~~

~~Section 3. This Synod confesses the Scriptures of the Old and New Testaments as the inspired Word of God, through which God still speaks, and as the only source of the Church's doctrine and the authoritative standard for the faith and life of the Church.~~

~~Section 4. This Synod subscribes the documents of the Book of Concord of 1580 as witnesses to the way in which the Holy Scriptures have been correctly understood and explained and confessed for the sake of the Gospel, namely:~~

- ~~a. The Apostles', and Nicene, and the Athanasian Creeds as the chief confessions of the Christian faith;~~

- ~~b. The Unaltered Augsburg Confession as its basic formulation of Christian doctrine;~~
- ~~c. Luther's Small Catechism as a clear summary of Christian doctrine;~~
- ~~d. The Apology of the Augsburg Confession, Luther's Large Catechism, the Smalcald Articles with the Treatise, and the Formula of Concord as further witnesses to the Unaltered Augsburg Confession.~~

~~This provision was previously unalterable.~~

## **Explanatory Notes from Synod Council Regarding the Proposed Amendments to the BC Synod Constitution and Bylaws, for the 2018 BC Synod Convention**

Synod Council is bringing forward a number of proposed amendments for deliberation by the Synod Convention. These proposals have come from several sources over the past year: the Synod's constitution committee, congregational members, and Synod Council. The wording of the proposed amendments is found in the document entitled "Synod Constitution and Bylaws, proposed amendments for Synod Convention 2018."

What follows are brief explanations as to the content and rationale for each proposed amendment, as well as the motion that will be brought to the floor of the convention. According to the BC Societies Act, amendments to Constitution and Bylaws must be made by a "special resolution." Our current Bylaws require a 75% majority vote.

Bylaw 2 (Membership), Section 2d: This is a clarification regarding the age of youth delegates to Synod Conventions. It currently is specified later in the Bylaws (Bylaw 7, Section 3d) but it is helpful to have it also stated here.

**M/S that the BC Synod in Convention amend by special resolution Bylaw 2 (Membership), Section 2d, by adding the proposed wording regarding age of youth delegates.**

Bylaw 7 (Regions), Section 3: Proposed removal of the word "confirmed." This change enables either baptized or confirmed youth to be able to attend a Synod Convention as a delegate. This already is the practice for ELCIC National Conventions.

**M/S that the BC Synod in Convention amend by special resolution Bylaw 7 (Regions), Section 3, by deleting the word "confirmed."**

Bylaw 8 (Ministry Areas), Section 1: Proposed removal of the words "and approved by the Synod in Convention." The make-up of Ministry Areas depends on a number of factors, such as whether or not there is a pastoral vacancy, and may at times be based on situation or interest rather than geographical proximity. The alignment of congregations in a Ministry Area might need more flexibility than a once-every-three-year Synod Convention can provide.

**M/S that the BC Synod in Convention amend by special resolution Bylaw 8 (Ministry Areas), Section 1, by removing the words "and approved by the Synod in Convention."**

Bylaw 9 (Conventions), create a NEW Section 8: The recent changes to the BC Societies Act allow for meetings by telephone or other communication medium, provided delegates are able to communicate with each other. A society is not required to provide this mechanism, but this proposed amendment enables Synod Council to utilize this method, should it be determined to be helpful. This provision may be of particular benefit should a special convention need to be called.

**M/S that the BC Synod in Convention amend by special resolution Bylaw 9 (Conventions) by adding the proposed new Section 8, with a subsequent re-numbering of sections.**

Bylaw 10 (Nominations and Elections), Section 3 and new Section 9:

- The addition of the words “endeavour to” addresses the concern that sometimes the Committee on Nominations is not able to find nominees.
- The deletion of the phrase regarding seminary nominations by the National Church Council is needed, since the National Church Council no longer nominates three governors to the Lutheran Theological Seminary
- The words “or in-person” are being proposed to clarify that should a person attending Synod Convention be nominated from the floor, the person does not necessarily need to have given prior approval but, instead, is able to provide in-person consent at that moment.
- The proposed new Section 9 is required as a result of the changes brought in by the new BC Societies Act.

**M/S that the BC Synod in Convention amend by special resolution Bylaw 10 (Nominations and Elections), Section 3 by adopting the proposed wording, and by adding a new Section 9.**

Bylaw 11 (Officers):

- Section 3: The proposed addition of the word “regular” to Section 3 clarifies that an election taking place at a regular convention is for a full term of office, whereas an election at a special convention fills a vacancy. The proposed additional sentence is to provide clarity with respect to calculating terms served.
- Section 5: It is proposed that Section 5 be moved from Bylaw 11 (Officers) to Bylaw 12 (Synod Council), creating a new Section 7, so that it is clear that this provision applies to all Synod Council members and not just the Officers. In addition, the BC Societies Act requires that one of the methods by which a director may be removed from office is that of special resolution. The proposed wording for Bylaw 12, Section 7, reflects that requirement. Also, the BC Societies Act has reduced the threshold for special resolutions (from 75% majority vote to 2/3s majority vote) although a society may specify a higher threshold should it so choose. Synod Council recommends that a 2/3s majority vote be used.

**M/S that the BC Synod in Convention amend by special resolution Bylaw 11 (Officers), Section 3, by adopting the proposed wording, and by moving Section 5 to Bylaw 12 as a new Section 7, with a subsequent re-numbering of sections, and amending sub-sections a and b by adopting the proposed wording.**

Bylaw 12 (Synod Council):

- Section 1: This proposed wording clarifies that Synod Council members must be members of a congregation of this synod. In addition, the new BC Societies Act allows for directors to be 16 or 17 years of the age, as long as the bylaws make provision for that possibility.
- Section 3q: The proposed removal of this clause acknowledges that there has not been a Synodical paper for many years and that communication is conducted in numerous ways, including that of the BC Synod section of the Canada Lutheran and the weekly e-mailing of announcements.
- Section 5: With the use of conference calls and Skype and Zoom meetings to conduct Synod Council meetings, there no longer is a need for this provision. Subsequent sections will be re-numbered.
- Section 7: Please see the comments above regarding Bylaw 11 (Officers) with respect to the requirement to include a special resolution mechanism, as well as clarification regarding the percentage threshold required.

**M/S that the BC Synod in Convention amend by special resolution Bylaw 12 (Synod Council) by adopting the proposed wording for Section 1, the deletion of Section 3q and Section 5, and the addition of the proposed wording for a new Section 7, and that the Sections be re-numbered accordingly.**

Bylaw 13 (Financial Matters)

- Section 3: It is proposed that the word “shall” be replaced with the word “may.”
- Section 8: The previous BC Societies Act required that debentures be issued by special resolution, which at the time required a 75% majority vote. The BC Societies Act has reduced the threshold of a special resolution from 75% to 2/3s majority vote, although a society may specify a higher threshold.
- Section 9: It is proposed that a similar threshold of a 2/3s majority vote also be applied to Section 9.

**M/S that the BC Synod in Convention amend by special resolution Bylaw 13 (Financial Matters), by adopting the proposed wording for Section 3, Section 8 and Section 9.**

Bylaw 15 (Theological and Educational Institutions), Section 2: The three proposed deletions are in response to the changes being made in the Lutheran Theological Seminary’s constitution and bylaws. The change in the length of term for board members in sub-section c is being proposed in order to line up with the three-year cycle for Synod Conventions.

**M/S that the BC Synod in Convention amend by special resolution Bylaw 15 (Theological and Educational Institutions), as proposed, and that subsequent sub-sections be re-numbered.**

Bylaw 19 (Amendments): The BC Societies Act requires that amendments be made by special resolution, hence the proposed word change. Also, the last phrase of Section 1 is changed from 75% vote to 2/3s, reflecting the changes made by the BC Societies Act regarding the threshold required for special resolutions. Societies have the option of increasing the threshold, should they so choose. The other proposed word change (replacing “mailings” with “documents”) brings it in line with the wording used earlier in the Bylaws that allows for the Bulletin of Reports to be “made available” rather than mailed.

**M/S that the BC Synod in Convention amend by special resolution Bylaw 19, Section 1, by adopting the proposed wording.**

Bylaw 20 (Transition): This Bylaw was added previously to enable the transition from a two-year convention cycle to a three-year convention cycle with respect to the election of Synod Council members. This Bylaw no longer is needed.

**M/S that the BC Synod in Convention amend by special resolution the BC Synod Bylaws by deleting Bylaw 20 (Transitions).**

Bylaw 21 (Confession of Faith): This provision used to reside in the Articles of the Constitution and was specified to be unalterable. However, the new BC Societies Act only permits two Articles to be in the Constitution (Name and Purpose), with everything else needing to move to the Bylaws. (This was referred to as “transitioning.”) In addition, the new BC Societies Act stipulates that there no longer can be any unalterable clauses. In order to avoid confusion as to whether or not the Confession of Faith can be altered, the proposal is simply to state that

the Confession of Faith shall be that of the ELCIC, along with the reference to where that statement can be found in the ELCIC Constitution. This protects the wording of the Confession of Faith, and clarifies that the Synod cannot make amendments to it.

When transitioning the Bylaws to comply with the new BC Societies Act, the Confession of Faith was placed here at the end. It is now being recommended that this Bylaw be moved to the very beginning of the Bylaws, in order to give it the prominence it deserves.

**M/S that the BC Synod in Convention amend by special resolution Bylaw 21, by adopting the proposed wording, and by moving this Bylaw to become a new Bylaw 1, along with the subsequent re-numbering of the other Bylaws.**