

CONSTITUTION

Adopted in Provincial Synod
Melbourne, Florida
July 22, 1998,
And as amended in 2006.

SOLEMN DECLARATION

In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.

WE, the Bishops, together with the Deputies from the Clergy and Laity of the Anglican Province of America, assembled in Provincial Synod, make the following Solemn Declaration:

WE declare this Church to be, and desire that it shall continue in full communion with all traditional Anglicans throughout the world, as an integral portion of the One Body of Christ composed of Churches which, united under the One Divine Head and in fellowship of the One Holy Catholic and Apostolic Church, hold the One Faith revealed in Holy Writ, and defined in the Creeds as maintained by the undivided primitive Church in the undisputed Ecumenical Councils; receive the same Canonical Scriptures of the Old and New Testaments, as containing all things necessary to salvation; teach the same Word of God; partake of the same Divinely ordained Sacraments, through the ministry of the same Apostolic Orders; and worship One God and Father through the same Lord Jesus Christ, by the same Holy and Divine Spirit who is given to them that believe to guide them into all truth.

AND WE are determined by the help of God to hold and maintain the Doctrine, Sacraments, and Discipline of Christ as the Lord hath commanded in His Holy Word, and as the traditional Anglican movement hath received and set forth the same in the Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church, together with the Psalter or Psalms of David, pointed as they are to be sung, or said in Churches, and the Form and Manner of Making, Ordaining, and Consecrating of Bishops, Priests, and Deacons, and in the Thirty-nine Articles of Religion of 1801; and in the spirit of the Affirmation of St. Louis of 1977; and to transmit the same unimpaired to our posterity.

ARTICLE I
Of Provincial Synod

Section 1 There shall be a Provincial Synod of this Church, consisting of the House of Bishops, the House of Clergy and the House of Laity; and in all deliberations freedom of debate shall be allowed. Any House may originate and propose legislation, and all acts of the Synod shall be adopted and authenticated by all the Houses.

Section 2 Every Bishop of this Church, unless under suspension, shall have seat, voice, and vote in the House of Bishops. A majority of all Bishops entitled to vote, exclusive of Foreign Missionary Bishops and Bishops who have resigned their jurisdiction or positions, shall be necessary to constitute a quorum for the transaction of business.

Section 3 The Presiding Bishop of this Church shall be the Diocesan Bishop most senior in the order of his consecration as Bishop. His duties shall be prescribed by the Canons of this Church. The Presiding Bishop shall preside over the House of Bishops; and shall serve as the President of the Provincial Synod, and as Chairman of the Provincial Council.

But if the Presiding Bishop is unable to perform his duties for any reason other than resignation from jurisdiction, retirement, or death, the Bishop with jurisdiction most senior in the order of his consecration as Bishop shall act as Presiding Bishop until the Presiding Bishop is able to resume his duties.

Section 4 The Deputies of the House of Clergy shall be every Clergyman, in good standing, of this Church. Each Parish or Congregation from every Diocese and Missionary District shall be entitled to representation in the House of Laity by one Layman, a communicant member of that Parish or Congregation. Each Parish or Congregation shall prescribe the manner in which its Deputy shall be chosen.

Each Missionary District within the boundaries of the United States of America, which shall have been established in accordance with the Constitution and Canons for the government of this Church, shall be entitled to a minimum representation in the House of Laity of four Laymen, communicants of this Church, having domicile in the Missionary District. Each Missionary District shall prescribe the manner in which these Deputies shall be chosen. Deputies from such Missionary Districts, except as otherwise provided in the Constitution, shall be subject to all of the qualifications and with all of the rights of Deputies from Dioceses.

A majority of the registered and certified deputies of the Houses of Clergy and Laity shall constitute a quorum for the transaction of business; provided that the Houses of Clergy and Laity, respectively, shall be represented by at least one Deputy from each of a majority of Dioceses entitled to representation. This *proviso* shall not apply if a Diocese is not represented by registered and certified delegates at the opening of Provincial Synod.

On any question the vote of a majority of the Deputies present shall suffice, unless otherwise ordered by the Constitution and Canons; or unless the Clerical or the Lay representation from any Diocese require that the vote be taken by Orders. In all cases of a vote by Orders, the Houses shall vote separately; and the concurrence of the votes of the three Houses, by not less than a majority of votes in each House, shall be necessary to constitute a vote of the Synod.

Section 5 In any House any number less than a quorum may adjourn from day to day. No House, without the consent of the others, shall adjourn for more than one day, or to any place other than that in which Synod shall be sitting.

Section 6 The Provincial Synod shall meet every third year in the summer on a date appointed by the preceding Synod, and at the place designated by such Synod; but if there shall appear to the Presiding Bishop of the Church sufficient cause for changing the place or date so appointed, he may appoint another place or date, or both, for such meeting. Special meetings may be provided for by Canon. This amendment shall take effect at the close of Provincial Synod in 2008.

ARTICLE II
Of Bishops

Section 1 In every Diocese the Bishop or the Bishop Coadjutor shall be chosen agreeably to rules prescribed by the Synod of that Diocese, if the Clergy and Lay delegates present at the electing Synod shall agree upon a nominee by a two-thirds vote, voting by orders. If a Diocese shall be formed out of a Missionary District, the Missionary Bishop in charge of said District shall become the Bishop of said Diocese, if he shall so elect. Missionary Bishops shall be chosen in accordance with the Canons of this Church.

Section 2 No one shall be ordained and consecrated Bishop until he shall be thirty years of age; nor without the consent of a majority of the Standing Committees of all the Dioceses, and the consent of a majority of the Bishops of this Church exercising jurisdiction within the United States. But if the election shall have taken place within three months next before the meeting of the Provincial Synod, the consent of the Houses of Clergy and Laity shall be required in place of that of a majority of the Standing Committees. No one shall be ordained and consecrated Bishop by fewer than three Bishops.

Section 3 A Bishop shall confine the exercise of his office to his own Diocese or Missionary District, unless he shall have been requested to perform episcopal acts in another Diocese or Missionary District by the Ecclesiastical Authority thereof, or unless he shall have been authorized and appointed by the House of Bishops, or by the Presiding Bishop by its direction, to act temporarily in case of need within any territory not yet organized into Dioceses or Missionary Districts of this Church.

Section 4 A Diocese may, with the consent of the Bishop of that Diocese, elect one or more Suffragan Bishops, without right of succession. A Suffragan Bishop shall be consecrated and hold office under such conditions and limitations as provided in this Article and as may be provided by Canons of this Church. He shall be eligible as Bishop or Bishop Coadjutor of a Diocese, or as Suffragan in another Diocese, or he may be elected by the House of Bishops as a Missionary Bishop.

Section 5 A Diocese may prescribe by the Constitution and Canons of such Diocese that upon the death of the Bishop a Suffragan Bishop of that Diocese may be placed in charge of such Diocese and become temporarily the Ecclesiastical Authority thereof until such time as a new Bishop shall be chosen and consecrated. During the disability or absence of the Bishop, at the request of a majority of the members of the Standing Committee of that Diocese, a Suffragan Bishop of that Diocese may be placed in charge of such Diocese and become temporarily the Ecclesiastical Authority thereof.

Section 6 A Bishop may not resign his jurisdiction without the consent of the House of Bishops.

Section 7 The House of Bishops may appoint a Bishop who, under the direction of the Presiding Bishop, shall be in charge of the work of those chaplains in the Armed Forces of the United States who are ordained Ministers of this Church. The Bishop so appointed shall hold office under such conditions and limitations as provided in this Article and as may be provided by Canons of this Church. The Bishop so appointed shall hold office in addition to any other office to which he has been elected or appointed.

Section 8 Upon attaining the age of seventy-two years a Bishop shall tender his resignation from his jurisdiction, but the Diocesan Synod may, by the concurrence of the Clergy and Laity, refuse to accept the same for a period of time set forth by resolution, during which time this Article shall be suspended in such case.

Section 9 Diocesan Bishops, Bishops Coadjutor, and Suffragan Bishops shall reside within the geographical territory of their jurisdiction.

ARTICLE III

Of Bishops for Foreign Lands

Bishops may be consecrated for foreign lands upon due application therefrom, with the approval of a majority of the Bishops of this Church entitled to vote in the House of Bishops, certified to the Presiding Bishop under such conditions as may be prescribed by Canons of the Provincial Synod. Bishops so consecrated shall not be eligible to the office of Diocesan Bishop or of Bishop Coadjutor of any Diocese in the United States or be entitled to vote in the House of Bishops, nor shall they perform any act of the episcopal office in any Diocese or Missionary District of this Church, unless requested so to do by the Ecclesiastical Authority thereof. If a Bishop so consecrated shall be subsequently duly elected as a Missionary Bishop of this Church he shall then enjoy all the rights and privileges given in the Canons to Missionary Bishops.

ARTICLE IV

Of Diocesan Standing Committees

In every Diocese a Standing Committee shall be appointed by the Synod thereof. When there is a Bishop in charge of the Diocese, the Standing Committee shall be his Council of Advice. If there be no Bishop or Bishop Coadjutor or Suffragan Bishop canonically authorized to act, the Standing Committee shall be the Ecclesiastical Authority of the Diocese for all purposes declared by the appropriate Synod. The rights and duties of the Standing Committee, except as provided in the Constitution and Canons of the Provincial Synod, may be prescribed by the Canons of the respective Dioceses.

ARTICLE V
Of New Dioceses

Section 1 A new Diocese may be formed, with the consent of the Provincial Synod and under such conditions as the Provincial Synod shall prescribe by Canon, (1) by the erection into a Diocese of the whole or of any part of one or more Missionary Districts; (2) by the division of an existing Diocese; (3) by the junction of two or more Dioceses or parts of two or more Dioceses; or (4) by the junction of the whole or part of a Missionary District with a Diocese, or with any part of one or more Dioceses. Whenever geographical territories are joined together as a Diocese, these territories must be geographically contiguous. The proceedings shall originate (1) in a Convocation of the Clergy and Laity of the Missionary District called by the Bishop for that purpose; or (2) in the Synod of the Diocese to be divided, with the approval of the Bishop; or (3) by mutual agreement of the Synods of the Dioceses concerned, with the approval of the Diocesan Bishops, when it is proposed to form a new Diocese by the junction of two or more Dioceses or of parts of two or more Dioceses. In case the Episcopate of a Diocese be vacant, no proceedings toward its division shall be taken until the vacancy is filled. During a vacancy in a Missionary District, the consent of the Presiding Bishop must be had before proceedings to erect it into a Diocese are taken. When it shall appear to the satisfaction of the Provincial Synod, by a certified copy of the proceedings and other documents and papers laid before it, that all the conditions for the formation of the new Diocese have been complied with and that it has acceded to the Constitution and Canons of this Church, such new Diocese shall thereupon be admitted to union with the Provincial Synod.

Section 2 In case one Diocese shall be divided into two or more Dioceses, the Bishop of the Diocese divided may elect the one to which he will be attached, and he shall thereupon become the Bishop thereof; and the Bishop Coadjutor, if there be one, may elect the one to which he shall be attached, and (if it be not the one elected by the Bishop) he shall be the Bishop thereof.

Section 3 In case a Diocese shall be formed out of parts of two or more Dioceses, each of the Bishops and Bishops Coadjutor of the several Dioceses out of which the new Diocese has been formed shall be entitled, in order of seniority of consecration, to the choice between his own Diocese and the new Diocese so formed. In case the new Diocese shall not be so chosen, it shall have the right to choose its own Bishop.

Section 4 Whenever a new Diocese is formed and erected out of an existing Diocese, it shall be subject to the Constitution and Canons of the Diocese out of which it was formed, except as local circumstances may prevent, until the same be altered in accordance with such Constitution and Canons by the Synod of the new Diocese. Whenever a Diocese is formed out of two or more existing Dioceses, it shall be subject to the Constitution and Canons of the Diocese to which the greater number of clergymen shall have belonged prior to the erection of the new Diocese, except as local circumstances may prevent, until the same be altered in accordance with such Constitution and Canons by the Synod of the new Diocese.

Section 5 A Diocese formed out of a Missionary District shall be subject to the Constitution and Canons to which such Missionary District was subject, until the same be altered in accordance with such Constitution and Canons by the Synod of the new Diocese.

Section 6 No new Diocese shall be formed unless it shall contain at least six Parishes and at least six Presbyters who have been for at least one year canonically resident within the bounds of such new Diocese, regularly settled in a Parish or Congregation and qualified to vote for a Bishop. Nor shall such new Diocese be formed if thereby any existing Diocese shall be so reduced as to contain fewer than twelve Parishes and twelve Presbyters who have been residing therein and settled and qualified as above provided.

Section 7 The consent of the Provincial Synod to the erection of a new Diocese shall not be given until it has satisfactory assurance of a suitable provision for the support of the Episcopate.

Section 8 Nothing in this Article shall be interpreted to allow a Diocesan Bishop, Bishop Coadjutor, or Suffragan Bishop to reside outside the boundaries of his diocese.

ARTICLE VI
Of Territorial Jurisdiction

Section 1 The House of Bishops may establish Missionary Districts in States and Territories or parts thereof not organized into Diocese. It may also from time to time change, increase, or diminish the territory included in such Missionary Districts in such manner as may be prescribed by Canon.

Section 2 Subject to the conditions described below, the Provincial Synod may accept a cession of the territorial jurisdiction of a part of a Diocese when such cession shall have been proposed by the Bishop and the Synod of such Diocese, and consent thereto shall have been given by three-fourths of the Parishes in the ceded territory, and also by the same ratio of the Parishes within the remaining territory. Likewise, any territorial jurisdiction or any part of the same, which may have been accepted from a Diocese by the Provincial Synod under the foregoing provision, may be returned to the said Dioceses by such joint action of all the several parties as is herein required for its cession. Such actions of the Provincial Synod, whether of cession or retrocession, shall be by a two-thirds majority vote of every House voting by Orders.

Section 3 Missionary Districts shall be organized as may be prescribed by Canon of the Provincial Synod.

ARTICLE VII
Of Protection of Property

Nothing in the Constitution or the Canons or in the Canons of any jurisdiction of this Church shall defeat, entail, or encumber the title or right of any parish, mission, school, or religious community in any of its real property or personalty, or defeat, burden, or delay the right of any Bishop, Priest, Deacon, Deaconess, or employee of this Church to the full enjoyment of any vested portion of pension funds accrued to his account, or of any contractual right belonging to such person. No officer or agent of this Church, or of any jurisdiction, shall resort to any civil court against any parish, mission, school, or religious community for the purpose of enforcing any temporal claim against the same.

ARTICLE VIII
Of Ministers

No person shall be ordered Priest or Deacon to minister in this Church until he shall have been examined by the Bishop and two Priests and shall have exhibited such testimonials and other requisites as the Canons in that case provided may direct. No persons shall be ordained and consecrated Bishop, or ordered Priest or Deacon to minister in this Church, unless at the time, in the presence of the ordaining Bishop or Bishops, he shall subscribe and make the following declaration:

"I do believe the Holy Scriptures of the Old and New Testaments to be the Word of God, and to contain all things necessary to salvation; and I do solemnly engage to conform to the Doctrine, Discipline, and Worship of the Anglican Province of America."

Any person consecrated a Bishop to minister in any Diocese or Missionary District of an autonomous Church or Province of a Church in Communion with this Church may, instead of the foregoing declaration, make the promises of Conformity required by the Church in which he is to minister.

No person ordained by a foreign Bishop, or by a Bishop not in communion with this Church, shall be permitted to officiate as a Minister of this Church until he shall have complied with the Canon or Canons in that case provided and also shall have subscribed the aforesaid declaration.

ARTICLE IX
Of Courts

The Provincial Synod may, by Canon, establish a Court for the trial of Bishops, which shall be composed of Bishops only.

Presbyters and Deacons canonically resident in a Diocese shall be tried by a Court instituted by the Synod thereof; Presbyters and Deacons canonically resident in a Missionary District shall be tried according to Canons adopted by the Bishop and Convocation thereof, with the approval of the House of Bishops; *Provided*, that the Provincial Synod in each case may prescribe by Canon for a change of venue.

The Provincial Synod, in like manner, may establish or may provide for the establishment of Courts of Review of the determination of Diocesan or other trial Courts.

The Provincial Synod, in like manner, may establish an ultimate Court of Appeal, solely for the review of the determination of any Court of Review on questions of Doctrine, Faith or Worship.

None but a Bishop shall pronounce sentence of admonition, or of suspension or deposition, from the Ministry, on any Bishop, Presbyter, or Deacon. A sentence of suspension shall specify on what terms or conditions and at what time the suspension shall cease.

In all trials before any Court of this Church, the accused shall be entitled to due process, as provided by Canon.

ARTICLE X

Of Worship

The 1928 American Edition of the Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church, together with the Psalter or Psalms of David, the Form and Manner of Making, Ordaining, and Consecrating Bishops, Priest, and Deacons, the Form of Consecration of a Church or Chapel, the Office of Institution of Ministers, and Articles of Religion of 1801, as now established or hereafter amended by the authority of this Church, shall be in use in all the Diocese and Missionary Districts of this Church. No alteration thereof or additions thereto shall be made unless the same shall be first proposed in one triennial meeting of the Provincial Synod and by a resolve thereof sent within six months to the Secretary of the Synod of every Diocese and of the Convocation of every Missionary District, to be made known to the Diocesan Synod or Convocation of the Missionary District, at its next meeting, and be adopted by the Provincial Synod at its next succeeding triennial meeting by a two-thirds majority of the whole number of Bishops entitled to vote in the House of Bishops, and by a two-thirds majority in both the House of Clergy and the House of Laity voting by Orders. Any alteration of the Book of Common Prayer must conform to the principles contained in the Preface of the Book of Common Prayer.

The Provincial Synod at any meeting shall have power to amend the Tables of Lessons and all Tables and Rubrics relating to the Psalms by a majority in every House of Provincial Synod voting by Orders.

Nothing in this Article shall be construed as restricting the authority of the Bishops of this Church to take such order as may be permitted by the Rubrics of the Book of Common Prayer or by the Canons of the Provincial Synod for the use of special forms of worship.

The following are permitted for general use in this Church in addition to, and subordination to, The Book of Common Prayer, 1928 American Edition:

- 1 The Book of Offices, Third Edition, 1970, or earlier editions thereof;
- 2 The Calendar and the Collects, Epistles and Gospels contained in the Lesser Feasts and Fasts and Special Occasions (1963 Edition or earlier);
- 3 The Priest's Manual;
- 4 The Book of Occasional Offices (1960 Edition);
- 5 The Hymnal, 1940, and other hymns and music authorized by the incumbent;
- 6 The Anglican Missal;
- 7 The American Missal; and
- 8 Other traditional Anglican liturgies as may be authorized by the Bishop Ordinary.

ARTICLE XI

Of Amendments

No alteration or amendment of this Constitution shall be made unless the same shall be first proposed at one triennial meeting of the Provincial Synod and by a resolve thereof be sent to the Secretary of the Synod of every Diocese and of the Convocation of every Missionary District, to be made known to the Diocesan Synod or the Missionary District Convocation at its next meeting, and be adopted by the Provincial Synod at its next succeeding triennial meeting by a two-thirds majority of the whole number of Bishops entitled to vote in the House of Bishops, and by a two-thirds majority in both the House of Clergy and the House of Laity voting by Orders. Each duly adopted alteration or amendment to this Constitution, unless otherwise expressly stated therein, shall take effect upon the close of the Provincial Synod at which it is finally adopted.

The Provincial Synod in the year of our Lord 2000 shall have the right to change, alter, and amend these Articles, subject to the voting provisions provided herein, without the necessity of said changes, alterations, and amendments first being proposed in the Provincial Synod of 1998.