

## CANON FIVE

### DIOCESAN BUSINESS

#### Authority and Responsibilities of the Finance Committee

- 1(1) The Synod delegates to the Finance Committee of the Diocesan Council its authority under the Act
- (a) to take, receive, purchase or otherwise acquire real and personal estate and use, manage, lease, sell, mortgage or otherwise dispose of the same,<sup>1</sup>
  - (b) to receive, hold and administer real and personal estate upon trust and to sell, lease, assign, transfer and convey any real and personal estate so held if it deems it advisable for the more beneficial carrying out of the trust upon which it is held,<sup>2</sup>
  - (c) to borrow money and give promissory notes or other evidences of debt and to assign, mortgage or pledge any of its property or assets to secure the repayment of borrowed money,<sup>3</sup>
  - (d) to approve a lease, sale, mortgage or other disposition of real estate by the Cathedral Chapter or a Parish Corporation,<sup>4</sup>
  - (e) to invest property, including trust property, in any kind of property, real, personal or mixed,<sup>5</sup> and
  - (f) to consolidate property vested in or held by the Synod in trust or otherwise in a general investment fund, to be known as the Diocesan Consolidated Investment Fund, and, after deducting expenses of management, investment and administration determined by the Synod, distribute the income and profits therefrom to those entitled, in proportion to the respective capital of any trusts.<sup>6</sup>
- 1(2) The Finance Committee may advise and direct the Treasurer of the Synod in the performance of his duties.
- 1(3) When the Finance Committee invests property, including trust property, in any kind of property, real, personal or mixed it shall, subject to any express provision of a will or other instrument creating a trust and to such policies and standards as the Synod

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<sup>1</sup> Paragraph 3(d) of the Act.

<sup>2</sup> Paragraph 3(e) of the Act.

<sup>3</sup> Paragraph 3(f) of the Act.

<sup>4</sup> Subsections 6(5) and 7(5) of the Act.

<sup>5</sup> Subsection 8(5) of the Act.

<sup>6</sup> Subsection 8(6) of the Act.

adopts, exercise the judgement and care that a person of prudence, discretion and intelligence would exercise as a trustee of the property of others.

- 1(4) Notwithstanding subsection (3), the Finance Committee shall not invest more than 50 per cent of the Synod's general investment fund or of any segregated fund in preferred and common shares of corporations.

### **Beneficiary Funds**

- 2(1) The Clergy Widows and Orphans Special Fund, the Fund to Assist in the Education of Children of the Clergy and The Divinity Scholarship Fund shall consist of the amounts in those funds when this Canon comes into force together with all subsequent donations, contributions, and additions to them.
- 2(2) The Funds referred to in subsection (1) shall be invested in the same manner as other funds administered by the Synod and may be included in the Synod's Diocesan Consolidated Investment Fund.
- 2(3) The Diocesan Council shall adopt regulations respecting the payment of grants from the Funds.

### **Diocesan Signing Authority**

- 3(1) The Bishop and the Secretary of the Synod shall sign all documents that are required to be executed under the seal of the Diocesan Synod or which may subject the Diocese or the Synod to financial or other liability.
- 3(2) Cheques and other money instruments issued by the Diocese or the Synod shall be signed by any two of the Bishop, the Treasurer of the Synod and the Secretary of the Synod and a member of the Diocesan Staff designated by the Diocesan Council.

## **RECORD MANAGEMENT FUNCTIONS**

### **The Diocesan Archivist**

- 4(1) The Diocesan Archivist is the custodian of the records of the Diocese.
- 4(2) The Bishops, the Archdeacons and the Rectors or incumbents of parishes shall ensure that records are transferred regularly and routinely to the Diocesan Archivist.
- 4(3) The Diocesan Archivist shall ensure that all archival records are preserved, arranged and described according to commonly accepted archival principles.
- 4(4) The Diocesan Archivist shall endeavour to acquire the papers and other records of individuals related to Diocesan activities.

- 4(5) The Diocesan Archivist shall ensure that there is reasonable access to the Diocesan archives.
- 4(6) The Diocesan Council, after consultation with the Diocesan Archivist, may appoint members to the Diocesan Archives Committee to advise and assist the Diocesan Archivist.
- 4(7) The Synod may make an agreement with the Provincial Archives of New Brunswick to carry out any of the functions under this Canon.
- 4(8) The Synod shall provide a secure place for the archival records.

### **The Diocesan Registrar**

- 5(1) The Diocesan Registrar shall maintain the Register of Ecclesiastical Episcopal Acts of the Bishop.
- 5(2) The Diocesan Registrar shall seal and certify mandates for the induction of a priest, ordination certificates and other instruments related to the Register of Ecclesiastical Episcopal Acts of the Bishop.
- 5(3) The Diocesan Registrar or the Diocesan Archivist may issue certified copies of any document of the Synod.

### **Registers**

- 6(1) The Rector or incumbent of each parish shall keep registers of all baptisms, confirmations, marriages, funerals and burials and services held (vestry book).
- 6(2) A register of baptisms shall contain the name of the parish corporation, the church, the date of the baptism, the baptized person's Christian names and surname, the baptized person's address, date and place of birth, sex, the birth names and occupations of the baptized person's parents, the church or other location where the baptism was performed, and the names of the sponsors and of the officiant.
- 6(3) A register of confirmations shall contain the name of the parish corporation, the church, the date of the confirmation, the candidate's Christian names and surname, sex, date and place of birth, date and place of baptism and the officiant at baptism, where confirmed and by what Bishop, and date and place of first communion (whether before or following confirmation).
- 6(4) A register of marriages shall contain the name of the parish corporation, the church, the date, the full Christian names and surnames, addresses, occupations, marital status, dates of birth and baptism, religious affiliation of both parties, the place and date of the marriage, names and birth places of parents, the signature of the officiant, the signatures of both parties and of witnesses, and the number and date of the license.

- 6(5) A register of funerals and burials shall contain the name of the parish corporation, the church, the date, the full name of the deceased person, the person's last address, sex, name of next of kin or contact person and relationship to the deceased person, date and place of birth and death, whether or not there was cremation, date and place of funeral, date and place of committal, and the name and signature of the officiant.
- 6(6) A register of services (vestry book) shall contain the name of the parish corporation, the church, the date, the day of the Christian year, the hour, type of service, name of the officiant and of the preacher, number in the congregation, number of communicants, the amount of collection (open, envelopes, special and e-offering), and the initials of the persons completing the count.

### **Parish Reports**

- 7 The Rector or incumbent of each parish shall forward annually to the Secretary of the Synod in a form and on a date prescribed by regulation:
- (a) an annual report,
  - (b) a copy of the financial statements, accounts and other information received at the annual meeting of voting members of the parish pursuant to clause 2(1)(d) of Canon Six,
  - (c) an annual statistical return, and
  - (d) a report of the election or appointment of wardens, lay members of the Synod, the Vestry Clerk and the Parish Treasurer.