

# Old Catholic OCCNA of the Holy Spirit

## Holy Canons of the OCCNA

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### Canon I: Of the Province

- 1) The Old Catholic Communion of North America (OCCNA) is an Old Catholic Church divided into two Provinces. The OCCNA is established to provide spiritual continuity among all clergy in the OCCNA and apostolic succession which is deemed necessary by the clergy in the OCCNA to provide valid Sacraments to the faithful. As such the sole duty of the OCCNA is to act to the best of its ability to insure that all clergy comply with the canons of the OCCNA.
  - a) The Names and geographical boundaries of the Provinces.
    - (1) There are two provinces which are established by time zones. There is the Province of the West which encompasses all states of the United States in the Rocky Mountain and Pacific Time Zones. There is a Province of the East which encompasses all states of the United States in the Eastern and Central Time Zones. More provinces may be added as needed based on growth.
    - (2) New Provinces may be added at the discretion of the Archbishop with approval of the House of Bishops.
    - (3) Dioceses may be established in each Province at the Discretion of the Ordinary of the Province with approval of the Archbishop.
- 2) As set forth in Canon VII it is understood that all clergy in the OCCNA and their respective ministries are legally independent and they are fully responsible for their respective ministries and actions while serving as a cleric in said ministry. As such all clergy are free to leave the OCCNA by seeking a letter of release from the Ordinary or his delegate.
- 3) The OCCNA will notify appropriate civil authorities should the OCCNA be made aware of illegal actions of any clergy in the OCCNA.

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### Canon II: Of the Governance of the OCCNA

- 1) The OCCNA is led by an Archbishop who has been charged with the role of being the Episkopos and the OCCNA as his Sedes (See).
- 2) Both Provinces are led by an Ordinary which in the OCCNA is a bishop.
- 3) The Archbishop may elect to serve as the Ordinary of the Province in which he resides.
- 4) The Archbishop and the Ordinaries are the primary Episkopos (Overseers) of the Faith and the Canons of the Church.
  - a) A bishop must have established a minimum of one viable parish and have at least three other active clergy and ministries to be considered for elevation to the position of Ordinary or Archbishop.
  - b) The Provincial Ordinary has the authority to elevate clergy to the position of Archpriest within his province.
  - c) The Provincial Ordinary may request an Archpriest to be elevated to the office of Suffragan Bishop. The final decision will rest with the House of Bishops.
  - d) In the tradition of the Councils of the Church a House of Bishops shall be formed to discuss and resolve matters of the faith, election of bishops, and changes to these canons.
    - i) The House of Bishops will meet annually in synod. This synod will serve as the General Synod of the OCCNA and all clergy are expected to attend a minimum of one synod every two years unless health prevents.
    - ii) The Archbishop or an Ordinary may call a meeting of the House of Bishops.
- 5) Of the House of Bishops
  - a) The members of the house of bishops shall consist of all bishops and Archpriests in the OCCNA.
  - b) After the establishing Archbishop has left office the House of Bishops shall elect his successor.
    - i) All Bishops and Archpriests form the House of Bishops in both the OCCNA and each Province has right to vote in decisions called for vote with each office having the following number of votes when cast:
      - (1) Archbishop – 3
      - (2) Ordinary – 2
      - (3) Suffragan – 1
      - (4) Archpriest – ½
    - ii) The House of Bishops shall meet at least annually or as called by the Archbishop or an Ordinary.
- 6) All Bishops will serve until either voluntary retirement or resignation. Or may be removed from office for any reason by unanimous vote of all active clergy, or by 2/3 majority vote of all active clergy along with 2/3 majority vote of all parish council members combined, for the following reasons:
  - i) Failure to repent from known state of mortal sin.
  - ii) Professing a faith which is contrary to tenants of the faith.
  - iii) Gross neglect of duties.

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- iv) Sexual misconduct – see Canon IV – Of Holy Orders
- b) In all these events the Bishop shall be notified by a representative elected by the House of Bishops. The offense/s clearly communicated and a time frame of not less than three months allowed for reconciliation. During this reconciliation period another Bishop may be appointed by the Archbishop to serve as the administrator of the OCCNA. Should the Archbishop be the cleric suspended at which time the House of Bishops shall elect his replacement by 2/3 vote.

### Canon III: Of the Old Catholic Faith

1. The OCCNA professes the Orthodox Old Catholic faith as set forth in the intent of the founders of Old Catholicism as specifically stated in the historic documents of the Old Catholic movement below:
  - a. We believe the Declaration of Utrecht is the cornerstone document of the Old Catholic Faith.
  - b. We believe The Fourteen Theses of the Old Catholic Conference at Bonn is a historical document used to further explain the intent of the Declaration of Utrecht.
  - c. We accept as doctrinal, *The Road to Unity A collection of agreed statements of the joint Old Catholic Orthodox Theological Commission*.
  - d. We recommend the following translations of Scripture in order of preference:
    - i. The Orthodox Study Bible, by Thomas Nelson (Jun 17, 2008)
    - ii. The New King James or King James with Apocrypha.
    - iii. The New American (Catholic) Bible.
  - e. In essence we believe the intent of the founding fathers of the Old Catholic movement intended fully to return to the orthodox theology of the early and undivided church of the West. As such we accept and profess the same theology as our Eastern Orthodox brothers and sisters as expressed in the seven Ecumenical Councils with the following exceptions:
    - i. We accept as binding all the Anathema decrees of the Councils, however we like all others in the One Holy Catholic and Apostolic Church reserve the right and privilege to determine which, if any, of the Early Church Canons and Canons of the Councils are applicable to the mission of the OCCNA at this time. Likewise we have the right and privilege to determine if any Canons of other communions of the Holy Catholic and Apostolic Church are applicable to the mission of the OCCNA.
    - ii. We allow bishops to be married as was allowed in the first centuries of the church and as expressed in Sacred Scripture (Timothy 3:2).
    - iii. We allow women to serve as in all lay ministries up to and including Sub deaconess (see Canon VI - Of the Laity) as set forth by the guidance and canons of the Early Church and Councils and Sacred Scripture. (Romans 16:1-2).

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- iv. We believe the Nicene Creed is the Statement of the Faith of the Church and we accept and allow the Apostles Creed to be professed in the Liturgy as the Baptismal symbol of the Church.

### Canon IV: Of the Liturgy

- 1) It is required that all clergy use the approved OCCNA Old Catholic Missal for the principal Mass. The Missal adheres to the Structure of the Divine Liturgy according to the Divine Liturgy of St. Gregory. The Missal is published by the OCCNA using the vernacular of the people in adherence to the founding documents in Canon 2 section E.
- 2) However in the Spirit of the Declaration of Utrecht other Rites and Rituals may be used at other masses as approved by the Ordinary in advance:
  - a) Before seeking to use an alternate rite the clergy need to insure the rite requested be identical in matter, form, and intent to those used by other historic Catholic churches, specifically the Roman Catholic Church, the Episcopal, Anglican, Old Catholic and Eastern Orthodox Churches and in compliance with the Declaration of Utrecht, and the canons of this church. For reference any rites which do not meet the following will not be approved:
    - i) In the liturgy references to the Trinity must be in the traditional Catholic format, i.e., God the Father, God the Son, and God the Holy Spirit.
    - ii) The Rite must contain a General Confession and Absolution either in the Mass or immediately prior to the Introit or Opening Hymn.

### Canon V: Of the Sacraments

- 1) Baptism
  - a) We accept as licit (valid) all baptisms by triple immersion or infusion in the name of the Triune God (Father, Son, and Holy Spirit) as long as said denomination or church embraces the same understating of the Trinity as does the Holy Catholic Church.
  - b) We encourage the baptism of infants.
  - c) Proper instruction in the faith should be provided for those being baptized or if an infant their parents and godparents.
- 2) Confirmation
  - a) There is no physical age to receive the Sacrament of Confirmation. The pastor should insure that the individual seeking Confirmation has been taught the basics of the faith.
  - b) Bishops are allowed to grant their priests authority to confirm.
  - c) Individuals Confirmed in another Church with valid Apostolic Succession (Roman, Eastern Orthodox, and some Anglican) will be received.
- 3) Holy Eucharist / Communion
  - a) We believe all validly baptized Christians are welcome to receive the Sacred Body and Blood of Christ (Holy Communion). This belief is founded in the tradition of the Eastern Church who provides Holy Communion to newly baptized infants as they need spiritual

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food to grow in the faith. It is our belief that spiritual infancy is not subject to physical age and therefore we will feed all who hunger.

- i) However, we do also believe that all adult communicants must eventually make an adult commitment to the faith and receive the Sacrament of Confirmation or be Received if already Confirmed in a Church with valid Apostolic Succession.
  - ii) Clergy should be diligent to teach the catholic faith and if the faith is rejected by an individual after due course, or if a person who is of the faith falls into mortal sin reception of communion may, and should be withheld.
- 4) Anointing / Unction
- a) The Sacrament can only be provided by a Priest or Bishop as remission of sin is part of the rite.
  - b) Ritual shall conform to the approved Missal.
- 5) Marriage
- a) Marriage is a Holy Union between a man and a woman.
  - b) A couple should receive proper instruction regarding a Christian Marriage prior to the wedding.
  - c) Both the bride and the groom must be baptized to be wed.
  - d) A Wedding Mass with Holy Communion is strongly encouraged.
  - e) A Wedding Mass with Holy Communion must be conducted in recognized place of worship unless approved by the celebrants Bishop.
- 6) Reconciliation
- a) The General Confession and Absolution must be an integral part of the Mass.
  - b) While auricular confession before a priest is not required each Priest should regularly teach the importance of the Rite of Reconciliation in the healing process especially in grievous or reoccurring sinful actions.
  - c) The seal of the confessional is binding.
- 7) Holy Orders
- a) A person is called to Sacred Orders to serve all of the people of God administering the Sacraments and preaching the Word.
    - i) All non-retired clergy are expected to be active in their chosen ministry and file regular reports to the Ordinary.
    - ii) All Clergy must have personal and general liability insurance.
    - iii) Failure to be active in a ministry may be considered gross neglect of duty.
  - b) The candidate for Orders must be a confirmed / received Old Catholic.
  - c) All Candidates prior to being accepted as a postulant will:
    - i) Submit the required application to the Ordinary.
    - ii) Submit to and pay for a background check by a firm selected by the OCCNA
    - iii) May be required to undergo a psychological examination at the expense of the candidate.
    - iv) Will travel for a minimum of one personal interview with the bishop (or his delegate) at a location designated by the bishop.

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- v) Will travel as needed for practicum and ordination – or pay the expenses of the Bishop to travel for either or both.
- d) Celibacy is optional and not a requirement for Holy Orders.
- e) Chastity within one's state of life is required of all Christians and a clergy person is called and expected to be a model and example of Christian virtue.
- f) To be eligible for the Sacred Order of Deacon, the candidate must be at least 21 years of age and:
  - i) Completed all of the approved courses of study in the church disciplines of Sacred Scripture, Sacred Theology, Liturgy, Homiletics, and other studies and practicum as instructed by the Ordinary.
  - ii) The dress of a deacon is black pants and black clergy shirt. Primary vestments are alb with cincture, deacons stole, and optional dalmatic. Alternate vestments are cassock and surplice with deacons stole. All vestments reflect the color of the season of the Church.
- g) To be eligible for the Sacred Order of Priesthood, the deacon candidates must be male and at least 24 years of age and:
  - i) Served the church as an active deacon for at least six months unless a request to defer requirement has been approved by the Archbishop.
  - ii) Completed all courses of study in the church disciplines and practicum required by the Ordinary.
  - iii) Implemented a plan of ministry and if establishing a mission, parish, shelter, or any other ministry where funds are collected incorporated the ministry as a state non-profit corporation or church. Federal 501c3 incorporation is not required for a church.
  - iv) The dress of a priest is black pants and black clergy shirt. Primary vestments are alb with cincture, priests stole, and chasuble (may be worn during entire Eucharist or vested prior to Holy Communion) Alternate vestments are cassock and surplice with priests stole and chasuble. All vestments reflect the color of the season of the Church
- h) To be eligible for the Sacred Order of Bishop, the priest candidates must be male and at least 35 years of age and:
  - i) Have been an active priest in this OCCNA for at least five years.
  - ii) Have maintained a successful church ministry.
  - iii) Have contributed to the church-at-large through participation in church meetings, synods, projects, or effectively carrying out church-wide responsibilities.
  - iv) Been nominated by a member of the House of Bishops.
  - v) Been elected by a minimum of 2/3 vote by all active clergy and by 2/3 vote of applicable parish council and laity.
  - vi) The dress of a bishop is black pants and black or purple clergy shirt. Primary vestments are alb with cincture, cope, priests stole (or optional pallium if Ordinary), and chasuble (may be worn during entire Eucharist or vested prior to Holy Communion), zucchetto, mitre, ring, crozier, and pectoral cross. Alternate vestments

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- are house cassock and surplice with priests stole and chasuble or pallium if Ordinary, and chasuble zucchetto, mitre, ring, crosier, and pectoral cross. All vestments reflect the color of the season of the Church
- i) Clergy from other communions seeking incardination must submit all items required of a postulant and in addition:
    - i) Provide a letter of release from their current bishop.
    - ii) Provide copies of studies and ordination certificates.
      - (1) If not well educated in the Old Catholic Faith they may be required to submit to additional studies.
    - iii) Provide references both ordained and lay.
    - iv) Submit a ministry plan to their bishop.
  - j) All Clergy will serve until either voluntary retirement or resignation, or may be removed or suspended from office by the Ordinary.
  - k) Some situations which may lead to suspension of faculties are, but not limited to:
    - i) Alleged sexual misconduct including but not limited to (harassment, child pornography, pedophilia, homosexual acts, and adultery or any other offenses outlined in The church policy "Protecting the People of God".)
    - ii) Alleged theft or embezzlement of Church funds.
    - iii) Failure to repent from known state of mortal sin.
    - iv) Professing a faith which is contrary to tenants of the Old Catholic Faith.
  - l) Gross neglect of duties
    - (1) In all these events the Ordinary shall provide counsel and clear notification that suspension or removal may occur and may allow a sabbatical of not more than six months for reflection and reconciliation. The Ordinary may appoint another cleric to serve in the absence of the cleric on sabbatical.
      - (a) Some reasons which will lead to immediate suspension of faculties or removal (defrocking) without a sabbatical are:
        - (b) Confirmed sexual misconduct including but not limited to (harassment, child pornography, pedophilia, homosexual acts, and adultery or any other offenses outlined in the church policy "Protecting the People of God".)
        - (c) Theft or embezzlement of Church funds.
        - (d) Failure to repent from condition/s resulting in suspension.
  - m) If a cleric believes they have been unjustly sanctioned by the Ordinary they may appeal to their fellow clergy and with 2/3 majority in agreement a spokesperson (appointed by those in agreement) along with the cleric in question should petition the Ordinary for a meeting. If at the meeting the Ordinary fails to present sound and valid reasons for the sanction then by a 4/5 majority vote of all clergy the Ordinary may be overturned. The cleric making the appeal understands and accepts that their personal and confidential file will be opened for review by first the spokesperson and then by all clergy should the issue go to vote.
    - (1) Be advised that overturning the Ordinary is a most serious and grievous matter and should not be entered into lightly. Such a situation may indicate the

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Ordinary himself is failing to exercise his bounden duty and vow to serve as the Defender of the Faith.

### Canon VI: Of the Laity

- 1) Communicant in Good Standing
  - a) Any person baptized as set forth in these Canons, who acknowledges the authority of the Canons of the OCCNA, is regular in attendance and receipt of the Sacraments at public worship, and striving to partake of a lifestyle free from mortal sin shall be considered a communicant in good standing.
  - b) A communicant in good standing may serve in various lay ministries provided they meet the specific qualifications of the ministry as set forth by the OCCNA.
- 2) Special Lay Ministries: Below find titles and descriptions of various lay ministries in which the participant will be involved in either teaching the faith and/or participating directly in the worship of the Church. Because of the importance of these ministries all candidates must be regular in attendance, living a moral life, and if an adult - a member of the parish in good standing. Each candidate should understand the importance of the position and strive to serve in a manner that reflects a servant's heart. In addition each candidate must understand how their actions both in and out of the church as well as their personal appearance directly impact the attitude and piety of those to whom they serve. It is recommended any laity working with minors have a background check and work in pairs.
  - a) Teacher. Must be a confirmed member of the parish or mission as defined by the parish by-laws and be trained in the subject area they will teach. Minimum age 18 years. Licensure by Pastor
  - b) Catechist (teaches persons seeking baptism, confirmation, and may lead Bible Studies). Must be a confirmed member of the parish or mission as defined by the parish by-laws and be trained in the subject area they will teach. Minimum age 18 years. Requires licensure by Bishop.
  - c) Lector. A lector is the person who proclaims the first or second reading at Mass. This person also may lead the Prayers of the Faithful at Mass. Must be confirmed. Minimum age 14 years (youth services only) and 18 years for regular service. A lector must have the qualifications listed below and have a desire to minister in this capacity at the Eucharistic liturgy. Licensure by Pastor.
    - i) Lectors should be carefully chosen based on their skills in proclamation, their willingness to complete formation in this ministry, and their evidence of a deep spirituality.
    - ii) All new candidates for lector must receive training, either from their pastor or his delegate/ The instruction must include the following:
      - (1) Instruction in Liturgy of the Word.
      - (2) Proclaiming the Word: practicum and formation in public speaking.
- 3) Acolyte or Altar Server. There are three levels of Acolyte. All must be baptized and regular in attendance. Licensure by Pastor.



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- a) Acolyte I – Minimum age 6 years. Duties may include being a crucifer, torch bearer, collecting alms, ringing Sanctus bells. They may not serve the Altar.
  - b) Acolyte II – Minimum Age 10 Years. Duties include all those of an Acolyte I and include being trained as thurifer, serve at the Altar, and assist with starting recorded worship music.
  - c) Acolyte III – Minimum age 14 Years. Must be confirmed. Duties include all those of Acolyte I and II and may serve as lector, chalice bearer (serve chalice at Holy Communion), and train acolytes.
- 4) Lay Eucharistic Minister.
- a) Minimum age 18 and have background check. Must be member of Parish in good standing. Must be Acolyte III and Lector and have served in these ministries for a minimum of six months. May be trained by pastor to provide various Lay Services. May be trained to take communion to those who cannot attend Mass. Requires licensure by Bishop.
- 5) Subdeacon or Sub-deaconess
- a) The Subdeacon's role is essentially as an assistant to the deacon in performing his diaconal role. Must be Lay Eucharist Minister for no less than one year. Must be Catechist. Will provide lay services. Will assist in planning services. The Subdeacon is charged with reading the Epistle at a High Mass (Holy Days) and Pontifical Mass (when Bishop is present and presiding) and with assisting the deacon with the preparation of the oblations and performs ablutions in absence of a Deacon. Assists the deacon during the reading of the Gospel by carrying the Gospel Book to and/or from the place of proclamation, and by acting as a support for the book while the Gospel is read. At pontifical services the Subdeacon also assists the deacon in the vesting of the bishop and in the absence of a deacon may, hold the bishop's service book, staff, and assist in other ways as directed by the bishop.
  - b) The dress of a Subdeacon is black pants (or skirt) and gray clergy shirt with collar. Primary vestments are alb, cincture, and the tunicle (plain dalmatic). Alternate vestments are cassock and surplice with tunicle. All vestments reflect the liturgical color of the season of the Church. Requires appointment by Bishop.
- 6) As is the case for Bishops, Priests, and Deacons, it is expected that Lay Eucharistic Ministers and Subdeacon's shall do their best to pattern their lives in accordance with the teachings of Christ, striving in all things to be wholesome examples to the people of God. Thus it is not appropriate to recommend for licensing anyone whose lifestyle is an affront to the gospel, including but not limited to anyone known to be perpetrating fraud, malicious gossip, or someone known to be engaging in sexual relations outside of holy matrimony or any other offenses outlined in the church policy "Protecting the People of God"

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### **Canon VII: Of Freewill Offerings (Tithe)**

- 1) Of the Faithful:
  - a) It is acknowledged that the minimum biblical tithe of the faithful is 10% of all first fruits (Time, Talent, and Treasure). Clergy are admonished and encouraged to teach and help the faithful to understand how such sacrificial offering leads first to a deeper trust in the Holy Spirit and second how such sacrificial offering helps to build the entire church and as such the Kingdom of God, which is the call of discipleship.
  - b) It is acknowledged that funds received from sources other than “first fruits”, i.e., funds from fundraisers and gifts, are not to be considered as offerings of “first fruits”.
- 2) Of a Parish or Mission:
  - a) A parish or mission as defined by the canons shall set aside a portion of the tithe (a minimum of is 5% recommended) for the Province in which they are located. Each Province shall set aside an offering for the OCCNA. Both the Province and the OCCNA shall use these funds to assist with building the Kingdom elsewhere. (i.e., assisting missions, outreach work, travel to visit missions and other communions, etc.) A report of use of such funds may be requested by parishes making such offerings.
  - b) A Parish as defined by the canons shall provide for the travel expenses when the bishop visits.
- 3) Of the Clergy:
  - a) A motion was presented by and agreed upon by unanimous vote by all clergy (other than the bishop) present at the 2012 Diocesan Synod held in Clarksville, TN that. “It is good for the clergy to pay a stipend of \$25 per month to the OCCNA to cover operating expenses of the OCCNA.”

### **Canon VIII: Of Parishes, Missions, and Ministry**

- 1) Parish, Mission, and Ministry Defined
  - a) A Parish is a local body of faithful with sufficient membership to have an elected parish council. (See Church Bylaws.)
  - b) A Mission is a local body of faithful with a parish council appointed by the cleric in charge.
  - c) A Ministry is any action taken by any ordained clergy in good standing of the OCCNA acting in the capacity of a cleric. I.E, leading worship, teaching, providing Spiritual and Pastoral Counseling, etc.)
- 2) Legal Standing
  - a) Each Parish, Mission, and Individual Ministry (herein called Ministry) is fully owned and operated by the Ministry and not the OCCNA. Each Ministry is responsible for complying

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with all Federal, State, and Local laws and regulations. Each Ministry is solely responsible for any and all legal actions against the Ministry and as such the OCCNA requires each Ministry incorporate in the state in which it is located and recommends to procure all necessary insurance to protect its property and actions of the Ministry.

- b) The Ministry shall, to the extent legally permissible, indemnify the OCCNA against all expenses and liabilities, including, without limitation, counsel fees, judgments, fines, excise taxes, penalties and settlement payments, reasonably incurred by or imposed upon the Ministry in connection with any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (a "proceeding"), in which the Ministry may become involved.
- c) The included By-Laws are the recommended model which may be used in all parishes and missions in the OCCNA. Each local Ministry is free to modify the By-Laws as needed provided the modifications do not void any of the preceding Canons.

I an ordained cleric in the OCCNA hereby accept and agree to adhere to the Canons.

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Printed Name

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Signature

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Date

# Old Catholic OCCNA of the Holy Spirit Holy Canons of the OCCNA

## **Model of Parish and Mission By-Laws of Old Catholic OCCNAs of the Holy Spirit**

### **Preamble**

(Name) Orthodox Old Catholic Church (AKA) herein called the Parish, having been established and/or incorporated as a Parish for the purpose of maintaining the worship of Almighty God according to the faith and usages of the Old Catholic Church has adopted the attached hereto as its By-laws. All are welcome to attend and participate in worship and to become members of the Parish.

### **Article I -- Authority Acknowledged**

#### **Sec. 1, of the OCCNA.**

The Parish accedes to the doctrine, discipline, worship and the Constitution and Canons of the Orthodox Old Catholic OCCNA of the Holy Spirit herein called the OCCNA.

#### **Sec. 2, Of a National Church**

The Parish also understands and accedes that the OCCNA may be subject to the doctrine, discipline, worship and the Constitution and Canons of a national church body.

### **Article II – Membership**

Any baptized and confirmed person of the age of sixteen years or more, who acknowledges the authority of the By-laws of the Parish, and who declares his or her intention to support the Parish by regular attendance at public worship and by financial aid, shall be considered a member of the Parish and entitled to vote in its affairs. Any member, who, for one year, shall refrain from regular worship, and from contributing toward the support of the parish, may, after due notice and an opportunity to be heard, by vote of the Parish Council be removed from the list of members of the Parish entitled to vote. No person who disclaims or refuses conformity to faith of the Old Catholic Church, the doctrine, discipline, worship and the Constitution and Canons of the OCCNA, or the authority of the Parish shall be eligible to hold office in the Parish or entitled to vote in its affairs.

### **Article III – Directors, Officers, and Parish Council**

#### **Sec. 1, Directors.**

There will be a minimum of three (3) Directors of the parish. The Directors shall normally be the members of the Parish Council. However, during the startup phase of the Parish there may be no Parish Council (see Sec. 2, Parish Council) as such the Ordinary (Bishop) of the OCCNA and two delegates selected from other parishes in the OCCNA shall serve as directors. Directors may also serve as officers of the Parish.

#### **Sec. 2, Officers.**

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The officers of the Parish shall consist of no less than a President and Vice President, which shall be the Pastor (President) and a Sr. Warden (Vice President). The Sr. Warden shall be a member of the Parish and at least 21 years of age, and shall be a confirmed communicant of the Parish. In the absence of a Pastor the Sr. Warden shall serve as acting President until such time that the position of Pastor is filled. The Pastor and Sr. Warden shall be appointed by the Bishop of the OCCNA, or his delegate, with the advice and consent (or affirmation) of the Directors.

A Junior Warden (Secretary) may be appointed by the Parish Council. The Junior Warden must approved by the Ordinary and the Directors. As with the Senior Warden the Junior Warden shall be a member of the Parish and at least 21 years of age, and shall be a confirmed communicant of the Parish.

### **Sec. 2, Parish Council.**

Once the number of members in the Parish exceeds 10 a Parish Council shall be formed. The Parish Council shall consist of no less than three (3) nor more than seven (7) members. The Council shall appoint a Secretary who will record and publish the minutes of all Council and Parish meetings. The Secretary may or may not be a member of the Council.

### **Sec. 3, Membership and Terms of Service on the Council**

Members of the Parish Council will be appointed by the Officers and shall hold office until the Parish has grown to Twenty five (25) or more adult members. At that time the Parish Council will be elected at the Annual Meeting. Each elected member shall serve a staggered rotating term of three years. Following the election, all shall hold office until their successors are dully installed. Vacancies may be filled at any meeting of the Parish. Unless so filled, the Parish Council may fill them until the next Annual Meeting of the Parish.

### **Article IV - Duties of Parish Council.**

As stated in Article III the Parish Council shall serve as the directors of the Parish. The Parish Council shall exercise all its powers in accordance with the usage and discipline of the Parish, in compliance with the statutes of the State of North Carolina and the provisions of these By-laws. It shall be the duty of the Parish Council to manage the prudential affairs and to care for the property of the Parish; to provide for the furniture, books, vestments, and all things necessary for the celebration of public worship; to see that all buildings and personal property belonging to the Parish are adequately insured; to supervise the investment of funds of the Parish; to authorize and direct such purposes and sales as the Parish Council may from time to time deem wise, and any and all transfers, assignments, contracts, deeds, leases, bonds, notes, checks and other instruments which may be necessary or proper in this connection; and to supervise and direct the officers in the discharge of their secular duties. The Parish Council may also authorize terms of employment regarding the clergy of the Church. The Parish Council,

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in consultation with the Pastor, shall authorize staff positions and the terms of employment.

The Parish Council may delegate to the Officers or Treasurer the handling of all or any of the investments, including their purchase, custody, sales and transfer. The Parish Council may delegate to the Officers generally or in particular cases the authority to execute contracts, deeds, leases, bonds, notes, checks and other instruments, which may be necessary or proper. It shall be the duty of the Council Secretary to keep the records of the Parish and of the Parish Council and to keep a roll of the members entitled to vote in its affairs. The Council Secretary shall make available a membership list for any member to inspect as long as the purpose of the inspection is related to the general affairs of the Parish. The Parish Council may appoint or authorize the appointment of any committee that it deems desirable. All such committees shall be accountable to the Parish Council.

### **Article V – Parish Council Meetings**

Meetings of the Parish Council may be called by the Pastor (or one of the Co-Pastors) or Officer, or any member of the Parish Council. The Parish Council may schedule regular meetings and determine the manner of notifying its members. The Pastor (or one of the Co-Pastors) or Sr. Warden or another member of the Parish Council designated by the Pastor shall preside. The records of the Parish Council shall be open to the members of the Parish at its meetings. A majority of the members shall constitute a quorum and a three-fourths majority vote of those present shall determine any matter presented.

The Parish Council shall meet at least once per month. All meetings will be announced at least once during the principle Sunday Service prior to the meeting date. The Presiding Officer shall provide a written agenda for each meeting. A simple majority of Parish Council Members shall constitute a quorum, and a three-fourths majority vote of those present shall determine any matter presented except as provided in Article XII respecting the amendment of these By-laws. Council Members are expected to attend all meetings. All meetings shall follow Parliamentary Procedures set forth in "*Robert's Rules of Order newly revised*".

### **Article VI -- Meetings of the Parish**

#### **Sec. 1, Annual and Special Meetings.**

There shall be conducted at least one meeting of the entire Parish per fiscal year. This annual meeting shall be held at such date, hour and place as the Parish Council shall determine. The primary purpose of the meeting is to report to the entire membership the financial and spiritual status of the Parish and to elect members of the Parish Council as set forth in Article III, Sec. 3.

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Special meetings may be called at any time by the Officers or Parish Council, and shall be called by the Officers whenever so requested in writing by the Pastor (or one of the Co-Pastors) or by a minimum of five members of the Parish.

### **Sec. 2, Written Notice.**

All meetings of the Parish shall be announced by posting a Written Notice calling the meeting at a public entrance of the church or place of worship occupied by the Parish. The Written Notice shall be posted at least fourteen days before the date fixed for the Annual Meeting and at least seven days before a special meeting. No action shall be taken at any meeting of the Parish other than that set forth in the Written Notice for such meeting.

### **Sec. 3, Presiding Officer.**

The Pastor (or one of the Co-Pastors), or in their absence, the Sr. Warden, or in their absence, a member of the Parish Council shall preside. A simple majority of members present shall constitute a quorum. A simple majority of votes will be sufficient to decide any issues presented to the membership of the Parish at a Parish Meeting.

## **Article VII -- The Pastor**

### **Sec. 1, of the Pastor.**

The Pastor is subject to all canons of both the OCCNA and National Church. No person shall be eligible to the office of Pastor unless he is a qualified Minister of the OCCNA and in good standing. The Pastor shall have jurisdiction over the spiritual affairs of the Parish, manage the Parish as set forth by the Parish Council, and supervise and direct the parish staff.

### **Sec. 2, Vacancy.**

If the office of Pastor becomes vacant or the Pastor is incapacitated, the Sr. Warden shall serve as interim after consultation with the Bishop, until such time as a new Pastor is selected as provided under this Article.

### **Sec.3, Selection.**

The Parish Council may select present names of qualified priests to be used as interim clergy and to be considered for both the position of Pastor. The Ordinary has final authority to accept, reject, or appoint any Pastor.

### **Sec. 4, Compensation.**

The amount of compensation for services rendered (if any) and the amount of compensation for housing and auto allowances (if any) and all expense reimbursements for the Pastor or any clergy of the Parish shall be subject to approval by the Parish Council. If the Parish owns a parsonage the Pastor has right to use said parsonage for the duration of his pastorate. If the Pastor elects not to reside in the parsonage the Parish Council may elect to use parsonage as they determine best for the Parish. All

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such agreements of compensation shall be explained in a letter from the Parish Council to the Treasurer and a copy of the letter shall be kept with the Parish Records.

### **Article VIII – Treasurer**

#### **Sec. 1, Selection.**

The Treasurer shall be nominated by unanimous agreement of the Pastor and Officers and subject to approval by Parish Council and the Bishop. It is preferred that the Treasurer be a member of the Parish and at least 21 years of age, however the Treasurer position may be filled by a non-member such as an accounting firm. The Treasurer may not be a member of the Parish Council and as such the terms of the Treasurer shall be at the discretion of the Officers.

#### **Sec. 2, Duties.**

It shall be the duty of the Treasurer to receive and disburse all monies collected under the authority of the Parish Council, to keep a true record of receipts and disbursements, and to present a full statement of these and of the financial condition of the Parish at Annual Meetings and at other times required by the Parish Council. The Treasurer shall also maintain the records of all trusts and permanent funds belonging to the Parish, listing the source and date of such trusts and funds, the terms governing the use of principal and income, to whom and how often accounts are to be made, and how the trusts and funds are invested. The Treasurer shall provide a monthly Financial Report of all income and expenses for review and approval at all Council meetings.

#### **Sec. 2, Voting of Securities.**

Except as the Parish Council may otherwise designate, the Treasurer may act or appoint any member of the Parish Council (with or without power of substitution) to act as proxy or attorney in fact for the Parish at any meeting of stockholders of any corporation, the securities of which may be held by the Parish. The Treasurer and other custodians of funds as designated by the Parish Council may be required to be bonded.

### **Article IX -- Organizations**

All formal organizations connected with the Parish shall be responsible to the Pastor. Each organization shall present at the Annual Meeting of the Parish a report containing a summary of its activities and finances and a list of its officers.

### **Article X -- Gifts and Memorials**

No object intended as a permanent addition to the Church or Parish property, or to be used therein during public worship, shall be accepted as a gift or memorial without the approval of the Pastor and the Parish Council. All objects so accepted may be removed when deemed necessary by the Parish Council. The names of donors of such gifts and memorials, any terms and conditions, and the dates of acceptance shall be recorded in the permanent records of the Parish.



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### **Article XI -- Indemnification of Directors and Parish Officers**

The Parish shall, to the extent legally permissible, indemnify each person who may serve or who has served at any time as a Pastor, Warden, Treasurer, Parish Council Member, or other officer of the Parish (collectively "indemnified Officers"), against all expenses and liabilities, including, without limitation, counsel fees, judgments, fines, excise taxes, penalties and settlement payments, reasonably incurred by or imposed upon such person in connection with any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (a "proceeding"), in which he or she may become involved by reason of his or her serving or having served in such capacity (other than a proceeding voluntarily initiated by such person unless he or she is successful on the merits and the proceeding was authorized by a majority of the Parish Council). However, no indemnification shall be provided for any such person with respect to any matter in which he or she is adjudicated not to have acted in good faith on behalf of the Parish; and further provided that any compromise or settlement payment shall be approved by the Parish Council in the same manner as provided below for the authorization of indemnification.

Such indemnification may, to the extent authorized by the Parish Council, include payment by the Parish of expenses incurred in defending a civil or criminal action or proceeding in advance of the final disposition of such action or proceeding, provided that the person indemnified agrees to repay such payment if he or she is not entitled to indemnification under this Article; the repayment agreement may be accepted without regard to the financial ability of such person to make repayment.

### **Article XII -- Amendments**

These By-laws may be amended in one of the following two manners:

First, the proposed change shall be presented and approved by vote of two-thirds of the members of the Parish present at a properly called meeting; next, the proposed change shall be submitted to the Bishop, with a copy of the current By-laws; and finally, if approved by the Bishop as submitted it may become effective immediately but only in the form so approved.

Second, Amendments to the By-Laws may be made by a unanimous decision of both the Officers and the Bishop.

### **Article XIII – Dissolution of the Parish**

A motion to dissolve the Parish may be made by either the Bishop of the OCCNA or by the Officers of the Parish. Both the Parish Council and the Membership of the Parish must approve such motion. In the event it should become necessary to dissolve the Parish the Bishop must be notified so that all Consecrated items may be liquidated in a manner that reflects due reverence.

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In the event of dissolution of the Parish, the board of directors shall, after paying and making provisions for the payment of all liabilities, distribute all the assets of the corporation over to the OCCNA to be used in other Parishes of the OCCNA, or sold and the net proceeds donated to another Parish or the OCCNA, or to another non-profit religious organization which has been recognized as a 501(c)(3) organization by the Internal Revenue Service and approved by the OCCNA.

The terms of sale and/or method of liquidation of the aforementioned assets may be at the sole discretion of the Officers, or in their absence the Parish Council.

These By – Laws have been presented and approved by the OCCNA as being in compliance with the Canons of the OCCNA.