



2022 Handbook



LUTHERAN CHURCH-CANADA

STATUTORY BYLAWS

BEING A BYLAW ENACTED PURSUANT to section 5 of the *Act to Incorporate Lutheran Church-Canada* (cf. *Appendix A, page 52*) and to provide generally for the carrying out of the objects and purposes of Lutheran Church-Canada.

BE IT ENACTED as a Bylaw of LUTHERAN CHURCH-CANADA as follows:

Article I Interpretation

Definitions

1.01 In these Bylaws unless the context otherwise requires:

“Act” means the *Act to Incorporate Lutheran Church-Canada 7-8 Eliz. II Chap. 68, S.C. 1959*;

“Board” means the Board of Directors of LCC;

“chief administrative officer” means an individual appointed by the Board to assist it in managing the non-ecclesiastical activities and affairs of LCC;

“circuit” means a grouping of Member Congregations located in an area of Canada, the number and boundaries of which are established by the Board from time to time;

“circuit counsellor” has the meaning ascribed to it in the Synodical Bylaws;

“Convention” means a general or special meeting of the delegates appointed by Member Congregations;

“deacon” means an individual received at a Convention or by the Board to the position of deacon;

“delegate” means an individual appointed by a Member Congregation to represent that Member Congregation at a Convention;

“director” means an individual elected at a Convention to the Board;

“Individual Member” means a pastor or a deacon;

“LCC” means Lutheran Church-Canada, the religious body incorporated under the *Act*;

“Member” includes a Member Congregation and an Individual Member;

“Member Congregation” means a community of believers gathered around Word and Sacrament for worship and sharing of doctrine and confession as expressed in the Synodical Constitution, which community has been received at a Convention or by the Board as a Member Congregation;

“Memorandum of Understanding” means an agreement entered into between LCC and an organization which accepts the principles, doctrine and religious standards of LCC as set out in the Synodical Constitution and Synodical Bylaws and which supports the mission and ministry of LCC;

“parish” means two or more Member Congregations that have associated together to constitute a parish, which association has been approved by the Board;

“pastor” means an individual received at a Convention or by the Board to the office of ministry as a pastor;

“region” means a geographic region of Canada established by the Board from time to time;

“regional pastor” has the meaning ascribed to it in the Synodical Bylaws;

“roster” means a list maintained by LCC of all individuals who have been received as pastor or as a deacon and whose status is in good standing, and of all Member Congregations;

“Synod” refers to the voluntary ecclesiastical bond shared by Member Congregations and Individual Members walking together to carry out the ministry and mission given by Christ to His Church;

“Synodical Family” means Member Congregations, Individual Members, and organizations who have entered into a Memorandum of Understanding with LCC;

Save as aforesaid, words and expressions defined in the Act have the same meanings when used herein; and words importing the singular number include the plural and vice versa; words importing gender include the masculine, feminine and neuter genders; and words importing persons include individuals, bodies corporate, partnerships, trusts and unincorporated organizations.

Article II Corporate Seal

2.01 The seal of LCC shall be in such form as shall be prescribed by the Board and shall bear the words "LUTHERAN CHURCH-CANADA".

Article III Head Office

3.01 The head office of LCC shall be located in the City of Winnipeg, in the Province of Manitoba, Canada, and at such a location as the Board may from time to time determine.

Article IV Fiscal Year

4.01 Unless otherwise determined by the Board the fiscal year end of LCC shall be the last day in January each year.

Article V Auditors

5.01 The delegates present at a Convention shall, by resolution, appoint an auditor to audit the financial statements of LCC for report to the delegates at the next Convention. The auditor shall hold office until the next Convention, provided that the Board may fill any vacancy which may occur in the office of auditor. The remuneration of the auditor shall be fixed by the Board.

Article VI Synod, Synodical Constitution, Synodical Bylaws, Roster and Synodical Family

6.01 The Synod represents a voluntary ecclesiastical bond shared by Member Congregations and Individual Members who have accepted the principles, doctrine and religious standards of LCC and have been received as a Member as set out in the Synodical Constitution and Synodical Bylaws. This ecclesiastical bond does not create a legal relationship or government. The Synod (the voluntary ecclesiastical entity) has no secular status, does not own property or enter into contracts, and has no employees.

6.03 The principles, doctrine, and religious standards adopted by LCC are those set out in the Synodical Constitution and Synodical Bylaws.

6.05 The Synodical Constitution and Synodical Bylaws adopted by LCC shall be adhered to by all those sharing the ecclesiastical bond represented by the Synod. The Synodical Constitution and Synodical Bylaws may be amended in the manner set out in such documents.

6.07 LCC shall establish and maintain a roster of Member Congregations and of Individual Members. The eligibility of Members to be included on the roster, the requirements for continuing on the roster, and the circumstances under which a Member might be removed from the roster, either on a temporary or a permanent basis, are set out in the Synodical Bylaws.

6.09 An organization which supports the principles, doctrine and religious standards of LCC as set out in the Synodical Constitution and the Synodical Bylaws may apply to the Board to enter into a Memorandum of Understanding under which such organization would support the mission and ministry of LCC. Any such organization will be considered part of the Synodical Family. The Board may terminate a Memorandum of Understanding with an organization in the event the Board is of the opinion that the organization is conducting its affairs in a manner inconsistent with the principles, doctrine and religious standards of LCC or in a manner inconsistent with supporting the mission and ministry of LCC.

6.11 In the event of a discrepancy between a provision in the Synodical Constitution or Synodical Bylaws in a manner specifically dealt with in these Statutory Bylaws, the provisions of these Statutory Bylaws shall prevail.

Article VII Membership

7.01 There shall be two classes of membership, namely:

- a. Member Congregation; and
- b. Individual Member.

7.03 An applicant for membership in LCC becomes a Member upon being received as a Member in the manner set out in this Statutory Bylaw, in the Synodical Constitution, and in the Synodical Bylaws.

7.05 The eligibility and entitlement of a community of believers to be received as a Member Congregation and the rules, procedures and entitlements necessary for a community of believers to be received as a Member Congregation are those set out in the Synodical Constitution and Synodical Bylaws.

7.07 Each Member Congregation must be incorporated or otherwise established as a separate identifiable entity and must adopt a constitution and otherwise conduct their activities and affairs in a manner consistent with the provisions of the Synodical Constitution.

7.09 Each Member Congregation must be or become a registered Canadian charity and is expected to gift to LCC a share of the offerings the Member Congregation receives from its communicant members in order to support the mission and ministry conducted by LCC on a regional, national and international basis.

7.11 Each Member Congregation shall be entitled to vote at Conventions in the manner provided for in these Statutory Bylaws.

7.13 The membership of a Member Congregation may be suspended, and the membership of a Member Congregation may be terminated as provided in the Synodical Constitution and Synodical Bylaws. 7.15 Each pastor and each deacon on the roster of LCC shall be an Individual Member.

- 7.17 In the event an individual ceases to be on the roster of LCC such person shall cease to be an Individual Member.
- 7.19 An Individual Member is not entitled to vote at Conventions by virtue of that person's status as an Individual Member.
- 7.21 Each Member Congregation and each Individual Member, as a condition of membership in LCC, must accept the authority of the president to exercise the ecclesiastical supervisory functions of the president as set out in the Synodical Constitution and the Synodical Bylaws.
- 7.23 No Member Congregation and no Individual Member is entitled to any share of the property of LCC upon termination of that former Member's membership in LCC.

Article VIII Appointment of Delegates

- 8.01 Subject to 8.03 and 8.05, at least ninety (90) days prior to a Convention, each Member Congregation shall appoint two individuals as its delegates to represent that Member Congregation at the Convention. One delegate must be a pastor serving that Member Congregation and one delegate must be a lay person who is a Member of that Member Congregation.
- 8.03 Where two or more Member Congregations form a parish and are served by more than one pastor, those Congregations must jointly appoint one pastor and one lay person to represent the Member Congregations at the Convention.
- 8.05 Where two or more Member Congregations form a parish and are served by the same pastor or are served by the same pastor but not formally organized as a parish, they will be considered as a parish and those Congregations may only appoint one pastor and one lay person as delegates to represent them at the Convention.
- 8.07 In the event a Member Congregation is served by a vacancy pastor or by an interim pastor, that pastor may be appointed as one of the Member Congregation's delegates provided that he has not been appointed as a delegate by his own parish.
- 8.09 No pastor may be appointed as a delegate by more than one Member Congregation.
- 8.11 No person listed as an advisor under 9.29 is eligible to be appointed as a lay person to represent a Member Congregation as its lay delegate.
- 8.13 The names and addresses of each individual appointed as a delegate by a Member Congregation shall be forwarded to the secretary together with such other information as may be required by the secretary.
- 8.15 In the event a lay delegate of a Member Congregation is unable to attend a Convention, the Member Congregation may appoint an alternate qualified individual as a delegate for that Convention.
- 8.17 It shall be the responsibility of delegates to function as resource persons within that delegate's Member Congregation and to assist in the dissemination and implementation by the Member Congregation of resolutions passed at a Convention.
- 8.19 Each region shall send one advisory delegate for every 30 advisory pastors (or fraction thereof) and one advisory delegate for every 30 deacons (or fraction thereof) on the roster of the Synod assigned to the region. Any rostered pastor is advisory if he is not a voting delegate. Each region shall be entitled to at least one advisory delegate in each category. Additionally, one deacon at large shall be elected so that a minimum of four deacons (at least one from each region by numerical representation and one deacon at large) shall act as advisory delegates at convention. Whether the election occurs in person or remotely, nominations should be sought from the region's advisory pastors (in relation to the pastoral advisory delegate) and the region's deacons (in relation to the diaconal delegate) prior to voting. The election of the deacon at large shall be made by a paper or electronic ballot arranged by the Regional Pastor, with nominations from the deacons of LCC preceding the election and with each deacon on the roster eligible to participate. The elections of the regional diaconal delegates and the election of the deacon at large shall not run concurrently so as to allow unelected nominees from one election to be nominated for the other. Such elections must be completed at least 90 days prior to the opening day of the Convention. The Regional Pastor will inform the Secretary of the Synod of the results.

Article IX Conventions

- 9.01 A Convention shall be held every four years at a time and place determined by the Board. The Convention may, however, be postponed due to extraordinary events (acts of God, war, terrorism, government regulations, disaster, strikes, civil disorder, pandemic, etc.). In such a case, the Convention is to be held as soon as practicable.
- 9.03 No notice of a Convention need be given to a Member Congregation or to a delegate appointed by that Member Congregation. The secretary shall publish in an official periodical published by LCC, the time and place of each quadrennial Convention at least six months in advance of the opening date of the Convention. Such notice shall indicate the business to be conducted at the quadrennial Convention.
- 9.05 At each quadrennial Convention, the delegates shall receive a report from the president and from the Board; shall appoint auditors; shall elect a president and a vice-president, shall elect directors and members of such commissions as may be established and prescribed from time to time in the Synodical Bylaws; and shall transact such other business as may properly come before the Convention.
- 9.07 The delegates at a Convention shall determine all matters relating to carrying out the ecclesiastical mission of LCC including establishing standards for the admission and continuance of Members on the roster, the manner of determining questions of principle, practice, doctrine, conscience and procedures at Conventions not otherwise provided for in these Statutory Bylaws, and such other matters as provided in the Synodical Constitution and Synodical Bylaws.

- 9.09 A Convention shall have the exclusive right:
- a. To adopt all amendments to these Statutory Bylaws, the Synodical Constitution, and the Synodical Bylaws;
 - b. To elect and to remove the president;
 - c. To authorize any relationship between LCC and organizations who wish to enter into a Memorandum of Understanding, including other church bodies, synods, or federations, or to authorize the discontinuance of any such relationship;
 - d. To approve the disposition of all or substantially all of the assets of LCC; and
 - e. To approve the dissolution of LCC.
- 9.11 The delegates in attendance at a Convention shall also determine those matters applicable to LCC and to the Synod set out in the Synodical Constitution and the Synodical Bylaws.
- 9.13 A quorum for a Convention shall consist of at least 25% of the eligible delegates.
- 9.15 Except as otherwise provided, all matters at a Convention shall be decided by a majority vote of delegates voting on the matter. Each delegate in attendance at the Convention shall be entitled to one vote on each matter to be decided at the Convention. In the case of a tie the resolution shall fail.
- 9.17 A Special Convention may be called for specified purposes as provided for in the Synodical Constitution and Synodical Bylaws.
- 9.19 If two-thirds of the members of the Board request the calling of a Special Convention, the Board shall call a Special Convention.
- 9.21 If two-thirds of the delegates present at a Convention vote to call a Special Convention, the Board shall call a Special Convention.
- 9.23 No notice of a Special Convention need be given a Member Congregation, or a delegate appointed by that Member Congregation. The secretary shall publish in an official periodical published by LCC the time and place of the Special Convention at least ninety (90) days prior to the opening date of the Special Convention. Such notice shall indicate the business to be conducted at the Special Convention.
- 9.25 Those eligible to attend and vote at a Special Convention shall be those delegates in office at the time of the preceding Convention except those delegates who have been disqualified by termination of membership in the Member Congregation which they represent. A vacancy in the position of a delegate shall be filled by the Member Congregation which appointed the delegate whose position became vacant.
- 9.27 Those expected to attend and participate in a Convention include:
- a. Voting delegates representing Member Congregations;
 - b. Advisory Delegates listed in Statutory Bylaw 8.19;
 - c. Advisory representatives listed in 9.29
- 9.29 Advisory representatives include the following:
- a. Members of the Board of Directors of LCC
 - b. The Auditor
 - c. Regional Pastors
 - d. One representative from each Commission except where these bylaws stipulate additional representation
 - e. One representative from each RMMC
 - f. One representative from the Board of Regents of an educational institution which has entered into a Memorandum of Understanding with LCC; and
 - g. One faculty member from each educational institution which has entered into a Memorandum of Understanding with LCC.
- 9.31 Others who may attend the Convention as observers include:
- a. Pastors and deacons who are not voting or advisory delegates;
 - b. Pastors whose Congregations have not been received as a Member Congregation;
 - c. Candidates for the office of pastor or position of deacon; and
 - d. Any other person as may be approved as a guest or visitor to the Convention by the President.
- 9.33 Voting delegates are entitled to speak and vote at a convention. Advisory delegates and representatives are entitled to speak at a Convention. A guest or visitor may only speak at a Convention with the permission of the chair of the Convention.
- 9.35 In the case of a question or dispute over procedure to be followed in the conducting of a vote or carrying on the business of a Convention, Robert's Rules of Order – the Modern Edition, shall be followed except where inconsistent with these Statutory Bylaws.

Article X Annual Meeting of Members

- 10.01 Time of Meeting
An annual meeting of the Members may be held in each year within six months of the end of the immediately preceding Fiscal year of Lutheran Church-Canada, or as soon as practicable thereafter, as the board may determine.
- 10.03 Attendees
All Members shall be entitled to attend the annual meeting of the Members, provided, however, that, in accordance with section 7.19, Individual Members shall not be entitled to vote thereat.

10.05 Delegates

With respect to Member Congregations, the delegates entitled to attend the annual meeting of the Members, shall be the delegates appointed by the Member Congregation in question to attend the last quadrennial Convention of the Lutheran Church-Canada, provided that the Member Congregation may appoint different delegates to the annual meeting of the Members, subject to the restriction in section 8.11, and the requirement that the Member Congregation shall provide the names and addresses (including e-mail address) of each individual so appointed to the secretary at least 15 days prior to the annual meeting of the Members.

10.07 Meeting to be held by Electronic Means

The annual meeting of the Members may be held entirely by means of a telephonic, electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting, as determined by the directors. A person participating in a meeting by such means is deemed to be present at the meeting. Any person participating in an annual meeting of Members pursuant to this section who is entitled to vote at that meeting may vote, by means of any telephonic, electronic or other communication facility that has made available for that purpose.

10.09 Quorum

A quorum for an annual meeting of Members shall consist of at least 1% of eligible delegates.

10.11 Business of the meeting

At each annual meeting of Members:

- a. the report of the Board of Directors, the financial statements of the Corporation and the report of the auditors thereon (if applicable) shall be presented;
- b. auditors shall be appointed (or the appointment of auditors dispensed with) for the ensuing fiscal year; and
- c. additional business may be considered at the annual meeting of the Members, provided that the directors shall provide the members with notice of such business which contains sufficient detail to permit a Member to form reasoned judgment on the business. The members should also receive the stated text of any special resolutions to be submitted to the meeting.

Article XI Officers and Chief Administrative Officer

11.01 The officers of LCC shall be the president, the vice-president, and the secretary. The president must be a pastor. The vice-president must be a pastor serving a Member Congregation. No individual may hold more than one of these offices.

11.03 The president and the vice-president shall be elected at a Convention in accordance with the procedures set out in the Synodical Bylaws. The term of office of such officers shall be four years or until their successor takes office, commencing on the first day of September after such election or such other date as may be determined by the Convention. An incumbent officer whose term of office is about to expire is eligible for re-election.

11.05 The Board, may by resolution passed by a 2/3rds majority of the directors suspend a power of a duty given to the president or to the vice-president under the Statutory Bylaws, the Synodical Constitution or the Synodical Bylaws.

11.07 The secretary shall be appointed by the Board from among its Members.

11.09 Each officer must be a communicant member of a Member Congregation. The term of office of an officer shall terminate in the event such individual ceases to be a member of a Member Congregation.

11.11 The president shall be the chief ecclesiastical officer of LCC and shall exercise the ecclesiastical supervisory functions of the president as set out in the Synodical Constitution and Synodical Bylaws.

11.13 In addition the president shall:

- a. Be the chief spokesperson and the representative of LCC in all matters except as may be determined by the Board;
- b. Ensure that the resolutions of a Convention are carried out;
- c. Be responsible for implementing resolutions passed by the Board, as determined by the Board;
- d. Sign contracts and documents or instruments in writing in the name of LCC;
- e. Be an ex-officio non-voting member of all committees of the Board;
- f. Report on his activities to each meeting of the Board and to each Convention; and
- g. Have such additional powers and shall perform such additional duties as may be set out in the Synodical Constitution and Synodical Bylaws or in a resolution of a Convention, or as may be determined by the Board.

11.15 The vice-president shall, upon request of the president, represent the president and carry out the president's functions in the manner specified by the president.

11.17 In the event the president is unwilling or unable to continue in office, or in the case of the suspension of a power or duty of the president by the Board, the vice-president must assume that power or duty in the president's place, until the expiration of that suspension or of the president's term of office.

11.19 The secretary shall record the proceedings during Conventions, draw up and sign the official papers and documents of LCC and perform such other duties which may be set out in the Synodical Bylaws or as may be prescribed by the Board or by resolution of a Convention.

11.21 The Board may fill any vacancy on the Board, or in the office of the vice-president, by appointment of a qualified individual to hold such office for the balance of the unexpired term.

11.23 The Board shall appoint the chief administrative officer who shall be an employee of LCC. The chief administrative officer shall discharge the non-ecclesiastical responsibilities assigned to the chief administrative officer by the Board and shall supervise the activities of all employees of LCC other than the president and the regional pastors. The chief administrative officer shall be responsible for preparing annual budgets to be presented to the Board as well as preparing a four-year forecast to be presented to each quadrennial Convention. The chief administrative officer shall encourage offerings for the work of LCC on regional, national and international levels; keep an exact record of all moneys received and expended by LCC; administer LCC's financial affairs; and at any time submit to an examination of the chief administrative officer's books and accounts by an auditing committee when so ordered by the Board or a Convention.

Article XII Board of Directors

- 12.01 Directors shall be elected at each quadrennial Convention in accordance with the Synodical Bylaws, and shall include 11 Members namely:
- The president;
 - The vice-president;
 - Eight individuals, three of whom must be pastors and five of whom must be lay persons who are confirmed members of Member Congregations, provided that at least one such individual must be a resident in each region at the time of election; and
 - One individual who is a deacon.
- 12.03 The term of office of directors shall be four years or until their successor takes office, commencing on the first day of September after such election or such other date as may be determined by the Convention. Except for the offices of President and Vice-President, directors may not serve more than three consecutive 4-year terms.
- 12.05 No person, except the president, shall be eligible to hold office as a director if that person is employed by LCC, or by another entity controlled by LCC.
- 12.07 No person shall be eligible to be elected as a director or to continue in office as a director if that person:
- Has the status of being bankrupt;
 - Is of unsound mind and has been so found by a Court in Canada or elsewhere;
 - Is an "ineligible individual" within the meaning of subsection 149.1(1) of the *Income Tax Act* (Canada);
 - Is an Individual Member, who has been suspended or removed from roster;
 - Ceases to be a communicant member of a Member Congregation.

Article XIII Authority of the Board

- 13.01 The activities and affairs of LCC shall be managed by the Board, subject to the provisions of the Synodical Constitution and Synodical Bylaws.
- 13.03 During the intervals between Conventions, the Board shall possess and may exercise (subject to any restrictions which the Convention may from time to time make) all of the powers of the Convention (save and except only such powers as are given to the president and such powers as Synodical Constitution or Synodical Bylaws states must be performed by the Convention itself) in such manner as the Board may deem best in the interest of LCC in all cases in which specific direction shall not have been given by the Convention. All actions of the Board shall be reported to the Convention next succeeding such actions and shall be subject to revision or alteration by the Convention; provided that no acts or rights of third parties shall be affected or invalidated by any such revision or alteration.

Article XIV Directors' Meetings

- 14.01 Meetings of the Board may be held at any time and place to be determined by the Board. Notice by mail shall be sent to each director at least fourteen (14) days prior to the meeting, provided that 48 hours' notice of such meeting may be given, other than by mail, to each director. There shall be at least three meetings per year of the Board. No error or omission in giving notice of any meeting of the Board or any adjourned meeting of the Board shall invalidate such meeting or make void any proceedings taken thereat, and any director may at any time waive notice of any such meeting and may ratify, approve and confirm any or all proceedings taken or had thereat. A special meeting of the Board shall be held upon call by the chairman, the president, or upon written request of any six of the directors.
- 14.03 If all the directors consent thereto generally or in respect of a particular meeting, a director may participate in a meeting of the Board or of a committee of the Board by means of such conference telephone or other communications facilities as permit all persons participating in the meeting to hear each other, and a director participating in such a meeting by such means is deemed to be present at the meeting.
- 14.05 A resolution in writing, signed by all the directors entitled to vote on that resolution at a meeting of directors is as valid as if it had been passed at a meeting of directors.
- 14.07 At any meeting, a majority of the directors shall constitute a quorum. Each director is entitled to exercise one vote on a resolution at a meeting of directors.
- 14.09 The Board shall elect its own chair, vice-chair, and establish other positions as it deems necessary for the carrying out of its duties and responsibilities.
- 14.11 In the case of a question or dispute over procedure to be followed in the conducting of a vote or carrying on the business of a meeting of the Board, or a Committee of the Board, Robert's Rules of Order – the Modern Edition, shall be followed except where inconsistent with these Statutory Bylaws.

Article XV Executive and Committees of the Board

- 15.01 The Executive shall consist of the president, the vice-president, the secretary, the chair, and the vice-chair. The Executive shall from time to time prepare agendas for meetings of the Board and ensure that the meetings of the Board have sufficient information and alternatives available to them in order to deal with the matters included on such agendas. During the intervals between the meetings of the Board, the Executive shall possess and may exercise (subject to any restrictions which the Board may from time to time make) all of the powers of the Board in the management and direction of the day to day operation of LCC (save and except only such acts as must by the Act be performed by the Board itself) in such manner as the Executive may deem best in the interest of the LCC in all cases in which specific direction shall not have been given by the Board. All actions of the Executive shall be reported to the Board at the meeting next succeeding such actions and shall be subject to revision or alteration by the Board; provided that no acts or rights of the parties shall be affected or invalidated by any such revision or alteration.
- 15.03 The Board shall establish the following Standing Committees: a Finance Committee, a Governance Committee, a Personnel Committee, an International Missions Committee, and a Communications and Technology Committee. Such committees shall consist of not less than three persons appointed by the Board. At least one member of each Standing Committee must be a director. Each such committee shall elect its own chair and appoint its own recording secretary and establish its own procedures. Minutes of each committee meeting shall be kept by the recording secretary of the committee and shall be forwarded to the secretary of the Synod.
- 15.05 The president shall be an ex-officio non-voting member of each Standing Committee.
- 15.07 The Finance Committee shall oversee the work and activities of the chief administrative officer. It shall review work programs on spending budgets for presentation to the Board. It shall have authority to amend budget allocations between meetings of the Board and shall report all such actions to the next meeting of the Board for ratification or amendment.
- 15.09 The Governance Committee shall from time to time review the overall performance of the Board and shall report its finding and comments following such review to the Board. The Governance Committee shall also make recommendations to the Board concerning emerging best practices of corporate governance to improve Board performance and accountability; ensure the development of Board policies and procedures on an ongoing basis to advance good corporate governance and to ensure their incorporation into a Governance Manual following approval by the Board; develop and implement a process for assessing, on an annual basis, the performance of the Board; monitor compliance with the requirements of the Act and the Statutory Bylaws; and consider and make recommendations on any matter that may involve a conflict of interest.
- 15.11 The Personnel Committee shall develop policies to be administered by the chief administrative officer governing the employment and remuneration of all executive staff and employees of LCC.
- 15.13 The International Missions Committee shall oversee and monitor the work and activities of seminary training, continuing education, financial support of pastors and deacons, or various works of mercy in the international mission areas of the Synod.
- 15.15 The Communications and Technology Committee shall provide advice, direction and resources to congregations, church workers, and other synodical entities in the areas of communications and technology. It shall also be tasked with the development of various means of communicating information both within and outside the Synod.
- 15.17 The Board may from time to time appoint such other committees as it may deem advisable, but the functions of any such committee shall be advisory only.

Article XVI Protection of Directors, Officers and Others

- 16.01 Every director and officer of LCC in exercising that person's powers and discharging that person's duties, shall act honestly and in good faith with a view to the best interests of LCC and exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances. Subject to the foregoing, no director or officer of LCC shall be liable for the acts, receipts, neglects or defaults of any other director or officer or employee, or for any loss, damage or expense happening to LCC through the insufficiency or deficiency of title to any property acquired for or on behalf of LCC, or for the insufficiency or deficiency of any security in or upon which any of the moneys of LCC shall be invested, or for any loss or damage arising from the bankruptcy, insolvency or tortious acts of any person with whom any of the moneys, securities or effects of LCC shall be deposited, or for any loss occasioned by any error of judgement or oversight on that person's part, or for any other loss, damage or misfortune whatever which shall happen in the execution of the duties of that person's office or in relation thereto; provided that nothing herein shall relieve any director or officer of LCC from the duty to act in accordance with any legislation governing LCC or from liability for any breach of such legislation.
- 16.03 Subject to the limitations contained in any applicable legislation governing LCC, LCC shall indemnify a director or officer of LCC, a former director or officer, or a person who acts or acted at LCC's request as a director or officer of a body corporate of which LCC is or was a shareholder or creditor, and that person's heirs and legal representatives, against all costs, charges and expenses, including an amount paid to settle an action or satisfy a judgment, reasonably incurred by that person in respect of any civil, criminal or administrative action or proceeding to which that person is made a party by reason of being or having been a director or officer of LCC or such body corporate, if
- such person acted honestly and in good faith with a view to the best interests of LCC; and
 - in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, such person had reasonable grounds for believing that such person's conduct was lawful.

LCC shall also indemnify such person in such other circumstances as any legislation governing LCC may permit or require.

16.05 LCC may purchase and maintain insurance for the benefit of any person referred to in section 15.03 against such liabilities and in such amounts as LCC may from time to time determine and as are permitted by any such legislation.

Article XVII Regions and Circuits

17.01 The area of Canada in which Member Congregations are located shall be divided into at least three geographic areas, Each Member Congregation shall belong to a region. The boundary of a region is established by the Board of Directors in consultation with member congregations in that geographical area.

17.03 Each region shall be divided by the Board into circuits. Each Member Congregation shall be assigned by the Board to a circuit. The purpose and activities of each circuit will be those set out in the Synodical Bylaws.

17.05 The congregations comprising each region and each circuit must send representatives to each regional convocation and each circuit convocation held from time to time.

17.07 It is expected that each region and that each circuit will hold a convocation at least once every Convention cycle.

17.09 Topics to be discussed at convocations may include doctrinal essays, stewardship education, mission outreach, evangelism training, Sunday school teacher training and support, ministry support, and the like.

17.11 The delegates of Member Congregations in each region shall elect an individual in the manner set out in the Synodical Bylaws as the regional pastor for the region. An individual may be selected as a regional pastor for more than one region. The president shall supervise the work of each regional pastor in his region.

17.13 Each circuit shall select an individual in the manner set out in the Synodical Bylaws as the circuit counsellor for that circuit. The regional pastor shall supervise the work of each circuit counsellor in his region.

Article XVIII Signature and Certification of Documents

18.01 Contracts, documents or any instruments in writing requiring the signature of LCC, shall be signed by any two of the president, the vice-president, the secretary, or the chief administrative officer, and all contracts, documents and instruments in writing so signed shall be binding upon LCC without any further authorization or formality. The directors shall have power from time to time by resolution to appoint an officer or officers on behalf of LCC to sign specific contracts, documents and instruments in writing. The directors may give LCC's power of attorney to any registered dealer in securities for the purposes of the transferring of and dealing with any stocks, bonds, and other securities of LCC. The seal of LCC when required may be affixed to contracts, documents and instruments in writing signed as aforesaid or by any officer or officers appointed by resolution of the Board.

Article XIX Books and Records

19.01 The directors shall see that all necessary books and records of LCC required by the Act, these Statutory Bylaws, the Synodical Constitution the Synodical Bylaws or by any applicable statute or law are regularly and properly kept.

Article XX Amendment of Statutory Bylaws

20.01 These Statutory Bylaws may be repealed or amended by a bylaw adopted by a two-thirds majority of the votes cast by the delegates at a Convention, written notice of which has been given to all Member Congregations not less than thirty (30) days before the Convention enclosing the bylaw or a summary specifying the general nature of such bylaw.

ADOPTED by a majority of at least two-thirds of the votes cast by the delegates at a Convention duly called and held the thirteenth (13) day of June 2022.

LUTHERAN CHURCH-CANADA

Per: Rev. Timothy Teuscher
PRESIDENT

Per: Grace Henderson
SECRETARY

**SYNODICAL CONSTITUTION OF
LUTHERAN CHURCH-CANADA PREAMBLE**

Reason for Forming Lutheran Church-Canada

1. The example of the apostolic Church. Acts 15:1-31.
2. Our Lord's will that the diversities of gifts should be for the common profit. 1 Cor. 12:4-31.
3. The conviction that such an organization will facilitate our witness to the Gospel of Jesus Christ in our country and throughout the world.

Article I Status and Definitions

1. This Synodical Constitution has been passed pursuant to the Statutory Bylaws enacted pursuant to the Act.
2. In this Synodical Constitution words and expressions defined in the Act, in the Statutory Bylaws, and in the Synodical Bylaws have the same meanings when used herein.

Article II Confession

Lutheran Church-Canada, and every Member of Lutheran Church-Canada accepts without reservation:

1. The Scriptures of the Old and the New Testament as the written Word of God and the only rule and norm of faith and of practice;
2. All the Symbolical Books of the Evangelical Lutheran Church as a true and unadulterated statement and exposition of the Word of God, to wit: the three Ecumenical Creeds (the Apostles' Creed, the Nicene Creed, the Athanasian Creed), the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, The Treatise on the Power and Primacy of the Pope, the Large Catechism of Luther, the Small Catechism of Luther, and the Formula of Concord.

Article III Objectives

The Synod, under Scripture and the Lutheran Confessions, shall:

1. Conserve and promote the unity of the true faith (Eph. 4:3-6; 1 Cor. 1:10), work through its official structure toward fellowship with other Christian church bodies, and provide a united defense against schism, sectarianism (Rom. 16:17), and heresy;
2. Strengthen congregations and their members in giving bold witness by word and deed to the love and work of God, the Father, Son, and Holy Spirit, and extend that Gospel witness into all the world;
3. Recruit and train pastors, deacons, and other professional church workers and provide opportunity for their continuing growth;
4. Provide opportunities through which its members express their Christian concern, love, and compassion in meeting human needs;
5. Aid congregations to develop processes of thorough Christian education and nurture and to establish agencies of Christian education such as elementary and secondary schools;
6. Aid congregations by providing a variety of resources and opportunities for recognizing, promoting, expressing, conserving, and defending their confessional unity in the true faith;
7. Encourage congregations to strive for uniformity in church practice, but also to develop an appreciation of a variety of responsible practices and customs which are in harmony with our common profession of faith;
8. Provide evangelical supervision, counsel, and care for pastors, deacons, and other professional church workers in the performance of their official duties;
9. Provide protection for congregations, pastors, deacons, and other professional church workers in the performance of their official duties and the maintenance of their rights;
10. Aid in providing for the welfare of pastors, deacons, and other church workers, and their families, in the event of illness, disability, retirement, special need, or death.

Article IV Prerequisites to Membership

No community of believers and no individual shall be entitled to membership in Lutheran Church-Canada unless that community, that pastor or that deacon confesses and accepts the confessional basis of the Evangelical Lutheran Church as stated in Article II.

A community of believers, a pastor, a deacon, and a candidate for the office of the ministry or for the position of a deacon must be received at a Convention or by the Board in order to become a Member of Lutheran Church-Canada.

A community of believers may not be received as a Member Congregation unless a Convention or the Board has passed a resolution confirming that it is satisfied that the constitution of the community submitted by that community contains nothing contrary to the Scriptures or the Confessions.

A pastor, deacon, or candidate for the office of the ministry or for the position of a deacon not coming from recognized orthodox church body, must submit to a colloquy before being received as an Individual Member.

Article V Additional Conditions of Membership

Additional conditions for acquiring and holding membership in Lutheran Church-Canada include:

1. Acceptance of the confessional basis of Article II.
2. Renunciation of unionism and syncretism of every description, such as:
 - a. serving congregations of mixed confession, as such, by pastors;
 - b. taking part in the services and sacramental rites of heterodox congregations or of congregations of mixed confession;
 - c. participating in heterodox tract and missionary activities.
3. Regular call of pastors and deacons and regular election of lay delegates by the congregations, as also the blamelessness of the life of such.
4. Exclusive use of doctrinally pure agenda, hymn books, and catechisms in church and school.
5. Service of a Member Congregation by a pastor who is an Individual Member.

Article VI Termination of Membership

1. The membership of a Member who acts contrary to the confession laid down in Article II or to the conditions of membership set out in Article V or persists in an offensive conduct, shall, after previous futile admonition, be terminated.
2. Termination of membership shall come into effect only after following any procedures set out in the Synodical Bylaws.
3. If the membership of a Member being terminated is a pastor or deacon serving a congregation which is a Member Congregation, such congregation shall rescind his call and deal with him in accordance with the Word of God, notwithstanding an appeal. If the congregation fails to do so, the regional pastor shall deal with the congregation. If all negotiations and admonitions of the regional pastor fail, such congregation shall cease to be a Member Congregation as provided in the Synodical Bylaws.

Article VII Relation of the Synod to Congregations

The Synod is not an ecclesiastical government exercising legislative or coercive powers, and with respect to an individual congregation's right of self-government. The Synod is advisory. Accordingly, no resolution of Lutheran Church-Canada impacting on a Member Congregation other than on the Member Congregation's rights and status as a Member is of binding force if it is not in accordance with the Word of God or if it appears to be inexpedient as far as the condition of a Member Congregation is concerned. (*Cf. Synodical Bylaws, 1.21b*)

Article VIII Rights of Conventions

In addition to the authority vested in a Convention under the Statutory Bylaws, a Convention shall be the paramount decision-making authority of Lutheran Church-Canada in all ecclesiastical matters established under this Synodical Constitution and the Synodical Bylaws, subject to any limitations set out in the Statutory Bylaws, the Synodical Constitution, and the Synodical Bylaws. All matters of doctrine and of conscience discussed at a Convention shall be decided only by the Word of God.

Article IX Ecclesiastical Functions of Officers

In addition to the duties and responsibilities of the officers under the Statutory Bylaws, an individual officer shall exercise the ecclesiastical functions given to those officers in this Synodical Constitution and the Synodical Bylaws.

Article X Ecclesiastical Authority of President

1. The president shall have ecclesiastical supervision regarding doctrine expressed by all officers and employees of Lutheran Church-Canada.
2. It is the president's ecclesiastical responsibility to see to it that all the aforementioned act in accordance with the confession set out in this Synodical Constitution, to admonish all who in any way depart from it, and, if such admonition is not heeded, to report such cases to the Convention.
3. The president has and always shall have the responsibility to advise, admonish, and reprove. He shall conscientiously use all means at his command to promote and maintain unity of doctrine and practice in all the regions.
4. The president shall:
 - a. Manage the delivery of the following services:
 - (i) providing ecclesiastical supervision
 - (ii) building community
 - (iii) caring for Members
 - (iv) training church workers
 - (v) engaging in Canadian Missions
 - (vi) engaging in World missions
 - (vii) providing social ministry
 - b. Provide pastoral leadership, oversight and support to the regional pastors,
 - c. Provide leadership in the strategic planning process of Lutheran Church-Canada and the Synodical Family,
 - d. Represent Lutheran Church-Canada at national and international meetings and gatherings of Lutherans and other multi- denominational gatherings,
 - e. Represent Lutheran Church-Canada as required at meetings and gatherings of organizations with which Lutheran Church-Canada has signed a Memorandum of Understanding,
 - f. Monitor compliance with the Memoranda of Understanding signed with other organizations.

Article XI Amendments to the Synodical Constitution

1. Amendments to this Synodical Constitution may be made provided they do not conflict with the provisions laid down in the Act or Statutory Bylaws, or in Article II and in Article V.
2. All proposed amendments must be submitted in writing to a Convention, and each proposed amendment shall be voted on separately. A two-thirds majority of all votes cast at a Convention shall be necessary for adoption.
3. After adoption by the Convention such amendments shall be reported to the Member Congregations in an official periodical of Lutheran Church-Canada.
4. Proposed amendments to the Synodical Constitution adopted by a Convention shall be submitted directly to each Member Congregation on an official ballot, and the Member Congregations shall by official action express their affirmative or negative vote and indicate the same to the secretary of Lutheran Church-Canada on this official ballot. The proposed amendment shall become effective at the expiration of six months from the date on which the amendment was adopted by a Convention, provided a two-thirds majority of the votes cast by Member Congregations within that period shall have favored the amendment. At the end of the six-month period the secretary of Lutheran Church- Canada shall announce the outcome of the voting in an official periodical of Lutheran Church-Canada.

Article XII Repeal of Previous Synodical Constitution

The Synodical Constitution and all amendments to it are repealed as of the effective date of this Synodical Constitution.

ADOPTED by a majority of at least two-thirds of the votes cast by delegates at a Convention this fifteenth (15) day of October 2017.

LUTHERAN CHURCH-CANADA

Per: Rev. Robert Bugbee
PRESIDENT

Per: Rev. Paul Schallhorn
SECRETARY

NOTICE

This Synodical Constitution was APPROVED by a two-thirds majority of votes cast at the 2017 Convention of Lutheran Church-Canada and approved by a two-thirds majority of the votes cast by Member Congregations of Lutheran Church-Canada effective the twenty-sixth (26) day of April 2018.

SYNODICAL BYLAWS OF LUTHERAN CHURCH-CANADA

These Synodical Bylaws are passed pursuant to the Statutory Bylaws and the Synodical Constitution of Lutheran Church-Canada and are subject to the provisions of the Statutory Bylaws and the Synodical Constitution.

In the event of a discrepancy between a provision in the Synodical Bylaws and a provision in the Synodical Constitution or Statutory Bylaws on matters specifically dealt with in the Statutory Bylaws or in the Synodical Constitution the provisions of the Statutory Bylaws or in the Synodical Constitution shall prevail.

In these Synodical Bylaws words and expressions defined in the Act and in the Statutory Bylaws have the same meaning these Synodical Bylaws, except where the context otherwise dictates.

I. PREAMBLE

A. CONFESSION

1.001 Confessional Position

The confessional position of LCC is set forth in Article II of the Synodical Constitution, to which all who wish to be and remain Members of Lutheran Church-Canada shall subscribe.

1.003 Doctrinal Resolutions and Statements

- a. LCC in seeking to clarify its witness or to settle doctrinal controversy, shall have the right to adopt doctrinal resolutions and statements which are in harmony with the Holy Scriptures and the Lutheran Confessions.
- b. Doctrinal resolutions may be adopted for the information, counsel, and guidance of the Members. They shall reiterate the doctrinal position of LCC and shall ordinarily cite the pertinent passages of the Scriptures, the Lutheran Confessions, and any previously adopted official doctrinal statements or resolutions of LCC. Such resolutions come into being in the same manner as any other resolutions of a Convention and are to be honoured and upheld until such time as they are amended or repealed.
- c. Doctrinal statements set forth in greater detail the doctrinal position of LCC especially in controverted matters. A proposed statement or a proposal for the development of such a statement shall be:
 1. Submitted by the Commission on Theology and Church Relations directly to those listed in c.2 or submitted by a Convention, a synodical faculty, or an official conference of pastors and deacons, to the Commission on Theology and Church Relations for evaluation, refinement, development, or recommendation, as the case may be;
 2. Submitted by the Commission, if it acts favourably, to the congregations and seminaries, and the Members who are pastors or deacons for study and suggestions for no more than one year. Failure by the Commission on Theology and Church Relations to submit a proposed doctrinal statement within a year may be appealed to the Convention through a proper overture;
 3. Refined further by the Commission on the basis of suggestions received;
 4. Submitted by the Commission to a Convention for further consideration and possible adoption by majority vote; amendments shall require a two-thirds affirmative vote of those present and voting;
 5. Resubmitted to the congregations for ratification in its final existing form;
 6. Ratified and operative if a two-thirds majority of the Members which are congregations which respond within six months registers an affirmative vote on a ballot supplied by the secretary for that purpose. Failure to ratify makes the statement inoperative, and this fact shall be reported by the secretary to the Members through an announcement in the official periodicals of LCC.
 7. Such adopted and ratified doctrinal statements shall be regarded as the doctrinal position of LCC and shall be "accepted and used as helpful expositions and explanations" (FC SD Rule and Norm, 10). They shall be honoured and upheld until such time as they are amended or repealed.
 8. An overture to amend such an adopted ratified doctrinal statement shall follow the same procedure as listed in paragraph c.1 to 6. above.
 9. An overture to repeal such an adopted and ratified doctrinal statement shall require a majority vote of a Convention in answer to an overture properly submitted and be subject to the procedure of congregational approval set forth in paragraph c.6. above.
 10. In the interim, those who submit overtures to amend or to repeal shall, while retaining their right to dissent, continue to honour and uphold publicly the statement as the doctrinal position of LCC, notwithstanding further study and action by LCC.
- d. Dissent from doctrinal resolutions and statements shall be governed by bylaw 1.011e.

B. MEMBERSHIP

1.005 Signing Synodical Constitution

- a. Each pastor and each deacon applying for membership in Lutheran Church-Canada shall file a signed statement as follows: "I have read the Synodical Constitution of Lutheran Church-Canada and I hereby affix my signature to it, dated_, signed_." This statement shall be filed with the secretary of the synod prior to the Convention at which the individual wishes to be received.
- b. The duly elected lay delegates of a congregation newly received as a Member shall sign the Synodical Constitution as the representatives of the congregation in open session at the first Convention which they attend. The secretary shall obtain such signatures to the Synodical Constitution.
- c. The secretary shall record the year in which a Member is received or relinquishes membership.

1.007 Constitutions of Congregations

- a. A community of believers which applies to become a member congregation in Lutheran Church-Canada shall submit its constitution to the president, who shall examine the constitution to ascertain whether its provisions are in harmony with Scripture, the confessional position of LCC as set forth in the Synodical Constitution Article II, the Statutory Bylaws, the Synodical Constitution and these Synodical Bylaws in order

that any necessary changes may be made by the community. The constitution shall then be submitted by the president to the Board for approval. A community shall not be received as a Member Congregation until it has made such changes as may have been deemed necessary.

- b. A Member Congregation which translates, revises, or amends its constitution or adopts a new constitution shall submit such translation, revision, amendment, or new constitution to the president, who shall direct it through the appropriate Regional Pastor for review, and then submit it to the Board for approval. Upon favourable action by the Board, the congregation shall be notified that the changes are valid and approved and that the congregation is empowered to function under the new or changed constitution. Such actions shall be submitted to the next Convention for ratification.
- c. It shall be the policy of Lutheran Church-Canada:
 1. to decline membership to an applicant community whose constitutions deny membership or other congregational privileges to any Christian because of race or ethnic origin;
 2. to encourage such applicant communities to bring their constitution and practices into harmony with the Holy Scripture and the Confessions, so that their applications might receive favourable action.

1.009 Duties of Members of Lutheran Church-Canada

- a. Every pastor and every deacon shall, in accordance with his vocation, his ability, and the means at his command, diligently and earnestly promote the purposes of the Synod by word, deed, and adequate financial support.
- b. Every Member Congregation shall provide the means and opportunity for its members to support and to advance the mission of LCC.
- c. All Members of Lutheran Church-Canada shall abide by the Synodical Constitution and these Synodical Bylaws and shall subscribe to the confessional position of LCC.

1.011 Relation of Lutheran Church-Canada to Its Members

- a. The Statutory Bylaws, Synodical Constitution, and these Synodical Bylaws, and all other rules and regulations of Lutheran Church-Canada apply to all Members of Lutheran Church-Canada, i.e., to all congregations, pastors, and deacons. Lutheran Church-Canada expects communities of believers that have not yet been received into membership but are served by pastors and deacons who are Members of Lutheran Church-Canada to honour its rules and regulations.
- b. Lutheran Church-Canada expects every congregation which is a Member of Lutheran Church-Canada to respect the resolutions of a Convention, and to consider them of binding force if they are in accordance with the Word of God and if they appear expedient as far as the condition of the congregation is concerned. The Synod, being voluntary and advisory, recognizes the right of the congregation to be the judge of the expediency of a resolution of LCC as applied to its local condition. However, in exercising such judgment, a congregation must not act arbitrarily but in accordance with the principles of Christian love and charity. The only remedy available to Lutheran Church-Canada in response to improper activities of a Member Congregation is, where appropriate under the Synodical Constitution or these Bylaws and following the procedures set forth in these Bylaws, to take such action as may lead to the termination of that membership and the attendant rights and privileges.
- c. Membership of a congregation in Lutheran Church-Canada gives Lutheran Church-Canada no equity in the property of the congregation.
- d. A pastor or a deacon who is an Individual Member serving an educational institution which is a part of the Synodical Family shall be under the ecclesiastical supervision of the president.
- e. While retaining the right of brotherly dissent, Members of Lutheran Church-Canada are expected, as part of the life together within the synodical fellowship, to honour and to uphold the resolutions of a Convention. If such resolutions are of a doctrinal nature, dissent is to be expressed first within the fellowship of peers, then brought to the attention of the Commission on Theology and Church Relations before finding expression as an overture to the Convention calling for revision or rescission. While the conscience of the dissenter shall be respected, the consciences of others, as well as the collective will of the Synod, shall also be respected.
- f. Although the Synodical Constitution (see Art. V) deals with the life of pastors and deacons who are Members of Lutheran Church-Canada and provides for dealing with ungodly life of pastors and deacons, this does not suggest that Lutheran Church-Canada has the duty or even an opportunity to observe the activities in the life of a pastor or deacon, or has the means or authority to regulate, restrict, or control those activities. The only remedy available to Lutheran Church-Canada in response to improper activities in the life of such Member is, where appropriate under the Synodical Constitution or these Bylaws and following the procedures set forth in these Bylaws, to take such action as may lead to the termination of that membership and the attendant rights and privileges.

1.013 Reviewing Continued Membership Eligibility of Pastors and Deacons

- a. If information with respect to a pastor or deacon who is a Member of Lutheran Church-Canada is made known to or becomes known by the regional pastor and the regional pastor, after a reasonable investigation, believes that there may be a basis, given the nature of the circumstances, for suspending the membership of the person, the regional pastor may suspend that person's membership until the matter is satisfactorily resolved or the applicable reconciliation and adjudication procedures, as set forth in Chapter VII of these Bylaws, can be completed.
- b. During the period that the suspension is in effect, the Member shall have "Suspended Status" as provided by bylaw 5.037 and shall be ineligible for service in Lutheran Church-Canada or a congregation. All records of Lutheran Church-Canada shall reflect this fact.

C. PRINCIPLES OF ORGANIZATION

1.015 Reasons for Forming Lutheran Church-Canada

Committed to a common confession and mission, congregations which are Members of Lutheran Church-Canada join with one another as a Synod to share an ecclesiastical bond and to support and work with one another in accordance with their commonly adopted objectives. In this way, Members, as a Synod, seek to serve (1) our Lord Jesus Christ, (2) the members of His body, and (3) the world which stands in need of the Word and the impact of His redeeming love.

The collective objectives of Members include:

1. Providing ecclesiastical supervision;
2. Building community;

3. Caring for Members;
4. Training Church Workers;
5. Engaging in Canadian Missions;
6. Engaging in World Missions;
7. Providing Social Ministry; and
8. Providing Financial Services.

1.017 Relationships: Congregation, the Synod, Circuit

- a. The congregation is the basic unit in the Synod.
- b. In LCC, the regions and the circuits are regarded as ecclesiastical extensions of the congregation. They are designed to assist the congregation and its members in conserving and promoting the unity of the faith and in carrying out their mission and ministry. They also provide a method by which congregations can exercise certain functions which can be performed more efficiently and effectively together with sister congregations.
- c. A congregation also exercises certain privileges and responsibilities in and through its respective circuit and regions.
- d. Circuits and regions are expected to carry out resolutions of the Conventions. Circuits and regions provide a means for congregations to review decisions of the Convention, to motivate one another to action, and to shape and suggest new directions.
- e. Congregations together set the requirements for membership in LCC. In so doing, congregations also obligate themselves to fulfill such requirements. They are to uphold the confessional position of LCC and to contribute to achieving the objectives of LCC, which are objectives of the congregations themselves. Congregations are self-governing. In exercising such freedom, however, congregations also commit themselves to act in accordance with the Synodical Constitution and these Bylaws under which they have agreed to live and work together.

1.019 Relationships: Convention, Officers, Board of Directors and Commissions

- a. The Convention serves as the meeting of delegates of voting members of Lutheran Church-Canada required by civil law and is also the ecclesiastical decision-making forum of LCC.
- b. The elected officers of Lutheran Church-Canada serve LCC in accordance with the responsibilities assigned to them by the Statutory Bylaws, Synodical Constitution and these Bylaws or by a Convention.
- c. The Board of Directors serves LCC in accordance with the responsibilities assigned to it by the Statutory Bylaws, Synodical Constitution and these Bylaws or by a Convention.
- d. Each commission also serves LCC in a specific area of program or ministry in accordance with the Synodical Constitution and these Bylaws.

1.021 Definitions

In these Synodical Bylaws

- a. A *circuit counsellor* is a pastor elected by the Member Congregations in a circuit to assist the regional pastor of that circuit in providing services to Members in the circuit.
- b. A *commission* is a group of persons elected or appointed as prescribed in these Bylaws to assume the duties and to discharge the responsibilities assigned to them by the Convention.
- c. A *council* consists of persons from various administrative areas or agencies, with the primary function of coordination.
- d. A *regional pastor* is a pastor elected at Convention by the Member Congregations of a region to assist the president in delivering services to Members in that region.
- e. A *task force* is a group which has an ad hoc assignment to accomplish a specific task, has a definite expiration date, and does not necessarily consist of members of the appointing body.

II. SYNODICAL ORGANIZATION

A. CONVENTIONS

2.001 Function of Convention

The Convention shall afford an opportunity for worship, nurture, inspiration, fellowship, and the communication of vital information. It is the principal legislative assembly, which approves the amendment of the Statutory Bylaws, Synodical Constitution and Synodical Bylaws, considers and takes action on reports and overtures, and handles appropriate appeals. It establishes general synodical positions and policies, provides overall program direction and priorities, and evaluates all such positions, programs, policies, directions, and priorities in order to provide responsible service for and on behalf of its members. Only a Convention shall authorize affiliation or association of the Synod with other church bodies, synods, or federations, and the discontinuance of such affiliation or association.

2.003 Responsibilities of Delegates

Congregations shall not require their delegates to vote in accordance with specific instructions, but every delegate shall be permitted to vote according to his or her own conviction. Delegates are nevertheless responsible to their congregation, whom they represent, and shall attempt to discover the sentiment of the communicant members thereof. They shall be expected to be faithful in attendance at all sessions of the Convention. After each Convention they shall report the actions of the Convention to their congregation.

2.005 Advisors

Advisors shall be eligible for membership on committees and to offices of the Convention unless otherwise specified.

2.007 Reports and Overtures

- a. The business of a Convention shall include the consideration of reports and overtures.
 1. Reports are
 - (i) statements of work performed or contemplated by those who are charged with conducting the business of LCC between Conventions and shall include all Memoranda of Understanding adopted since the previous Convention.
 - (ii) communications to a Convention with respect to studies which may have been made for LCC in order to further its work, or
 - (iii) other types of communications to LCC.Reports to a Convention may be submitted only by the president, the vice-president, the secretary, a board or commission of LCC as listed in bylaw 2.031, and other individuals or duly constituted groups of individuals who may be required or permitted by these Bylaws, by action of a prior Convention, or by the president to report to a Convention. A report shall not include an overture unless the report is submitted by someone authorized (in the following paragraph 2) to submit overtures.
 2. Overtures are recommendations in the form of proposed resolutions requesting action on the part of the Convention. Overtures to a Convention may be submitted only by a Member Congregation, the President's Ministry Council, Board of Directors, Regional Mission and Ministry Councils, Pastor and Deacon Conferences, a faculty of an educational institution which has entered into a Memorandum of Understanding with LCC, or a commission listed in bylaw 2.031, a committee established by a prior Convention, or a circuit convocation.
- b. Reports and overtures must be submitted to the president not later than sixteen (16) weeks prior to the opening date of the Convention. No report or overture received subsequent to that date shall be accepted for Convention consideration unless a committee consisting of the president, the vice-president, and the secretary adjudge it to be a matter of overriding importance and urgency which is not adequately covered by documents already before the Convention.
- c. Overtures with reference to a case in which a Member has been suspended or expelled and which is at present in the process of or subject to adjudication, as well as overtures which, upon advice of legal counsel, may subject LCC or the corporate officers of LCC to civil liability, shall not be accepted for Convention consideration.
- d. A convention workbook containing reports, overtures, and other information shall be published under the editorship of the secretary subject to approval of the president. The president shall also decide which of the matters accepted for presentation to and consideration by the Convention shall be published in the convention workbook.
- e. A copy of the convention workbook shall be made available not later than ten (10) weeks prior to the opening date of the Convention.
- f. All reports and overtures accepted by the president in accordance with the foregoing paragraphs shall be referred by him to convention committees appointed by him in the name of the Convention from among the voting delegates and advisors. Pastors, deacons (to the extent possible), and laymen shall be represented on all committees. The president shall notify committee members of their appointment and of the time and place of their first meeting no later than twelve (12) weeks before the start of the Convention. The committee rosters shall be published in the official periodicals of LCC, at least one of which must appear no less than 10 weeks before the Convention.

After due consideration of the matters referred to it, each committee is to report its findings and recommendations to the Convention. The sole purpose of the committees is to organize the overtures received and present them as resolutions to the convention. The committees shall not change the intent of the overtures submitted. They may combine overtures on a similar topic into one resolution as long as the intention of each overture is honored in the combined resolution. When presenting a resolution, committees may recommend to the convention that it be defeated; they shall not present a resolution to decline an overture except for those referenced in Synodical Bylaw 2.007c. The committees shall not create or present resolutions that do not originate from properly submitted reports and overtures. If the president deems it advisable, he may convene any committees prior to the opening of the Convention. The first issue of *Today's Business* shall be issued containing tentative resolutions. This issue of *Today's Business* shall be sent to all registered delegates of the Convention and to each Member Congregation
- g. Any Member and any lay delegate to the Convention wishing to express comments on reports and overtures appearing in the Convention workbook may submit these at least seven (7) weeks prior to the Convention to the secretary, who shall transmit them to the appropriate convention committee for consideration. Responses to the tentative resolutions contained in the first issue of *Today's Business* shall be submitted to the chairman of the appropriate floor committee at least one week prior to the Convention. All floor committees shall meet at the convention site at a time prior to the opening of the Convention to review such responses and reconsider their tentative resolutions accordingly.
- h. Overtures and recommendations involving capital outlay or current expenditures shall be accompanied, to the extent feasible, by cost projections and the basis thereof; furthermore, each proposed resolution involving expenditures, prior to its consideration on the floor of the Convention, shall be presented to the floor committee on financial matters, which, in consultation with the accounting department, shall attach to the recommended resolution accompanying information on estimated cost thereof on an annual basis or on a project basis, as the case may be.

2.009 Convention Preachers, Worship Leaders, and Essayists

Convention preachers, worship leaders, and essayists shall be appointed by the president prior to the Convention.

2.011 Convention Orientation

The president shall arrange for suitable orientation and guidance of delegates. A convention workbook or guide shall be furnished.

2.013 Organization and Agenda

The Convention shall organize at its first session on the basis of its registration and the report of the Registration Committee as appointed by the president. The president shall then make his presidential address and submit his official report. He shall, at the first session and during the course of succeeding sessions of the Convention, announce the order of business for the day and following days. He shall conduct the sessions according to Robert's Rules of Order, the Modern Edition and make every effort so to arrange the schedule of business that the sessions do not exceed one week in duration. Daily minutes shall be prepared by the secretary's office for inclusion in *Today's Business*.

2.015 Absences

All duly elected delegates and advisors shall attend all sessions regularly until the close of the Convention. Delegates who arrive late or leave early or who do not attend at all shall present a written excuse.

2.017 Time and Place of Next Convention

- a. Before adjournment the Convention shall decide upon the time and place of the next Convention. If the Convention fails to do so, the president shall do so. In case of necessity, he may change the appointed time and place or both.
- b. Prior to submitting an invitation, a host group shall determine the minimum requirements from the convention manager and shall then submit a proposal to the President's Ministry Council for evaluation and recommendation to a Convention.

2.019 Convention Manager

A convention manager, appointed by the chief administrative officer, shall plan, make arrangements for, and direct the externals of the Convention and other major synodical assemblies. He shall be responsible to the president.

2.021 Local Convention Committee

When necessary the chief administrative officer in consultation with the convention manager may appoint a local convention committee chairman and a local convention committee to assist the convention manager.

2.023 Convention Expenses

- a. The primary sources of income which are to offset the operating costs of the Convention are the convention assessment registration fees, exhibit space rentals, and other miscellaneous receipts.
- b. The amount of the convention assessment and the registration fees will be based on the convention budget submitted by the convention manager to the Board of Directors for approval.
- c. The chief administrative officer shall prescribe, install, and supervise convention accounting procedures, financial control, and budgetary classifications for operating income and costs of the Convention.

2.025 Expenses of Delegates and of Representatives

- a. All travel and convention expenses of synodical officials, delegates, and representatives shall be paid by Lutheran Church-Canada. The convention manager shall arrange for lodging and may also provide for joint meals while the Convention is in session. Rates for lodging and joint meals shall be established and published.
- b. The president shall indicate which convention committees must meet before the Convention opens and shall notify the convention manager, who shall provide pre-convention housing and meeting facilities for them. All direct expenses incurred by these pre-convention meetings shall be borne by Lutheran Church-Canada.

2.027 Publicity

The Board of Directors shall be the channel for sharing the activity and decisions of the Convention to the public.

2.029 Distribution of Official *Proceedings*

The official *Proceedings* of each Convention shall be published in an official periodical of LCC for the information and use of each pastor and his congregation. All delegates, advisors, and members of Commissions shall be sent a copy. The cost shall be paid by Lutheran Church-Canada.

B. COMMISSIONS

2.031 Commissions

Individuals shall be elected with one appointment by the president at Convention to the following commissions:

- a. A Commission on Adjudication (COA)
- b. A Commission on Constitutional Matters and Structure (CCMS)
- c. A Commission on Theology and Church Relations (CTCR)
- d. A Commission for Nominations and Elections (CNE)

2.033 Qualification

Except as otherwise provided in these Bylaws, all members of all commissions shall be communicant members of Member Congregations.

2.035 Regional Representation

Each commission which has eight (8) or more members shall be elected or appointed so that there is at least one member on such commission from each region at the time of election or appointment.

2.037 Term of Office

- a. The term of office of members of commissions shall be four years commencing on September 1 following the Convention, or such other date as may be determined by the Convention.
- b. The president, vice-president, secretary, and members of all elected commissions shall be inducted into office on a Sunday in September following their election or such other date as may be determined by the Convention. Incumbents shall serve until their successors have been qualified.

2.039 Successive Terms

- a. All members of all commissions shall be ineligible for reelection or reappointment to the same commission after serving a total of three successive four year elected terms, unless otherwise provided in these Bylaws. They may become eligible again for election or appointment to the same commission after an interval of four or more years. One-half or more of a term shall be regarded as a full term under limited tenure rules.
- b. Any member of a commission who is ineligible for reelection may be elected to another position.
- c. The limitation on the tenure of any individual shall not apply in cases which hereinafter are specifically excepted from such limitation.

2.041 Vacancies

- a. Unless otherwise specified in these Bylaws, each commission shall be empowered to fill any vacancy of an elected individual which may occur in its membership, subject to the approval of the president.

2.043 Induction

- a. All members of commissions shall assume office on the first day of September following the Convention or such other date as may be determined by the Convention. The induction of such members shall take place at the first regular meeting of the commission after such individuals have assumed office.
- b. The initial meetings of these commissions shall be held after the assumption of office and shall provide for an orientation program conducted under the direction of the president.

C. MISCELLANEOUS

2.045 Interim Authority

- a. Before his successor assumes office, the outgoing president shall use the intervening time to settle the affairs of his administration and assist the newly elected president as requested to become acquainted with the responsibilities of the office.
- b. The existing Board shall continue to function until the newly elected and reelected members assume office. They shall continue to carry out programs initiated prior to the electing Convention.
- c. No appointments to commissions or standing committees shall be made and no new programs shall be initiated by the outgoing president or the Board during the interim. Emergency action that demands immediate attention may be taken in consultation with and with the consent of the newly elected president.
- d. In the interim, the newly elected president shall meet with the re-elected or newly elected vice-president to assess the state of the Synod, to plan for the communication and carrying out of the resolutions adopted at the Convention, to assign areas of responsibility to the vice-president, to gather names and obtain information helpful for making wise appointments; he shall meet with the chairmen and secretaries of commissions to discuss their convention reports, to receive from them their specific plans, goals, and objectives, and to assess with them the financial support they will need; he shall meet with the chief administrative officer to assess the financial status of Lutheran Church-Canada and the estimate of the financial resources available for the coming year.
- e. The newly elected members of the Board shall attend whatever meetings are held in the interim, without vote, to become acquainted with their new responsibilities and board functions.
- f. If the president is not reelected before the official retirement age or does not stand for reelection, he shall continue to receive his full salary to the end of the calendar year while rendering transitional service. During this period Lutheran Church-Canada shall assist him, if requested, in his efforts at finding another opportunity for service in the church. In the event of resignation, he shall be continued at full salary for a minimum of three months. Any extension beyond this period shall be at the discretion of the Board.

2.047 Prohibition of Conflict of Interest

- a. No officer, director, officer or member of a board or commission or of an agency of LCC shall use his position or the knowledge acquired from his service in such a manner that a conflict between his personal or business interests and the interest and general welfare of Lutheran Church-Canada arises.
- b. Officers or members of boards or commissions shall not enter into gainful business transactions, directly or indirectly, with any board or commission on which they serve.

2.049 Accountability of Officers and Commissions

All officers and commissions shall be accountable to the Convention for all their actions under these Synodical Bylaws, and any decision of such officers and commissions may be appealed to the Convention.

2.051 Holding More than One Office

- a. No one shall hold more than one elective office in LCC; or more than two offices, although one or both be appointive; or ever hold two offices of which one is directly responsible for the work done by the other.
- b. An office shall be regarded as elective only if it is an office filled through election by a Convention, even though a vacancy in such an office may be filled by appointment.
- c. Doubtful cases shall be decided by the president.

2.053 Use of Technologies for the Conducting of Business

Any authorized individual may participate in a meeting of a committee, commission, Synodical Convention, or other body or entity, established under these Synodical Bylaws, by telephone or electronic communication facilities provided that:

- a. All persons participating in the meeting are able to hear or otherwise communicate with each other;
- b. Notice of the fact that such meeting is being or may be held in whole or in part by telephone or electronic communication has been provided to each participant in accordance with the notice provisions for such meeting.
- c. The chair of the meeting shall have the responsibility to ensure that all individuals not physically present have proper access in order to participate by telephone or electronic communication;
- d. All individuals participating by such means shall be deemed to be present at such meeting;
- e. A meeting conducted in the manner described in this subsection will be valid and effectual.

D. COMMISSIONS

1. Commission on Adjudication

2.055 Membership

The provisions dealing with membership on Commission on Adjudication are set out in Chapter VII.

2.057 Functions

The functions of the Commission on Adjudication are set out in Chapter VII.

2. Commission on Constitutional Matters and Structure

2.059 Membership

The Commission on Constitutional Matters and Structure shall consist of eight voting members.

- a. The Convention shall elect the members of the Commission from a slate of candidates that have been nominated by the Commission on Nominations and Elections. The individuals elected must include three lay persons including one lawyer, three rostered workers one of whom may be a deacon and the secretary of LCC.
- b. An individual appointed by the President (*Cf. Synodical Bylaw 2.031*)

2.061 Vacancies

Unless otherwise specified in these Bylaws, the Commission shall be empowered to fill any vacancy which may occur in its membership subject to the approval of the president (2.041a). The appointed person may serve until the Convention at which the person being replaced would have completed the term of office.

2.063 Responsibilities

The responsibilities of the Commission include reviewing the corporate structure of LCC and its relationship with participants in the Synodical Family.

The Commission shall not give direction to the Board, to the president, to the chief administrative officer, or any employee of LCC or any organization with who LCC has signed a Memorandum of Understanding.

- a. The Commission shall:
 1. Conduct a continuing review of the structure of LCC, including its regions and its circuits and make proposals to succeeding Conventions for improvement; and
 2. Act as resource committee to convention floor committees on all proposals to alter its structure.
- b. In the area of process, the Commission is expected to:
 1. Examine all reports and overtures to Convention asking for amendments to the Act, the Statutory Bylaws, the Synodical Constitution, and the Synodical Bylaws, or which in any manner affect the Act, the Statutory Bylaws, the Synodical Constitution, and the Synodical Bylaws, to determine their agreement in content and language with the Act, the Statutory Bylaws, the Synodical Constitution, and the Synodical Bylaws;
 2. Be represented at the meetings of the floor committees considering matters of process at the Convention,
 3. Revise the Statutory Bylaws, the Synodical Constitution, and Synodical Bylaws immediately after each Convention to bring them into harmony with the resolutions or changes adopted by the Convention,
 4. Maintain a complete file of succeeding copies of the Statutory Bylaws, the Synodical Constitution, and the Synodical Bylaws so that a comparison can be made between current regulations and those immediately preceding.
 5. Provide for an orientation program for newly elected and appointed members of the Board and of the Commissions at or before the first meeting of each group.
- c. In the area of monitoring the governance of the Board, the Commission is expected to:
 1. Ensure an orientation to the structure and processes, including governance, to new members of the Board before their second meeting of the Board,
 2. Act as a parliamentarian to the Board in matters of governance, advise the Board when it is in violation of any of the documents which the Commission has authority to monitor,
 3. Advise the Board when any of the organizations who complement the mission and ministry of LCC are in violation of their respective Memorandum of Understanding.

- d. The CCMS will vet all nominees for service on the CNE. (*cf. Synodical Bylaw 2.101f*)

2.065 Interpretation of the Statutory Bylaws, Constitution, and Synodical Bylaws of Synod

The Commission shall interpret the Statutory Bylaws, the Synodical Constitution, and the Synodical Bylaws, and resolutions upon the written request of a Member, officer, the Board, or commission, or an organization which has entered into a Memorandum of Understanding with LCC. Such a request may be accompanied by a request for an appearance before the Commission. An opinion rendered by the Commission shall be binding on the question decided unless and until it is overruled by a Convention.

2.067 Orientation and Training

In fulfilling its expectation of providing orientation to new members of the Board and the commissions, the Commission shall appoint one or more of its members to:

- a. Work with the Governance Committee of the Board to ensure that each incoming member receives a copy of the Lutheran Church-Canada Handbook, the Governance Manual, the Strategic Plan and two examples of Memoranda of Understanding,
- b. Ensure that each incoming member of the commissions receives a copy of the Lutheran Church-Canada Handbook.

3. Commission on Theology and Church Relations

2.069 Membership

The Commission on Theology and Church Relations shall consist of seven voting members, to be selected as follows:

- a. The Convention shall elect two rostered workers serving congregations, at least one of whom must be a pastor, or pastors emeriti and two laypersons.
- b. Concordia Lutheran Seminary and Concordia Theological Seminary theological faculties shall each appoint or elect one member of its faculty, who may be its president.
- c. The president, in consultation with the vice-president, shall appoint one additional member.
- d. The president shall be an advisory member to the Commission.

2.071 Vacancies

- a. The Commission is authorized to fill any vacancy of an elected individual which may occur in its membership subject to the approval of the president.
- b. Vacancies in the Commission caused by appointed individuals no longer able to serve shall be filled by the appointing authority. The Commission may submit suggestions to the appointing authority.

2.073 Responsibilities

- a. The responsibilities of the Commission are to:
 - 1. Assist the president at this request in discharging his ecclesiastical responsibilities,
 - 2. Provide guidance to LCC in matters of theology and church relations,
 - 3. Assist Members in the area of fraternal organizations and cults,
 - 4. Assist LCC in doctrinal reviews.

2.075 Expectations

- a. The Commission is expected to:
 - 1. Convene meetings and provide advice and guidance in a timely manner when requested by the Board or the president, and
 - 2. Use the Holy Scriptures and the Confessions as the basis of all its advice and guidance.

2.077 Responsibilities to President

- a. The Commission shall assist the president at his request in discharging his responsibilities, specifically:
 - 1. In fostering and preserving the unity of the faith within LCC,
 - 2. In dealing with other church bodies,
 - 3. In initiating and pursuing fellowship discussions with other church bodies.

2.079 Theology and Church Relations

- a. The Commission shall provide guidance to LCC in matters of theology and church relations, specifically:
 - 1. In bringing matters of theology and church relations through special studies and documents to the membership of LCC and to conferences,
 - 2. In addressing itself to and evaluating the existing fellowship relations for mutual admonition and encouragement,
 - 3. In referring theological issues and questions to the proper individuals or groups of individuals for additional study,
 - 4. In suggesting and outlining studies of contemporary issues, including also current social issues, as they affect the church and as the church may affect such social issues,
 - 5. In fostering and providing for ongoing theological education through institutes, seminars, and other means,
 - 6. In obtaining and studying theological treatises, conference papers, and similar documents and studies.

2.081 Fraternal Organizations and Cults

- a. The Commission shall assist Members in the area of fraternal organizations and cults, specifically:
 1. In gathering and providing information, advice, and literature concerning all organizations, both objectionable and non-objectionable, about which pastors or congregations may make inquiry relative to ceremonies, tenets, programs, practices, or objectives, in seeking to explain LCC's concerns to those organizations that have unchristian or antichristian features, with the goal of persuading them to discard their objectionable features,
 2. In preparing and disseminating periodical reports concerning new organizations, changes within existing organizations and developments relative to organizations in general,
 3. In serving as a resource centre for LCC for information on fraternal organizations and cults, in seeking to explain LCC's concern to such organizations, in publishing necessary study materials, and in assisting in carrying out the policy of LCC regarding fraternal organizations as set forth elsewhere in these Bylaws.

2.083 Doctrinal Resolutions and Statements

The Commission shall develop doctrinal resolutions and statements which are in harmony with the Scriptures and the Lutheran Confessions to clarify LCC's witness or to settle doctrinal controversy.

Doctrinal Resolutions and Statements shall be developed by the Commission with reference to **Synodical Bylaw 1.003**.

2.085 Official Service Books and Hymnals

- a. All service books and hymnals which are to be accepted as official service books and hymnals of the LCC shall be given such status only by a Convention after a process of exposure and testing decided upon by the Convention.
- b. Revisions in such books shall be made only by a Convention after requesting the Commission on Theology and Church Relations for an evaluation and recommendations.

4. Commission on Nominations and Elections

2.087 Membership

The Commission on Nominations and Elections (CNE) shall consist of eight voting members to be selected as follows

- a. The Convention shall elect four rostered workers at least three of whom shall be pastors and one may be a deacon, and three lay people.
- b. The president, in consultation with the vice-president, shall appoint one additional member.
- c. The Commission is authorized to:
 1. vet candidates for all positions which require election at a Convention, except for candidates for its own Commission,
 2. manage the election processes at the Convention,
 3. adopt procedures and methods which will ensure efficiency and accuracy, including the use of mechanical, electronic, or other methods of casting, recording, or tabulating votes, and
 4. appoint a member to fill a vacancy which occurs on the Commission, who shall serve until the next Convention.

2.089 Responsibilities

The CNE is responsible to:

- a. nominate candidates and manage the nomination process,
- b. monitor the vetting process,
- c. make the necessary arrangements for elections,
- d. be responsible for the preparation and distribution of ballots, and supervise the elections, the tabulation of votes, and the notification of results.

2.091 Expectations

The CNE is expected to:

- a. complete the nominating and vetting process in time for the election process required for the Convention,
- b. manage the election process at Conventions,
- c. work collaboratively with the Board, the president, and the chief administrative officer,
- d. provide a written report of its activities for inclusion in the Convention Workbook.

E. COUNCILS

2.093 President's Ministry Council

The president, vice-president and the regional pastors shall form the President's Ministry Council. The Council shall meet at least bi-annually and in addition at the call of the president or at the request of one-third of the members of the President's Ministry Council:

- a. To advise the president and give him counsel;
- b. To maintain, within budgetary constraints, a coordinated delivery of services in all regions;
- c. To counsel with one another on matters regarding the doctrine and administration of LCC and its regions;
- d. To give guidance regarding inter-church relations;
- e. To edify and support one another in the ministry they share;
- f. To serve as the Board of Assignments for the first calls to candidates for the pastoral and diaconal office;
- g. To carry out such assignments as the Convention may give to the Council from time to time;

- h. To produce, in consultation with the Regional Mission and Ministry Councils, an annual work plan and proposed budget which reflects the current LCC Strategic Plan, and which has the support of all regions;
- i. The President's Ministry Council shall receive reports from the colloquy committees who shall assist the Council in carrying out its responsibilities as the Board of Assignments.

F. NOMINATIONS AND ELECTIONS

2.095 General Principles

- a. Individuals shall be nominated, vetted, and elected to the positions of:
 1. Board of Directors
 2. President
 3. Vice-President
 4. Commission on Nominations and Elections
 5. Commission on Theology and Church Relations
 6. Commission on Adjudication
 7. Commission on Constitutional Matters and Structure
 8. Regional Pastors
 9. Regional Mission and Missionary Councils
 10. Circuit Counsellors
- b. Individuals may be nominated and vetted only to boards of the following organizations which complement or contribute to the mission or ministry of LCC and with whom LCC has signed a Memorandum of Understanding
 - The Board of Regents of Concordia Lutheran Theological Seminary, St. Catharines, Ontario
 - The Board of Regents of Concordia Lutheran Seminary, Edmonton, Alberta
 - Board of Managers for Worker Benefits Plans
 - Board of Directors of Lutheran Church-Canada Financial Ministries
 Nominations to boards listed above shall follow the process required in the bylaws or Memorandum of Understanding with the respective organization.
- c. The Board in consultation with the president and vice-president shall maintain a description of the desirable expertise, qualifications, and competencies required for each elected position which shall be provided to the Commission on Nominations and Elections prior to the beginning of their service before each Convention.

2.097 General Qualifications of Candidates for Elected and Appointed Positions

- a. Candidates for the office of president and vice-president shall be pastors on the LCC roster.
- b. The following qualifications apply to all other candidates for individual and/or group positions:
 1. Except as otherwise provided in these bylaws, all members elected or appointed by the Convention and those elected and appointed by others with authority from the Convention shall be communicant members of Member Congregations.
 2. No person shall be eligible for election or appointment to the Board other than as president if that person is employed by LCC or by an organization which complements or contributes to the mission or ministry of LCC and with whom LCC has signed a Memorandum of Understanding.
 3. The Board and each commission which has eight (8) or more members shall be elected or appointed so that there is at least one member on the Board or Commission from each region at the time of election.
 4. All members of the Board and Commissions shall be ineligible for re-election or reappointment to the same commission after serving a total of three successive four-year elected terms. Such individuals will become eligible again for election or appointment to the same commission after an interval of four (4) or more years. One half or more of a term shall be regarded as a full term under limited tenure rules.
 5. Any member of a commission who is ineligible for re-election or reappointment may be elected or appointed to another position.
 6. The limitation on the tenure of any individual shall not apply in cases which hereinafter are specifically excepted from such limitation.
 7. No one may hold more than one elected office, or ever hold two offices of which one is directly accountable to the other, or more than two offices where one or both be appointive. Doubtful cases shall be decided by the President.
 8. All members of commissions shall assume office on the first day of September following the Convention or such date as may be determined by the Convention. The induction of officers, the Board, and commissions shall take place at the first regular meeting of the Board or commission after such individuals have assumed office.

2.099 Nomination Processes

Nominations shall be made in the following manner.

- a. The CNE shall nominate candidates for all individual and group positions except the president or vice-president.
- b. Where possible, at least two (2) candidates shall be nominated for each position.
- c. The CNE shall inform itself as to the qualifications and competencies of each position to be filled and be thereby guided in its selection of nominees.
- d. Groups and individuals within and without LCC are urged to refrain from circularizing Member Congregations or their delegates relative to favouritism in nominations.
- e. If a nomination is made from the floor, the CNE should first check the accompanying documentation to be sure the person is adequately vetted before the name is put forward to the Convention.
- f. Nominations for the offices of president and vice-president shall be made in the following manner.
 1. Each Member Congregation shall be entitled to nominate from the roster two pastors as candidates for each office.
 2. The CNE shall mail via post or electronic means to each Member Congregation ballots for nominating these candidates.
 3. Each nominating ballot shall be signed by the president and secretary of the Member Congregations and shall be sent to the CNE not later

- than four (4) months prior to the opening date of the Convention.
4. The CNE may engage an external auditing firm to tabulate the nominations and shall report to the Convention by means of the convention workbook the names and tallies of all pastors who have received nomination votes for the office of president or vice-president.
 5. Candidates for the office of president or vice-president shall be the five pastors receiving the five highest number of votes in the respective nominating ballots of the congregations, except for the provisions of bylaw 2.099.f.8.
 6. The CNE shall notify each candidate and shall secure his approval in writing for inclusion of his name on the convention ballot. Each candidate shall reply within ten (10) days as to his willingness to serve if elected.
 7. In the event of the death, declination, or unavailability of any candidate, the nominee having the next highest number of votes shall become a candidate.
 8. In the event of a tie for the fifth or final position among the candidates, all names involved in the tie shall be listed as candidates, provided that the candidate has been named on at least two (2) nominating ballots and if no fifth candidate so qualifies, the fifth or final ballot or position shall be eliminated.
 9. The CNE shall publish in the convention workbook brief biographies of the five candidates for president or vice-president, giving adequate information on each candidate. This report shall contain such pertinent information as age, residence, number of years in LCC, present position, regional or offices previously held, year of ordination, former pastorates, involvement in community, government, or interchurch affairs, and any other specific experience and qualification for the office.
- g. Nominations for the office of regional pastor shall be made in the following manner.
1. Each Member Congregation of a region shall be entitled to nominate from the roster two pastors as candidates for the office of regional pastor.
 2. The CNE shall mail via post or electronic means to each Member Congregation ballots for nominating these candidates.
 3. Each nominating ballot shall be signed by the president and secretary of the Member Congregations and shall be sent to the CNE not later than four (4) months prior to the opening date of the Convention.
 4. The CNE may engage an external auditing firm to tabulate the nominations and shall report to the Convention by means of the convention workbook the names and tallies of all pastors who have received nomination votes for the office of regional pastor.
 5. Candidates for the office of regional pastor shall be the three pastors receiving the three highest number of votes in the respective nominating ballots of the congregations, except for the provisions of bylaw 2.099.g.8.
 6. The CNE shall notify each candidate and shall secure his approval in writing for inclusion of his name on the convention ballot. Each candidate shall reply within ten (10) days as to his willingness to serve if elected.
 7. In the event of the death, declination, or unavailability of any candidate, the nominee having the next highest number of votes shall become a candidate.
 8. In the event of a tie for the third or final position among the candidates, all names involved in the tie shall be listed as candidates, provided that the candidate has been named on at least two (2) nominating ballots and if no third candidate so qualifies, the third or final ballot or position shall be eliminated.
 9. The CNE shall publish in the convention workbook brief biographies of the three candidates for regional pastor, giving adequate information on each candidate. This report shall contain such pertinent information as age, residence, number of years in LCC, present position, regional or offices previously held, year of ordination, former pastorates, involvement in community, government, or interchurch affairs, and any other specific experience and qualification for the office.
- h. Nominations for the office of circuit counsellor shall be made in the following manner.
1. Each Member Congregation of a circuit shall be entitled to nominate from the roster of that circuit two pastors as candidates for the office of circuit counsellor.
 2. The CNE shall mail via post or electronic means to each Member Congregation ballots for nominating these candidates.
 3. Each nominating ballot shall be signed by the president and secretary of the Member Congregations and shall be sent to the CNE not later than four (4) months prior to the opening date of the Convention.
 4. The CNE may engage an external auditing firm to tabulate the nominations and shall report to the Convention by means of the convention workbook the names and tallies of all pastors who have received nomination votes for the office of circuit counsellor.
 5. Candidates for the office of circuit counsellor shall be the three pastors receiving the three highest number of votes in the respective nominating ballots of the congregations, except for the provisions of bylaw 2.099.h.8.
 6. The CNE shall notify each candidate and shall secure his approval in writing for inclusion of his name on the convention ballot. Each candidate shall reply within ten (10) days as to his willingness to serve if elected.
 7. In the event of the death, declination, or unavailability of any candidate, the nominee having the next highest number of votes shall become a candidate.
 8. In the event of a tie for the third or final position among the candidates, all names involved in the tie shall be listed as candidates, provided that the candidate has been named on at least two (2) nominating ballots and if no third candidate so qualifies, the third or final ballot or position shall be eliminated.
 9. The CNE shall publish in the convention workbook brief biographies of the three candidates for circuit counsellor, giving adequate information on each candidate. This report shall contain such pertinent information as age, residence, number of years in LCC, present position, regional or offices previously held, year of ordination, former pastorates, involvement in community, government, or interchurch affairs, and any other specific experience and qualification for the office.
- i. The CNE shall solicit from Member Congregations, Regional Mission and Ministry Councils, regional pastors, president, vice-president, chief administrative officer, circuit counsellors, and other likely sources names of persons who are regarded as suitable candidates for election to the various elected positions and shall list briefly the requirements of the various positions. Qualifications of each candidate suggested are to be submitted together with the names. The CNE shall begin such solicitation of names twelve (12) months before the Convention and the secretary of the CNE shall present the submissions to the CNE at its first meeting. All suggested names and information for consideration shall be submitted to the CNE no later than eight (8) months prior to the Convention.
- j. At least five (5) months prior to the Convention, the CNE shall determine its complete list of candidates and alternates, obtain the consent of the persons it proposes to nominate, and transmit its final report to the secretary in ample time to provide for its publication in the official periodicals of LCC before the Convention and also in the official convention workbook. This report shall contain pertinent information

concerning each candidate, such as age, occupation or profession, regional affiliation, residence, specific experience and qualifications for the office in question.

- k. The chair of the CNE shall submit the CNE's report in person to the Convention at one of its earliest sessions and immediately thereupon qualifying nominations may be made from the floor of the Convention.
- l. All aspects of the nomination process may be conducted electronically.

2.101 Vetting Process

- a. Vetting of candidates for all individual or group positions shall be the responsibility of persons other than those who submitted the nominations.
- b. The vetting process shall include:
 - 1. a comparison of the candidate's qualifications and competencies with those required for the position,
 - 2. the affirmation of peers who can confirm the candidate's qualifications and competencies, and
 - 3. demonstrated experience with the same or similar responsibilities as the position includes.
- c. Board of Directors
Candidates shall be vetted by the CNE.
- d. President
Candidates shall be vetted by the delegates in the nominating and election processes.
- e. Vice-president
Candidates shall be vetted by the delegates in the nominating and election processes.
- f. Commission on Nominations and Elections
Candidates shall be vetted by the Commission on Constitutional Matters and Structure.
- g. Commission on Theology and Church Relations
Candidates shall be vetted by the president and President's Ministry Council.
- h. Commission on Adjudication
Candidates shall be vetted by the president and President's Ministry Council.
- i. Commission on Constitutional Matters and Structure
Candidates shall be vetted by the CNE.
- j. Regional Pastors
Candidates shall be vetted by the president in consultation with the Regional Pastors. Regional pastors being considered for re-election shall recuse themselves from the vetting process.
- k. Circuit Counsellors
Candidates shall be vetted by the regional pastor in consultation with the other pastors and deacons in the same circuit. Circuit counsellors being considered for re-election shall recuse themselves from the vetting process.
- l. The CNE shall confirm the previous vetting of anyone nominated from the floor for any elected position. Nominations from the floor shall be accepted if the conditions for candidacy including vetting are fulfilled.

2.103 Elections Process

- a. Each delegate of a Member Congregation in attendance shall be entitled to vote for one of the candidates for each office.
- b. The candidates receiving a majority of the votes cast shall be declared elected.
- c. If no candidate receives a majority of votes cast, the candidate receiving the smallest number of votes shall be eliminated and the delegates shall vote again. In the case of a tie for smallest number of votes, all candidates with that total will be removed from subsequent ballots. This will be repeated until a candidate receives a majority of the votes cast.
- d. A candidate can only be elected to one office. If the candidate has been nominated to more than one office, then the candidate remains eligible for each nominated position until such time as they are elected to an office after which their name is removed from subsequent ballots.
- e. An elected officer can hold an appointed position in addition to their elected office but not another elected office. (*Cf. Synodical Bylaw 2.75*)
- f. The delegates shall elect duly vetted and nominated candidates in the following order:
 - 1. President
 - 2. Vice-president
 - 3. Regional Pastors
 - 4. Circuit Counsellors
 - 5. Board of Directors
 - 6. Commission on Nominations and Elections
 - 7. Commission on Theology and Church Relations
 - 8. Commission on Adjudication
 - 9. Commission on Constitutional Matters and Structure
 - 10. Regional Mission and Missionary Councils
- g. The delegates shall select one clergy and one lay person from each region to be considered for service on the Board of Regents of each seminary.

III. REGIONAL ORGANIZATION

3.001 Regional Pastor

- a. The Regional Pastor will be elected by delegates from each respective region at the Convention. The regional pastor shall assume responsibilities on September 1 following such election or at such other date as may be determined by the Convention. The election of the regional pastors shall occur at every regular Convention of the Synod.
- b. The qualifications for a candidate for regional pastor include:
 - 1. Individual Membership in good standing on the roster,
 - 2. demonstrated spiritual and pastoral leadership,

Each regional pastor shall be under the supervision of the president.

3.003 Responsibilities

The responsibilities of the regional pastor include:

- a. Deliver the services of providing ecclesiastical supervision, building community, and caring for members to the Members in the region that he serves,
- b. Identify needs and opportunities in the region he serves for engaging in Canadian missions and providing social ministry,
- c. Serve as the leader of the Regional Mission and Ministry Council of the region,
- d. Communicate news and information regularly to the Members of the region,
- e. Support the work of the circuit counsellors in the region,
- f. Appoint a circuit counsellor in the event of a vacancy.

3.005 Expectations of Responsibilities

The expectations of a regional pastor include:

- a. Visit each Member located in his region annually in addition to specific invitations he may receive from Member Congregations and Individual Members in that region,
- b. Convene regional convocations when necessary,
- c. Support each circuit counsellor in his efforts to convene a circuit convocation when necessary,
- d. Attend all meetings of the Regional Mission and Ministry Council,
- e. Attend all meetings of the President's Ministry Council.
- f. Work collaboratively with the president, the Regional Mission and Ministry Council, circuit counsellors and the Members in that region,
- g. Negotiate other expectations in the annual review process.

Strategic and Tactical Planning

- a. The regional pastor shall participate in the four-year Strategic Planning process of LCC.
- b. The regional pastor shall participate in the annual process of developing a work plan and budget.

3.007 Regional Convocations

- a. Each region shall hold regional convocations.
- b. Regional convocations are opportunities to gather together a larger number of lay members of Member Congregations and rostered church workers of a region. The regional pastor may call a regional convocation at his discretion or at the request of the Regional Mission and Ministry Council.
- c. The agenda of a regional convocation may include the following or other items:
 1. significant issues that affect the entire region or LCC,
 2. building community among the congregations, pastors, and deacons in the region,
 3. Bible study and presentations of theological issues,
 4. discussion of social issues that are relevant to the region.

3.009 Regional Mission and Ministry Council

- a. Authority and Make-up
 1. The Regional Mission and Ministry Council of a region shall ordinarily consist of the circuit counsellors of that region and one layperson elected from each circuit of the region. A Circuit Counsellor in consultation with the Regional Pastor may appoint a member of the clergy roster located within his circuit to represent him on the RMMC.
 2. The qualification for lay membership on a Regional Mission and Ministry Council is that he or she be an active member in good standing of a Member Congregation.
 3. The term of office of the members of the Regional Mission and Ministry Council shall be four years or until their successor takes office, commencing on the first day of September after such election or such other date as may be determined by the Convention. There are no term limits for the members.
 4. The Regional Mission and Ministry Council is the primary support structure for the regional pastor in his responsibility to deliver the services of LCC to the congregations, pastors, and deacons in the region. The chief administrative officer may also request support from the Council in the chief administrative officer's responsibility to deliver financial services to Members in the region.
 5. The Convention authorizes the Council to participate in the strategic planning process. The regional pastor shall support the Council in that responsibility and ensure that the Council fulfills that responsibility.
 6. The regional pastor shall convene meetings of the Council and may chair the meetings or delegate the responsibilities of the chair to others.
 7. The regional pastor shall appoint a secretary either from within the Council or a person who is not a member of the Council.

3.011 Responsibilities

The responsibilities of the Council are to:

- a. Advise the regional pastor on matters of need for providing ecclesiastical supervision, building community, and caring for Members in the strategic planning process to determine the allocation of resources within the region;
- b. Provide a convocation for Members in the region and/or circuit to share concerns about needs that are not being met and other issues of concern and to provide opportunities for Biblical education, spiritual growth, parish services seminars, and the like;
- c. Provide an important conduit for sharing information from LCC and other regions with the congregations, pastors and deacons within the region;
- d. Determine the expenditure of financial resources allocated to each respective region.

3.013 Expectations of Responsibilities

Each Council is expected to:

- a. Meet at least annually and at the request of the regional pastor,
- b. Be intentional about two-way sharing between the congregations and the regional pastor;
- c. Make decisions by consensus, not by voting,
- d. Comply with the Strategic Plan of LCC in the priorities of the services in the region,
- e. Attend the respective circuit convocations to enhance communications within the region.

Each Individual Member of the Council is expected to attend the respective circuit convocations to enhance communications with a region.

3.015 Regional Mission and Ministry Council Processes

- a. The Council shall seek to make decisions by consensus.
- b. Minutes shall be kept, approved by the Council and distributed to all of its members. Copies of minutes shall be open to all Members in the region, other Regional Mission and Ministry Councils, officers of LCC and the Board.

3.017 Strategic and Tactical Planning

- a. The Regional Mission and Ministry Council shall participate in the LCC's Strategic Plan.
- b. The Council shall provide input to the annual process of developing a work plan and budget for LCC.

3.019 Official Pastoral and Diaconal Conferences

- a. In each region there shall be official conferences for its pastors and for its deacons. Each official conference shall consist of pastors and deacons of each region and shall meet, if possible, in plenary sessions at least once each year. Regions may hold joint official conferences for their pastors and deacons.
- b. All pastors and deacons on the regional roster are expected to attend meetings of their official conference or present a valid excuse.
- c. The plenary and the sectional meetings of official conferences may adopt and submit overtures to the Convention.
- d. Four weeks prior to the Convention the minutes and essays or a reasonably comprehensive summary of the essays accepted by the pastoral and diaconal conference in plenary and sectional meetings shall be submitted to a committee appointed by the president for examination and a report to the Convention.

3.021 Other Conferences

Inter-synodical conferences for the study of theology are desirable and are encouraged on a regular basis.

3.023 Purposes of Conferences

The official conferences of pastors and deacons shall be conducted for the spiritual and professional growth of their Members. Matters pertaining to Christian doctrine and practice, to professional problems, to the proper conduct in office, to private study, to the welfare of the respective congregations and schools, to the work of the region and of LCC, or to any other professional matter shall at all times receive due and sympathetic attention. The Members of the conferences shall aim to cultivate brotherly relationships, be mutually helpful in every way possible, and encourage, instruct, and admonish one another in a spirit of sincerity and Christian love. Professional conferences have no synodical administrative functions.

3.025 Attendance at Official Conferences

Attendance at the official conferences shall be obligatory for pastors and deacons serving in congregations and parishes. Those whose office in LCC or institution with whom Lutheran Church-Canada shares a Memorandum of Understanding or imposes professional or service requirements on which full and regular conference attendance makes undue demands, shall nevertheless, in consultation with their supervisory boards, arrange for their own partial or occasional attendance and participation in their own official conferences.

IV. CIRCUIT ORGANIZATION

A. GOVERNING PRINCIPLES

4.001 Structuring of Circuits

Each circuit shall consist of not less than three or more than twelve congregations involving an aggregate communicant membership of a maximum of 10,000. Exceptions to these requirements and limitations can be made only by the president upon request of a Regional Mission and Ministry Council.

4.003 Relationships: Officers and Convocation

- a. The circuit counsellor is the principal officer of the circuit and serves in accordance with the duties assigned to this position in the Constitution and these Bylaws. The circuit may select such other officers as it deems necessary. The circuit counsellor and these other officers shall have the primary responsibility of preparing the agenda for the convocation and maintaining liaison between the circuit and the respective Region and LCC.
- b. The circuit convocation is a gathering of members from circuit congregations which aids the process of keeping congregations, particularly the

lay leaders, deacons, and pastors, supportive of one another in their common confession and mutually active in developing programs for the good of member congregations, in considering and recommending new work, and in suggesting improvements for regional and synodical programming. Depending on each circuit's adopted objectives, the circuit may provide for additional representation from each congregation.

B.OFFICERS

1. Circuit Counsellor

4.005 Nomination and Election

Every Member congregation in each circuit shall nominate as candidates for the office of circuit counsellor two men from among the pastors of congregations of the circuit or from among the emeriti who hold membership in one of the member congregations of that circuit. The nominations shall be made at least three months prior to the elections and shall be submitted to the secretary. Candidates shall be vetted by the Regional Pastor in consultation with the other pastors and deacons in the same circuit. Circuit Counsellors being considered for re-election shall recuse themselves from the vetting process. The qualifications for this position include:

- a. Membership in good standing on the roster,
- b. Demonstrated spiritual and pastoral leadership,

The names of the vetted candidates shall be submitted to the Commission on Nominations and Elections. The Commission on Nominations and Elections shall provide an open ballot at the Convention providing the Commission on Nominations and Elections has confirmed the vetting of anyone nominated from the floor and that such candidates meet the conditions for candidacy. The election of circuit counsellor shall be made by the delegates of the respective circuit providing the Commission on Nominations and Elections has confirmed the vetting of anyone nominated from the floor and that such candidates meet the conditions for candidacy. The regional pastor, in consultation with the president, shall fill any vacancies for circuit counsellor that may occur between Conventions.

4.007 Official Visits

- a. The circuit counsellor shall visit each Member Congregation once every four years or when requested by the regional pastor or whenever it seems expedient for him to do so.
- b. The purpose of official visits shall be to bring about to the greatest possible degree the achievement of the Synod's objectives as expressed in Article III of the Synodical Constitution.
- c. The congregation of a circuit counsellor shall be visited by the regional pastor or by another circuit counsellor designated by the regional pastor.

4.009 Relation to Regional Pastor

- a. Each circuit counsellor, by virtue of his office, shall assist the regional pastor within the circuit. Therefore, the regional pastor shall meet with the circuit counsellors of the region at least once a year for the purpose of discussing the work of the circuit counsellor.
- b. The circuit counsellor shall regularly report on his activities to the regional pastor and ordinarily serve on the Regional Mission and Ministry Council. A Circuit Counsellor in consultation with the Regional Pastor may appoint a member of the clergy roster located within his circuit to represent him on the RMMC.

4.011 Relation to Member Congregations

- a. The circuit counsellor shall keep in mind the glory and responsibility of the universal priesthood of all believers as it applies to the congregations. He shall remind them that they are "a chosen generation, a royal priesthood, a holy nation, a peculiar people" to show forth the praises of Him who called them out of darkness into His marvelous light. He shall meet with the entire congregation, if possible, rather than with the voting members only.
- b. He shall inquire whether the congregations are zealously guarding the purity of doctrine, not tolerating errors or schismatic tendencies.
- c. He shall inquire regarding the attendance at services, at communion, and at voters' meetings; the salaries of pastors and deacons; the participation of the congregation in the work of the church at large and in missions; the reading of Christian literature; the Christian training of the children; the adequate instruction of adult catechumens; and the maintenance of the family altar.
- d. He shall inquire what means are being used to guard against the evil influences of sects and organizations which endanger the spiritual life of the congregation.
- e. He shall inquire concerning excommunications, and examine the minutes referring to them, with a view to possible adjustment according to the Word of God.
- f. He shall strive to bring about a peaceful adjustment in a Christian manner (Matt. 18:15-17; 1 Tim. 5:19) if any differences between a pastor and his congregation have arisen and have been brought to his attention.
- g. He shall maintain liaison between the circuit and the respective region and LCC and communicate news and information regularly to the members of his circuit.
- h. He shall identify and advise the regional pastor of specific needs in his circuit.
- i. Official visits shall be arranged in advance by the circuit counsellor with the respective pastor, deacon, and congregation, except under extraordinary circumstances. If he deems it necessary, the circuit counsellor may through the proper channels arrange for a special meeting of the congregation even if he has not been invited.

4.013 Relation to Non-member Congregations

The jurisdiction of circuit counsellors shall include non-member congregations whose pastors are Members of LCC, but for the purpose of official visits in such a congregation the consent of the congregation shall first be secured.

4.015 Relation to Pastors

- a. The circuit counsellor shall conduct his official visits in an evangelical manner and not resort to legalistic measures.
- b. He shall come to the pastor as a brotherly adviser, reminding him of the glory of the ministry and of its great responsibilities.
- c. He shall ascertain whether the pastor is faithful in preaching the Law and the Gospel in their purity, properly dividing and applying them, whether he privately ministers to the needs of the individuals, exercises church discipline in an evangelical manner, and properly supervises all Christian education and training in his parish.
- d. He shall in a brotherly manner discuss the spiritual life, home life, and studies of the pastor with him, also his library and professional studies and professional growth.

4.017 Relation to Deacons and Schools

The circuit counsellor shall officially visit the deacons in his circuit:

- a. In the case of deacons serving congregations, he shall give his attention especially to their teaching, visiting, and administration.
- b. In the case of deacons serving schools, he shall give his attention especially to:
 1. The personal attitudes of the teachers and principal toward their profession and their pupils;
 2. The general course of study, with special emphasis on the teaching of the Christian religion;
 3. Christian discipline;
 4. The school attendance;
 5. The school equipment;
 6. The school management.

In this activity he may be assisted by an appropriate Member of the Regional Mission and Ministry Council.

4.019 Expenses

The circuit counsellor shall be reimbursed by LCC for his reasonable expenses.

4.021 Individual Positions

The circuit may create such other offices as may be desirable and also appoint committees for specific assignments.

C. PASTORS' AND DEACONS' CIRCUIT MEETINGS

4.023 Functions of Circuit Meetings

The functions of circuit meetings are to:

- a. Support one another with prayer, sharing perceptions, and pastoral support,
- b. Provide for professional development,
- c. Provide information, perceptions, and needs of the members in the circuit that will support the mission and ministry planning efforts in the region, and communicate that to the Regional Mission and Ministry Council and the regional pastor,
- d. Provide accurate information from the Regional Mission and Ministry Council and the regional pastor to one another and to the congregations in the circuit.
- e. Allow for sharing cases of casuistry in confidence within the circuit pastors group.

4.025 Expectations

The expectations of the pastors and deacons are to:

- a. Meet on a monthly basis, as able,
- b. Provide true and transparent input from themselves and the congregations regarding the needs and opportunities within the circuit and communicate that to the Regional Mission and Ministry Council and the Regional Pastor,
- c. Provide clear and accurate information from the Board, the president, the Regional Mission and Ministry Council, and the regional pastor to themselves and the congregations in the circuit,
- d. Respect the leadership of the Circuit Counsellor in his work as convener and chair.

D. CONVOCATIONS

4.027 Functions

- a. Circuit counsellors shall arrange for a circuit convocation, which is a larger gathering of members from circuit congregations held when there is a need for such a gathering, as the Circuit Counsellor determines in consultation with his regional pastor.
- b. Each congregation shall be represented at the circuit convocation at least by its pastor and one member designated by the congregation, although all members of congregations are urged to attend.
- c. Among the functions which the circuit convocation may perform are the following:
 1. to participate in the four-year strategic planning process to develop and adopt plans for providing ecclesiastical supervision, building community, caring for members, mission outreach, and social ministry in the circuit area,
 2. to participate in the annual work plan and budgeting process for the region and LCC to devise and develop programs and services relevant to the needs of circuit congregations, lay leaders, deacons, and pastors,
 3. to receive and respond as appropriate to advice, guidance, resolutions and programs as such may be addressed to it from other circuits, the respective regions, or LCC,
 4. other purposes are to provide a setting in which Member Congregations may know of and celebrate the ministry pursued by each

congregation, may review and discuss the work of the circuit convocation, and may receive information on various phases of the work pursued through the region and Synod, doctrinal essays, stewardship education; mission outreach; evangelism training; Sunday school teacher training and support, ministry support, and the like.

- d. The circuit convocation shall be entitled to submit overtures to the Convention.

E. PARISHES

4.029 Parish Lines

The membership of a Member Congregation constitutes its parish. Territorial parish lines are not established by divine right. Nevertheless, the following reasons may be cited for establishing such lines:

- a. God is not the author of confusion, and therefore He wants all things to be done decently and in order, 1 Cor. 14:40; 1 Peter 4:15.
- b. Schisms and sects in a congregation should be avoided, and church members should not be given occasion to attach themselves to the person of one pastor in preference to that of another. This in itself is a sectarian tendency, which Paul condemns, 1 Cor. 1:12; 3:3-7.
- c. The private cure of souls, an essential duty of every pastor, is rendered more difficult where there are no parish lines and in many cases is impossible, nor can church discipline be well exercised. A member who on account of distance no longer regularly attends church services shall be advised to affiliate with the nearest orthodox Lutheran congregation.
- d. The example of the apostolic church favours the separation of congregations by parish lines; for in the days of the apostles, bishops were appointed for every city, Titus 1:5. The example of the apostles, it is true, is not equal to an express command which must be obeyed by Christians at all times and under all circumstances; yet the custom of apostolic times speaks in favour of the reasons given above, and therefore it is proper that we should not without good reason fail to follow such example.

4.031 Dividing Congregations

- a. Member Congregations which have grown so large that their members cannot receive proper pastoral care, or whose members have spread over so much territory that members living at a distance find it difficult to use the means of grace with necessary frequency, shall not oppose a division of the parish; nor shall they oppose the organization of new congregations in neighbourhoods which would be thereby better served. All other interests are subordinate to those which seek to promote the glory of God and the extension of His kingdom.
- b. The dividing of one congregation into two or more and the establishing of a new mission or congregation adjacent to an existing parish or parishes shall be regulated and effected in accordance with due Christian regard for the spiritual welfare of all concerned. This requires:
 1. That any such separation or division be brought about – as much as possible – by a voluntary agreement, prompted by the conviction of all concerned;
 2. That church property be divided in accordance with justice and equity, so that one party will not be slighted while the other party is given undue advantages;
 3. That the dividing of a parish for the purpose of organizing new congregations be not insisted on if thereby a whole congregation would be seriously disturbed.

4.033 Merging Congregations

- a. Member Congregations which have grown so small that they cannot financially support their own pastor are encouraged to establish a merger with neighbouring congregations whether it be a formation of a dual or tri-parish, a multi-point parish agreement, and the like so that the means of grace may be regularly administered in their midst.
- b. Member Congregations which are able to financially support their own pastor are encouraged to join with a neighbouring congregation that is unable to support its own pastor so that the means of grace may be regularly administered to the members of the smaller congregation.

V. PASTORS AND DEACONS

A. CALLS

5.001 Eligible Pastors and Deacons

- a. Pastors
 1. Member Congregations in conformity with Article III, 3 of the Synodical Constitution, shall call and be served only by pastors who have been admitted to these respective ministries in accordance with the rules and regulations set forth in these Synodical Bylaws.
 2. Member Congregations which violate this requirement and persist in such violation shall after due admonition forfeit their membership in Lutheran Church-Canada.

- b. Deacons
 - 1. The term "deacon" shall include both male and female Members of the diaconate who have accepted a call having been:
 - (i) Prepared and certified in our church's professional church worker program (teacher, director of parish services, parish nurse);
 - (ii) Prepared and certified through a certified program of the LCMS (teacher, Director of Christian Education, Director of Evangelism, deaconess, parish worker, lay minister).
 - 2. Congregations which are Members of LCC, in conformity with Article III, 3 of the Constitution, shall call only deacons who have been admitted to these respective ministries in accordance with the rules and regulations set forth in the synodical *Handbook* and have thereby become Members.
 - 3. Non-rostered workers shall be encouraged to seek certification through the Colloquy Committee.

5.003 Advising Member Congregations

Member Congregations shall seek the advice of the respective regional pastors when calling pastors or deacons.

5.005 Advising Lutheran Non-member Congregations

- a. Lutheran congregations not members of LCC making application to LCC for pastors or deacons to serve them shall also have the benefit of such official advice from the appropriate regional pastor.
- b. LCC expects such congregations to honour its rules and regulations and express a willingness to consider membership in Lutheran Church Canada.
- c. Such congregations shall declare their willingness after due instruction to sever their connection with any heterodox body with which they may be affiliated.

5.007 Non-Lutheran Congregations

Congregations of non-Lutheran faith making application to LCC for pastors or deacons to serve them shall not be denied their request, provided that the congregation making application--

- a. Declares its unconditional acceptance of the Bible as the inspired and inerrant Word of God;
- b. Declares its willingness to permit its pastor to minister to it in accordance with the Confessions of the Lutheran Church;
- c. Declares its willingness after due instruction to sever its connection with any heterodox body with which it may be affiliated.

5.009 Serving Non-Lutheran Congregations

A pastor if requested by a non-Lutheran congregation without a minister to fill its pulpit, may do so for a longer or shorter period of time, in order that such a congregation may hear the Word of God expounded in its truth and purity. Under such circumstances a pastor will not publicly celebrate the Lord's Supper in that congregation. If such a congregation desires to extend a regular call to a pastor, the conditions as provided in bylaw 5.007c must be observed.

5.011 Assignment of Calls

- a. The President's Ministry Council acting as the Board of Assignments, shall regularly receive the Calls for pastoral and diaconal candidates which congregations, qualified associations, and synodical boards have submitted and shall assign such calls and appointments to the following: graduates from our synodical church work programs, interns, and vicars of seminaries with whom Lutheran Church-Canada has entered into a Memorandum of Understanding and workers available from colloquy programs.
- b. The placement officers of the respective institutions shall be consulted before the assignments are made.
- c. The regional pastor of the region to which a candidate is to be assigned shall be consulted, and his suggestions and recommendations shall be part of the final recommendation to the plenary Board of Assignments.

B. ORDINATIONS, CONSECRATIONS AND INSTALLATIONS

5.013 Prerequisites for Ordination

- a. A candidate for the office of the pastoral ministry in Lutheran Church-Canada may be ordained when the following prerequisites have been met:
 - 1. He shall have completed the prescribed courses of study and have received a diploma from a seminary which has entered into a Memorandum of Understanding or have fulfilled the requisites for colloquy according to the Handbook, bylaws 5.047 to 5.063, or have completed all requisites for the PAT program according to 5.089.
 - 2. He shall have received endorsement by the proper faculty or the Colloquy Committee, or the President's Ministry Council with regard to PAT candidates for the Pastoral Office and in every respect have been declared qualified by them for the office of the ministry of Word and Sacrament in the Church.
 - 3. He shall have indicated complete dedication to the ministry and the readiness to accept a call extended to him by the Board of Assignments.
 - 4. He shall have received and accepted a call to a position the holder of which may be ordained according to these Synodical Bylaws.
 - 5. He shall have received and accepted a call extended through the proper channels to assume full-time or part-time work in the church.
 - 6. He shall have made application for Individual Membership in LCC and have submitted a request for ordination to the respective regional pastor or to the proper official of the board through which the call was extended.
- b. Graduates of the Concordia Lutheran Seminary, Edmonton and Concordia Lutheran Theological Seminary, St. Catharines who have fulfilled the prerequisites stated in a.1-4, and who wish to continue their professional studies shall be assigned and ordained upon their request under the following conditions:
 - 1. A call shall have been extended by a congregation or a proper board expressing preference for a particular candidate to be assigned to the function of pastor or other synodically approved office.
 - 2. The regional pastor shall approve the call, and the candidate shall be assigned by the Board of Assignments.
 - 3. The regional pastor shall approve the request for ordination and receive the candidate upon his application as an Individual Member of the region.

5.015 Responsibility of Regional Pastors

The regional pastor shall be responsible for the ordination of candidates for the pastoral ministry, for the consecration of candidates for the diaconal ministry, and the installation of pastors and deacons in congregations within his region. If the regional pastor is unable to perform these duties in person, he may delegate these duties to another pastor. If possible, the pastor officiating at such ordination or installation shall be assisted by one or more pastors.

5.017 Prerequisites for Consecration

- a. A candidate for the position of deacon in Lutheran Church-Canada may be consecrated when the following prerequisites have been met:
 1. The candidate shall have completed the prescribed courses of study and have received a diploma from a recognized program of higher education or have fulfilled the requisites for colloquy according to the *Handbook*, bylaws 5.065 to 5.081.
 2. The candidate shall have received endorsement by the proper faculty or the Diaconal Colloquy Committee for the position of deacon and in every respect has been declared qualified by them for the position of deacon.
 3. The candidate shall have indicated complete dedication to the diaconal ministry and the readiness to accept a call extended to him/her by the Board of Assignments.
 4. The candidate shall have received and accepted a call to a position, the holder of which may be consecrated according to these Synodical Bylaws.
 5. The candidate shall have received and accepted a call extended through the proper channels to assume full-time work or part-time in the church.
 6. The candidate shall have made application for membership in LCC and have submitted a request for consecration to the respective regional pastor or to the proper official of the board through which the call was extended.
- b. Graduates from an approved institute of higher education who have fulfilled the prerequisites stated in a.1-4 and also wish to continue their professional studies shall be assigned and consecrated upon their request under the following conditions:
 1. A call shall have been extended by a congregation or a proper board expressing preference for a particular candidate to be assigned to the function of deacon.
 2. The regional pastor shall approve the call and the candidate shall be assigned by the Board of Assignments.
 3. The regional pastor shall approve the request for consecration and receive the candidate upon his application as a Member of LCC.

5.019 Place and Manner of Ordination

- a. The ordination of a candidate shall as a rule, for the sake of good order in the church, take place in the presence of the congregation to which he has been called. However, the regional pastor of the region in which the calling congregation is located may permit the ordination to take place in the home congregation of the candidate and accordingly, with the permission of the calling congregation, authorize the ordination of the candidate in his home congregation. The regional pastor in which the calling congregation is located shall issue a diploma of ordination.
- b. The installation of candidates or pastors shall always take place in the presence of the congregation to which they have been called.
- c. Candidates and pastors shall be ordained and installed in accordance with accepted Lutheran liturgical orders for that purpose and shall be solemnly pledged to the Scriptures as the inspired and inerrant Word of God and the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures.

5.021 Installation of Faculty Members

Faculty members at the educational institutions with whom Lutheran Church-Canada has entered into a Memorandum of Understanding shall be installed in accordance with accepted Lutheran liturgical orders for that purpose and shall be solemnly pledged to the Scriptures as the inspired and inerrant Word of God and to the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures. The installation shall be performed by the respective regional pastor or by his representative.

5.023 Induction of Instructional Staff Members

Candidates assigned to an educational institution with whom Lutheran Church-Canada has entered into a Memorandum of Understanding by the Board of Assignments shall be inducted into office in accordance with accepted Lutheran liturgical orders for that purpose. They shall be solemnly pledged to the Scriptures as the inspired and inerrant Word of God and to the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures. Having made application for membership in the Synod, they may be ordained or installed respectively by the regional pastor or his representative.

5.025 Consecration and Installation of Deacons

- a. The consecration of a candidate for diaconal ministry shall as a rule, for the sake of good order in the church, take place in the presence of the congregation to which he/she has been called. However, the regional pastor of the region in which the calling congregation is located may permit the consecration to take place in the home congregation of the candidate and accordingly, with the permission of the calling congregation, authorize the consecration of the candidate in his home congregation. The regional pastor of the region in which the calling congregation is located shall issue a diploma of consecration.
- b. The installation of diaconal candidates or deacons shall always take place in the presence of the congregation to which they have been called and shall be performed by the pastor of the congregation upon authorization by the regional pastor.
- c. Diaconal candidates and deacons shall be consecrated and installed in accordance with accepted Lutheran liturgical orders for that purpose and shall be solemnly pledged to the Scriptures as the inspired and inerrant Word of God and the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures.

C. CLERGY AND DIACONAL ROSTERS

5.027 Placement and Removal

Subject to the provisions of the Synodical Constitution and these Bylaws the regional pastor shall be responsible for the initial placement of the names of all pastors and deacons on the clergy and diaconal rosters respectively of LCC and also for their removal.

5.029 Active Status

To be retained on the roster, a pastor or deacon must be performing the duties of one of the following offices:

- a. a pastor called to serve a parish;
- b. a deacon called to serve a parish;
- c. an officer elected by a Convention;
- d. an executive or professional staff member called or appointed by Lutheran Church-Canada or by an organization with whom Lutheran Church-Canada has entered into a Memorandum of Understanding;
- e. a missionary called or appointed by Lutheran Church-Canada or by an organization with whom Lutheran Church-Canada has entered into a Memorandum of Understanding;
- f. an instructor, administrator, or other staff member on the faculty of an educational institution with whom Lutheran Church-Canada has entered into a Memorandum of Understanding or of an educational institution whose service therein promotes the purposes of the Synod, as determined by the President's Ministry Council;
- g. a military or institutional chaplain called by Lutheran Church-Canada;
- h. an executive or professional staff member called or appointed by an organization approved by the Board.

5.031 Emeritus Status

A pastor or deacon who has retired after reaching the age of 55 or for reasons of total and permanent disability shall be eligible for retention on the roster as emeritus upon application for such status to the regional pastor. Any unusual case shall be decided by the President's Ministry Council.

5.033 Candidate Status

- a. A pastor or deacon who is eligible to perform the duties of the offices of ministry specified in bylaw 5.029 but who is not currently performing those duties and who is not retired may be retained on the roster upon application for such status to the regional pastor for a period of two consecutive years. For the extension of the candidate status beyond two consecutive years, a bi-annual application from the candidate as well as an evaluation by the regional pastor of the region of which the candidate is a Member shall be required. The President's Ministry Council shall determine whether or not requests for candidate status shall be granted, extended, or discontinued.
- b. Among criteria for determining whether candidate status should be granted or extended are: the health of the applicant; family considerations; the extent of his/her current involvement on a part-time and assisting basis in the ministry of Word and Sacrament; a demonstrated history and current ability of being able to perform the duties of an active pastor or deacon serving a Member Congregation or other position recognized by LCC; a demonstrated willingness to consider a call or appointment to a position recognized by LCC.

5.035 Restricted Status

- a. A pastor or deacon may have his status restricted to the extent deemed necessary and appropriate by the regional pastor who has ecclesiastical supervision of the Member. The regional pastor may take this action if information with respect to such Member provides a substantial basis to conclude that such a Member
 1. may have engaged in conduct which could lead to termination of membership under Article VI of the Synodical Constitution; or
 2. is incapable of performing the duties of the office or position because of a physical, mental, or emotional disability; or
 3. neglects or refuses to perform the duties of the office or position.
- b. A pastor or deacon on restricted status is ineligible to:
 1. perform functions of ministry except in the position of service, if any, held at the inception of restricted status and anything beyond the current position of service only if approved by the regional pastor; and
 2. accept a call to any other position of service in the Synodical Family.
- c. A pastor or deacon shall be notified in writing as to the specific reasons for having been placed on restricted status. Such restricted status shall continue for a period of one year or a lesser period if the matter is satisfactorily resolved.
- d. Restricted status shall normally be limited to one year. To extend the restricted status beyond this period, the regional pastor shall secure the approval of the President's Ministry Council. Such approval must be secured annually until such time as the regional pastor removes this status. In such cases, the regional pastor shall thereafter notify the pastor or deacon on restricted status in writing as to the reasons for such continuance of restricted status. A pastor or deacon who is placed on restricted status shall have the right to appeal the placement on, or continuance of, restricted status by filing a Petition for Removal of Restricted Status with the President's Ministry Council. A pastor or deacon on restricted status may petition for removal therefrom no more than once in a 12-month period. Such Petition for Removal of Restricted Status shall be addressed solely to the President's Ministry Council through the office of the president. The President's Ministry Council shall rule on such petition within three months from the date of the receipt of the petition.
- e. The records maintained by the respective regional pastor shall reflect the restricted status. In addition, the regional pastor shall notify in writing the president and all other district presidents of such restricted status. The regional pastor shall also notify the congregation or other agency being served by the Member of the restricted status to take appropriate action so that the rights of both the Member and congregation or other agency are preserved.

5.037 Suspended Status

- a. When formal proceedings have been commenced against a Member (individual or congregation), under the procedure set forth in bylaws 7.041 and 7.043, which may lead to termination of membership in LCC under Article VI of the Synodical Constitution, the Member shall be placed on suspended status. If such Member was on restricted status at the commencement of formal proceedings, the restricted status shall become suspended status.
- b. Suspended status shall continue until membership is duly terminated or until the suspension has been removed. While on suspended status, the Member shall continue to hold all rights under the Synodical Constitution and these Synodical Bylaws subject to the limitations set forth herein.
- c. When a Member is placed on suspended status, the regional pastor who has ecclesiastical supervision of the Member shall
 1. reflect the suspended status in the records maintained by him;
 2. notify, in writing, the president and all other regional pastors of the affected Member's suspended status;
 3. notify the congregation or other agency being served by the Member of the suspended status to take appropriate action so that the rights of both the Member and congregation or other agency are preserved.
- d. While a Member is on suspended status, the regional pastor shall minister to that Member either directly or through others, concern himself with the spiritual well-being of such Member, and continue efforts to resolve those matters which led to imposition of the suspended status.
- e. If the Member on suspended status is a regional pastor, the duties assigned to the regional pastor shall be performed by an interim regional pastor appointed by the president after having consulted with the Regional Mission and Ministry Council of that region in which the Member on suspended status serves.
- f. The suspension of a Member shall remain in effect until a decision is reached by the Commission on Adjudication. During the period of suspension, a Member shall not be relieved of his rights under the Synodical Constitution and these Synodical Bylaws, but shall be relieved (1) of his duties as a Member of LCC (e.g., delegate to a convention, membership on LCC boards and commissions) and (2) of the duties and responsibilities of his position with LCC with an organization with whom the Lutheran Church-Canada has entered into a Memorandum of Understanding, and he shall be ineligible for service in LCC. Suspension, however, shall not, of itself, act to relieve a Member of duties and responsibilities of his position with a Member Congregation but the regional pastor shall notify the congregation of the suspension so that the congregation may take action as it deems fit.

5.039 Reinstatement

All applications for reinstatement to the clergy or diaconal roster shall be addressed to the regional pastor of the region in which the applicant resided at the time his membership was suspended. The regional pastor shall review the matter and report it to the President's Ministry Council, with or without recommendation. The President's Ministry Council shall decide the issue by means of a written ballot. If the applicant is reinstated, the regional pastor shall announce this fact in the official periodicals of LCC.

D. MISSIONARIES

5.041 Commissioning

Missionaries and itinerant preachers who are not called by and to a specific congregation shall be commissioned according to accepted Lutheran liturgical orders and shall be pledged to the Scriptures as the inspired and inerrant Word of God and to the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures.

5.043 Order for Ordination and Commissioning

The order for the ordination and commissioning, or commissioning of a missionary called into a foreign field shall be issued upon the request of the Board by the regional pastor of that region in which the missionary resides. The order for the commissioning of missionaries for service within a region of the Synod shall be issued by the regional pastor of that region.

5.045 Membership in LCC

The application for membership in LCC by a missionary shall ordinarily be acted on at the next Convention. The regional affiliation of a missionary in a foreign field shall be with his home region unless he requests membership in another region. If a Convention is not held in that year, the application shall be presented to the Board for action.

E. ADMISSION TO THE PASTORAL MINISTRY BY COLLOQUY

5.047 Pastoral Colloquy Committee

The Pastoral Colloquy Committee (the "Committee") shall consist of the vice-president, and the presidents of the theological seminaries at Edmonton and St. Catharines. The vice-president shall be chairman of the Committee.

5.049 Functions

The Committee shall:

- a. Direct all activity in matters of colloquy according to regulations adopted by LCC
- b. Render a full report on its activities to each Convention
- c. Establish and monitor academic and theological standards for admission to and completion of the colloquy program for the pastoral ministry;
- d. Approve for admission to the colloquy program those applicants whom it recommends and to which no valid objection is made and shall communicate its decision to the applicant, the applicant's ecclesiastical supervisor, and the regional pastor of the region in which the applicant resides; and
- e. Certify applicants for the pastoral ministry of the Synod, commending them to the President's Ministry Council as eligible for a call.

5.051 Eligibility

Only such applicants shall be considered eligible for admission to the pastoral colloquy program as are:

- a. Ministers, or candidates for the ministry, who are in good standing in other Christian church bodies and are graduates of established theological seminaries; or
- b. Men who have completed an undergraduate degree whose names appear on the roster of the Synod as deacon, and who have had at least 10 years of successful experience as a deacon and are in good standing in a Member Congregation; or
- c. Members in good standing of a Member Congregation who are graduates of a seminary which has not entered into a Memorandum of Understanding; or
- d. Members in good standing of a Member Congregation who belong to a special ethnic or linguistic group, who have a college-level education, and who have had considerable experience in church work.

5.053 Application for Admission

- a. Applications for admission to the pastoral colloquy program shall be directed to the regional pastor of the region where the application originates.
- b. The regional pastor shall assure the Committee of his sponsorship of the applicant before the Committee can act favourably on the application.

5.055 Publication of Application

After the regional pastor has furnished the Colloquy Committee with the required documents and the committee has assured itself that the applicant qualifies for the colloquy program, the committee shall publish the request of the applicant in the official periodicals of the Synod. If no valid objection is filed within four weeks after the notice of the application has been published in the print edition, the committee shall proceed with the colloquy program.

5.057 Program of Instruction

- a. The Committee shall determine the course of study and length of supervised ministry for each candidate on the basis of his needs and ecclesiastical background.
- b. The criteria by which the Committee shall judge an applicant's progress are as follows:
 1. The applicant shall demonstrate readiness for admission to the office according to standards established by the Committee.
 2. He shall give evidence that he fully understands and accepts the doctrinal standards of the Synod, is acquainted with its practices, and has the ability and intention to teach, preach, and practice in conformity with these standards.

5.059 Applicants from Affiliated Church Bodies

Applications from pastors and candidates of theology, who are Members of an affiliated church body and have previously given satisfactory evidence of their qualifications may be received without examination of the applicant.

5.061 Certificate of Eligibility

Applicants who have satisfactorily passed their examination shall be given a certificate of eligibility by the Colloquy Committee. The Committee shall publish the names of certified candidates in the official periodical(s) of the Synod.

5.063 Placement

Every applicant whom the Committee declares qualified for the pastoral ministry shall be eligible to be placed on Call lists by regional pastors, congregations, or schools which have entered into a Memorandum of Understanding with LCC. When a Call is received, the candidate shall be placed by the President's Ministry Council acting as the Board of Assignments.

F. ADMISSION TO THE DIACONATE BY COLLOQUY

5.065 Diaconal Colloquy Committee

The Diaconal Colloquy Committee (the Committee) shall consist of the vice-president and the presidents of the theological seminaries at Edmonton and St. Catharines and a deacon appointed by the president. The vice-president shall be chairman of the committee.

5.067 Functions

The Committee shall—

- a. Direct the synodical activity in matters of colloquy according to regulations adopted by LCC;
- b. Render a full report on its activities to each Convention;
- c. Establish and monitor academic and theological standards for admission to and completion of the colloquy program for the diaconate;
- d. Approve for admission to the colloquy program those applicants whom it recommends and to which no valid objection is made and shall communicate its decision to the applicant, the applicant's ecclesiastical supervisor, and the regional pastor of the region in which the applicant resides; and
- e. Certify applicants for the diaconate commending them to the President's Ministry Council as eligible for a Call.

5.069 Eligibility for Admission

Applicants for admission to the diaconate by colloquy shall be expected to have completed post-secondary education at an accredited institution culminating in a bachelor's degree. Teacher applicants must hold teacher certification in one of the Canadian provinces.

5.071 Application for Admission

- a. Applications for admission to the diaconal colloquy program shall be directed to the regional pastor where the application originates.
- b. The regional pastor shall assure the Colloquy Committee of his sponsorship of the applicant before the committee can act favourably on the application.

5.073 Publication of Notice

After the regional pastor has furnished the Committee with the required documents the committee shall publish the request of the applicant in the official periodical(s) of LCC. Within a reasonable amount of time the Committee shall either accept or deny the application based on the information it receives in the application process. Its decision shall not be subject to any appeal.

5.075 Program of Instruction

The Committee shall determine the course of study for each candidate on the basis of his or her needs and ecclesiastical background.

5.077 Applicants from Affiliated Church Bodies

Applications from deacons who are members of an affiliated church body and have previously given satisfactory evidence of their qualifications may be received without examination of the applicant.

5.079 Certificate of Eligibility

Applicants who have satisfactorily passed their examination shall be given a certificate of eligibility by the Colloquy Committee. The Committee shall publish the names of certified candidates in the official periodical(s) of LCC.

5.081 Placement

Every applicant whom the Committee declares qualified for the diaconate shall be eligible to be placed on Call lists by regional pastors, congregations or schools recognized by the Synod. When a call is received, the candidate shall be placed by the President's Ministry Council acting as the Board of Assignments.

G. ADMISSION TO THE PASTORAL MINISTRY THROUGH PASTORS WITH ALTERNATE TRAINING (PAT) PROGRAM

5.083 Pastors with Alternate Training (PAT) Committee

The Pastors with Alternate Training (PAT) program is under the responsibility and administration of the President's Ministry Council. The PAT Committee is composed of four members who serve two-year terms: the PAT Coordinator, one member appointed by each seminary and one member of the President's Ministry Council, who shall serve as chairman of the PAT Committee.

5.085 Functions

The PAT Committee shall:

- a. Review and update the curriculum and the course outlines;
- b. Supervise the academic program for each PAT student approved by the President's Ministry Council;
- c. Appoint mentors and instructors for each student;
- d. Supervise and provide academic evaluation of each student;
- e. Provide regular progress reports to the President's Ministry Council and seminaries about a student's progress;
- f. Plan and organize intensive educational sessions;
- g. Archive documentation of the entire program;
- h. Arrange interviews of the student with the seminaries and the student's respective regional pastor;
- i. Upon successful completion of all requirements recommend students to the President's Ministry Council for acceptance into the pastoral ministry of the Synod for service in his site specific pastoral ministry.

5.087 Application and Eligibility for Admission

- a. Application for admission to be a PAT site shall be directed to the regional pastor of the region where the application originates.
- b. The regional pastor on receipt of application shall arrange to meet with the congregational leadership who are requesting to be a PAT site.
- c. Upon completing the interview, the regional pastor will make a recommendation to the President's Ministry Council regarding PAT site status.
- d. Upon ratification by the President's Ministry Council the congregation/community of faith presents a candidate for the PAT program. The regional pastor will process and evaluate the proposed candidate.
The application shall be accompanied by the following documents:
 1. An autobiographical statement by the candidate, setting forth clearly his background and his reason for wishing to qualify for the pastoral ministry in the Synod;

2. Transcripts of the candidate's secondary and post-secondary training and a description of non-credit academic work done by the candidate; and
 3. Testimonials as to Christian character and life, personality, ability and service in his congregation/community of faith from no fewer than three competent references who have known and observed the applicant for at least two recent years.
- e. The regional pastor will submit his evaluation and the accompanying documentation of the candidate to the President's Ministry Council for acceptance into the program.

5.089 Program of Instruction

- a. The PAT Committee shall determine the course of study for each candidate based on his needs and his ecclesiastical background. In general, the course of study will follow the current curriculum which includes classes in the major areas of theology with a focus on personal and spiritual formation and capacity for pastoral leadership.
- b. The program includes onsite training under the tutelage of a local mentoring pastor. Regular interviews will be conducted with the PAT student by regional pastors, seminary representatives, and the supervisor of the program.
- c. The program is normally four years in duration consisting of four stages of progression.
- d. In consultation with the PAT Committee, the supervisor shall administer the appropriate qualifying program and, when all requirements have been met, the PAT Committee will recommend the student to the President's Ministry Council for certification.

5.091 Certificate of Eligibility

Candidates who have satisfactorily completed all requirements and have been ratified by the President's Ministry Council shall be given a certificate of eligibility and theological diploma.

5.093 Placement/Ordination

Every candidate whom the President's Ministry Council declares qualified for pastoral ministry shall be assigned his first site-specific placement by the President Ministry's Council acting as the Board of Assignments. Having received his placement, a date for ordination shall be set.

VI. HIGHER EDUCATION

Section 1. Seminaries

6.001 Seminaries Serving Synod

In recognition of longstanding service, LCC will endeavour to maintain a Memorandum of Understanding with Concordia Lutheran Seminary, Edmonton and Concordia Lutheran Theological Seminary, St. Catharines.

6.003 Ecclesiastical Supervision

A faculty member of a Seminary which has entered into a Memorandum of Understanding who is an Individual Member is under the ecclesiastical supervision of the regional pastor. In cases in which such a faculty member is charged with false doctrine or conduct unbecoming a Christian, and in which the complainant finds unacceptable the decision of the Board of Regents not to pursue the charge, he may be dealt with by the president and be removed from the membership in LCC and therefore from the office in harmony with the provision of the Synodical Constitution and these Bylaws. The written decisions of the Commission on Adjudication required under bylaw 7.061, including the finding of fact, the conclusions, and the reasons for such conclusions, shall be conveyed in writing to the Board of Regents of the faculty member involved.

6.005 Review

A party may apply to the President's Ministry Council for a review of any decision with respect to cases under bylaw 6.003. These reviews shall be treated as requests to rehear the case and shall be governed by the rules and procedures specified or adopted under bylaw 7.063.

VII. RECONCILIATION, RESTORATION AND ADJUDICATION

A. Preamble

7.001 The Gospel of Reconciliation

God was in Christ, reconciling the world to Himself. Through Jesus Christ, God has called the church to a ministry of reconciliation. He gives:

- a. peace between himself and the sinful world,
- b. peace between brothers and sisters in Christ,
- c. Scriptural encouragements to Christians to strive to maintain unity of the Spirit in the bond of peace, the created gifts of reason and a conscience to help human beings have a sense of fairness, and the spiritual gifts of forgiveness and love to help Christians to be at peace, in so far as it in them lies, with each other and with all fellowmen.

7.003 The Goal of Chapter VII

The goal of Chapter VII of these Synodical Bylaws is that the Members (i.e., the pastors, deacons, and congregations) and communicant members of Member Congregations receive and administer the Gospel of reconciliation in order that they might be in one accord in

- a. confessing and proclaiming the Gospel,
- b. living together in God-pleasing fellowship characterized by justice and peace, and

- c. glorifying God together with one heart and voice.

7.005 LCC and Its Members as “Church,” “Synod,” and “An Incorporated Religious Body”

As Members, the pastors, deacons, and Member Congregations are, along with the communicant members of Member Congregations, “church,” where the Gospel is preached and received in faith and the sacraments are administered in accord with Christ’s institution. As pilgrims on this earth, all of these Christian people are “simultaneously saints and sinners,” ever entangled in sin even while, under grace, being proclaimed forgiven. Though struggling with pride, anger, and self-serving factionalism, they hear the call and encouragement-and they aspire-to live in a God-pleasing fellowship characterized by forbearance, justice and peace.

Considered as a “Synod,” LCC provides “a voluntary ecclesiastical bond shared by Member Congregations, pastors, and deacons walking together to carry out the ministry and mission given by Christ to his Church” (Statutory Bylaws 6.01). As such, it has the right to suspend and/or expel from its membership any Member who persists in teaching contrary to the principles, doctrine and religious standards adopted by LCC, or who practices a manner of behaviour which is not in accord with the calling of the Gospel.

As a religious body incorporated under the *Act* LCC has established Statutory Bylaws, Synodical Constitution and Synodical Bylaws, with officers, boards and commissions. Every Member shall, as a consequence of membership, respect the ordered offices of LCC, subordinate himself to appropriate ecclesiastical authority, abide by the provisions of the Statutory Bylaws, Synodical Constitution and these Synodical Bylaws and serve in accord with the decisions of the LCC in Convention and of its officers, committees, boards, or commissions (see Synodical Bylaw 1.011).

7.007 Basic Distinctions

This Chapter is comprised of two separate sections, which reflect a distinction between two types of disputes with which it may become necessary to deal.

- a. **Reconciliation** refers to the ministry which aims to bring a return of peace in the relationship between two or more Members of LCC who have, for some reason, become estranged. Matters to be dealt with under the ministry of reconciliation are actions which offend and bring about estrangement, whether done in the name of Christian freedom, or in ignorance, or due to incompetence.

Thus, *reconciliation* may deal with a wide range of disputes, but matters which may lead to suspension of-and possible termination of membership in LCC, are not typically dealt with under this ministry of reconciliation.

- b. **Restoration** refers to the ministry which aims to bring back to the true doctrine and right practice a Member (pastor, deacon, or Member Congregation) who has acted “contrary to the confession laid down in Article II and to the conditions of membership laid down in Article VI” and/or who is persisting “in an offensive conduct.” These actions may entail suspension of and/or termination of membership in LCC.

Procedures for *Adjudication*, furthermore, are required for several special categories of disputes, as included in 7.047.

7.009 General Encouragement and Particular (“Official”) Responsibilities

In matters such as are to be dealt with under the category of *reconciliation*, there is encouragement and hope that all manner of attempts (mutual encouragement of brethren, pastoral care, etc.) to attain reconciliation will be made and that the relationship may be healed *before* the formal reconciliation process becomes necessary.

In matters such as are to be dealt with under the category of *restoration and adjudication*, while earnest fraternal discussion and admonition are certainly in order, it is important that the matter be brought promptly to the attention of and be addressed by the appropriate ecclesiastical authority (ordinarily the regional pastor).

7.011 Constructive, Accessible, Clear

In order that the provisions of Chapter VII be constructive and helpful to the life together of the Members of LCC, it is important that any and all interested parties have access to a clear explanation of the purposes, parameters, and procedures involved. This includes access not only to the Statutory Bylaws, Synodical Constitution and these Synodical Bylaws, but also to the most recent version of the appropriate Rules of Procedure. It is the responsibility, moreover, of a person in an office of ecclesiastical oversight to ensure that clear and accurate information about the parameters and procedures of Chapter VII are provided to anyone who requests such information.

7.013 Definition of Terms as Used in This Chapter

For the purposes of this Chapter, the following definitions shall apply.

- a. "Entity of LCC" shall be construed to include any board, commission, committee, or council of LCC or its regions.
- b. "Position" shall include:
 - 1. Membership on a board, commission, committee, or council of the LCC;
 - 2. An officer of LCC or one of its regions (including a circuit counsellor); and
 - 3. Any executive employment (as defined by the appropriate corporate board) regardless of whether the position was filled by election, appointment, or call, whether layperson or pastor.
- c. “Complaint” shall refer either to the substance of the cause of estrangement (in cases of reconciliation) or of the charge of false doctrine/offensive conduct (in cases of restoration) and to the act of lodging the complaint.
- d. "Party to a case" or "party to the case" shall include
 - 1. The person(s) or entity who initiated the complaint,
 - 2. The person(s) or entity against whom the complaint has been brought, and
 - 3. Any person or entity, given standing by the Commission on Adjudication, whose rights will or may be materially affected by the reconciliation, restoration, or adjudication process but shall *not* include a regional pastor or the president whose actions are carried out in the course of exercising his official duties.

- e. An “action” or “decision of a congregation,” (as a Member of LCC) shall be any action or decision of any officer, board, or council of the congregation taken pursuant to the constitution of the congregation.

7.015 Exclusiveness of Remedies

- a. Except as may be otherwise provided in these Bylaws, this chapter shall govern all formal reconciliation, restoration and adjudication procedures within LCC.
- b. The Holy Scriptures (1 Cor. 6:1-7) urge Christians to settle their differences among themselves. Therefore, LCC calls upon all parties to a dispute or controversy to make full use of LCC’s provisions for reconciliation, restoration and adjudication. If a person or entity to whom the provisions of this chapter are applicable shall unreasonably refuse to heed this admonition, the person or entity shall forfeit all rights under this chapter. Fitness for ministry and other theological matters should never be determined outside the church.
- c. No person or entity to whom or to which the provisions of this chapter are applicable because such person or entity is a Member may render the provisions of this chapter inapplicable by terminating that membership.

7.017 The Congregation's Right of Self-Government

The congregation's right of self-government is recognized. However, when a decision of a congregation is the subject of adjudication, and if it comes to the Commission on Adjudication to review the decision of the congregation according to the Holy Scriptures, the Commission on Adjudication shall either uphold the action of the congregation or advise the congregation to review and revise its decision. If the congregation does not revise its decision, the regional pastor involved shall take action with respect to the suspension or termination of membership of the congregation in LCC.

B. Reconciliation

7.019 Formal Reconciliation Process: Preliminary Considerations

- a. **Goal and Means**
The formal reconciliation process aims for a peaceful settlement of the dispute between the parties involved. It asks for their cooperation in attaining this, and calls for repentance, forgiveness and mutually agreed upon reciprocal commitments between the parties. This Chapter encourages-apart from any formal complaints or procedures-that the ministry of reconciliation continue to be exercised in every way: by fellow-Christians for fellow-Christians, by pastors for Members of their congregations, by fellow-pastors for fellow-pastors, and by ecclesiastical overseers for those committed to their responsibility. When such informal efforts in reconciliation succeed, there is great joy and no need for further formal procedures.
- b. **Prior Efforts at Reconciliation Required**
Before any matter is submitted to formal reconciliation, the parties involved in a dispute are expected to have met together, face to face, in a good-faith attempt to settle their dispute. If this is unsuccessful it is expected that those in dispute will seek the aid of others. The regional pastor may be invited by either party to assist in these reconciliation efforts, in which case he may respond in person or by appointing someone to assist him.
- c. **Initiating Formal Reconciliation**
When a party to a dispute is of the opinion that informal reconciliation efforts have failed, the party may ask the regional pastor to refer the dispute to the formal reconciliation process. The regional pastor may refer any dispute to the formal reconciliation process on his own initiative. The regional pastor shall prepare a written statement describing the matter in dispute.

7.021 Reconciliation Committee

- a. **Membership of Reconciliation Committee**
The Board shall appoint a reconciliation committee consisting of 2 rostered members of each region at least one of which should be a pastor and one layperson who is a communicant member of a Member Congregation from each region. The President shall also appoint one member. The Reconciliation Committee shall elect its own chair.
- b. **Appointment and Term of Office**
The term of office for the reconciliation committee shall be four years. Appointments are to be made following each Convention.
- c. **Training and Expenses**
All Members of the reconciliation committee shall receive appropriate training. Expenses for the training of the Members of the reconciliation committees shall be paid by LCC. The Board shall provide for the payment of expenses incurred in meetings of reconciliation committees and reconciliation panels.

7.023 Reconciliation Panels

- a. **Matters Involving Members of LCC.**
A matter submitted for formal reconciliation shall be dealt with by a panel of at least three members of the Reconciliation Committee, at least one of which shall be a pastor and at least one of which shall be a lay person. One member shall be appointed by each party to the case, and the secretary shall appoint one member. Each panel shall elect its own chairman.
- b. **Matters Involving LCC and Organizations which have entered into a Memorandum of Understanding with LCC**
In a matter where there is a dispute involving LCC, the president shall request that a panel of three persons from the Reconciliation Committee be appointed to deal with that matter. At least one member of the panel shall be a pastor and at least one layperson.

7.025 Rules of Procedure

Rules of Procedure for the formal reconciliation process shall be developed by the Commission on Adjudication and approved by the Board. Copies of the Rules of Procedure shall be dated, so as to ensure that the latest version is being used and shall be available to any interested party upon request. The Rules of Procedure shall take into account generally accepted standards of due process and procedural fairness in similar circumstances.

7.027 Procedures for Formal Reconciliation

- a. **Formation of a Reconciliation Panel**

The regional pastor shall request that a reconciliation panel be formed. The request shall be submitted to the secretary and shall include a written statement from the regional pastor describing the matter in dispute. A Reconciliation Panel shall be selected forthwith pursuant to Bylaw 7.023 as outlined above.

 1. **Objection**

Where a conflict of interest exists, a party to the case may, with cause, object to the selection of a panel member made by the secretary, in which case the secretary shall select a replacement panel member from among the remaining pool of reconciliation committee members.
 2. **Disqualification**

Where a panel member is disqualified because of conflict of interest or for personal reasons, a replacement will be selected by the party to the case who appointed the individual or by the secretary.
- b. **Preliminary Meeting of the Panel**

Prior to the hearing, the panel shall meet to elect its chairman, examine the written statement of the matter in dispute provided by the regional pastor and other relevant information, and arrange a date and place for a hearing.
- c. **Conduct of Hearings**

The reconciliation panel, shall, as soon as is practicable, conduct (a) formal hearing(s) with the parties to the dispute and offer recommendations for the resolution of the dispute and full reconciliation of the parties. The panel shall proceed in accord with the Rules of Procedure for formal reconciliation.
- d. **Timely and Sustained Efforts**

The panel shall work in a timely manner and shall continue with sustained efforts to effect a God-pleasing reconciliation. More hearings may be held to continue such efforts.
- e. **Oversight:** The secretary shall oversee the process and ensure that the proper steps are followed in a timely manner.

7.029 Formal Reconciliation Ruling

In the event that the efforts of the reconciliation panel are unable to effect a reconciliation that is satisfactory to all parties, the reconciliation panel shall meet in private to deliberate upon the evidence and representations as presented during the hearing(s) and shall issue a written ruling setting out the requirements of the parties to effect reconciliation.

7.031 Appeal

The written ruling of the reconciliation panel is final and binding, unless appealed in writing within twenty-one days to the Commission on Adjudication. Such appeal may be made solely on grounds relating to reconciliation procedure, new information, possible bias of the panel, or such other reasons as may be set forth in the Rules of Procedure.

7.033 Non-Compliance

Each party to a dispute referred to a reconciliation panel is expected to accept the ruling of the panel (or of the Commission on Adjudication in the case of an appeal) as binding and shall act accordingly. Failure to do so may lead to the regional pastor taking new action as appropriate, including disciplinary action as outlined under section C. 7.041 a. 3, below.

C. Restoration and Adjudication

7.035 Commission on Adjudication

There shall be a Commission on Adjudication for LCC, which shall be constituted, have jurisdiction, and follow the procedures set forth or authorized as follows.

7.037 Membership

- a. **Election and Appointment**

The Convention shall elect two rostered workers from each region, one of whom must be a pastor, and a lay person shall be appointed by each regional pastor. The president shall also make one appointment. Of the appointed members at least one (but not more than two) shall be a lawyer.
- b. **Terms of Office**

Terms of office shall be four years in length and shall otherwise be in accordance with Bylaw 2.097.b.4.
- c. **Ineligible Persons**

With the exception of members of the faculties of the educational institutions which have entered into a Memorandum of Understanding with LCC, no individual holding any position in LCC, or in any organization which has entered to a Memorandum of Understanding with LCC shall be eligible to be a member of the Commission on Adjudication.
- d. **Officers**

The Commission shall elect from among its members a chairman, vice chairman, secretary.
- e. **Vacancies**

Vacancies on the Commission shall be filled by the Commission. Any person filling a vacancy shall complete the unexpired term of office of the member of the Commission whose vacancy is being filled but shall not participate in any case or proceeding in which the Member was participating at the time the vacancy occurred.

7.039 Training

All members of the Commission on Adjudication shall receive appropriate training.

7.041 Jurisdiction

The Commission of Adjudication shall have jurisdiction in the following:

- a. Procedural questions involved in excommunication cases;
 1. Cases related to expulsion from the Synod, including but not limited to cases of conduct or teaching contrary to the confession laid down in Article II of the Constitution, in which instance the process shall include admonition aimed at correcting the erring member, receiving his recantation of error (publicly if necessary), and assuring the Synod that the individual is fit to continue to be a Member of LCC,
 2. Cases of offensive conduct, in which instance the process shall include seeking to restore the sinner to the fellowship of the church through repentance, forgiveness, and (where necessary and possible) making appropriate amends, even though he or she may not be able to remain as a pastor or deacon, and
 3. Cases of discipline, which a regional pastor may bring forward, against the persistently offensive conduct of a Member who refuses to comply with a ruling of a reconciliation panel;
- b. Cases in which an Individual Member (pastor or deacon) shall have been removed from an office of ministry which he holds in a congregation which is a Member Congregation in which instance the pastor or deacon may bring the case to the Commission on Adjudication;
- c. Cases in which a person, whether or not a Member of LCC, has been removed from the position which he holds in LCC;
- d. All cases in which LCC itself, is a party; and
- e. All cases in which a person, whether or not a Member of LCC, holding a position in LCC is a party.

In those cases in which there is involved an employer-employee relationship, the finding of the Commission shall be advisory to the parties involved.

7.043 Pending Criminal and Civil Procedures

The Commission on Adjudication may refuse to hear or may defer hearing a case involving unresolved or outstanding matters of criminal or civil law, including civil matters pertaining to parties as employers or employees.

7.045 Venue of Commission Disputed

Where venue of the Panel is disputed, the secretary shall make the decision on venue. This decision shall be final and binding. Any party or the Commission may request a ruling from the Board.

7.047 Rules of Procedure for Adjudication

a. Adoption and Approval

The Commission on Adjudication shall be governed by Rules of Procedure which shall be drafted and adopted by the Commission and approved by the Board. The Rules of Procedure shall be consistent with these Bylaws and with the following basic principles and policies:

1. Scriptural and Christian Principles
The Commission shall be governed in its acts, procedures, and judgments by the Holy Scriptures, the Lutheran Confessions and Christian principles.
 2. Closed Hearings
The hearings shall be closed unless the Commission determines otherwise.
 3. No Unauthorized Communication
Except as the Rules of Procedure expressly allow, while any proceeding is pending before the Commission, no party to a case (nor anyone on the party's behalf) shall either directly or indirectly have any form of communication with any member of the Commission concerning any matter involved in the proceeding.
 4. Information Regarding Procedural Matters
Any party to a case, his adviser, the regional pastor, or the president, may request in writing from the chairman of the Commission information relative to matters concerning procedures connected with the hearing.
 5. Interpretations from the Commission on Constitutional Matters and Structure
In the event that questions arise regarding the interpretation of the Synodical Constitution or these Synodical Bylaws or of Convention resolutions, the Commission, on its own initiative or at the request of either party, shall seek the interpretation of the Commission on Constitutional Matters and Structure. In its deliberations the Commission on Adjudication shall accept the interpretations of the Commission on Constitutional Matters and Structure. Any member of the Commission on Constitutional Matters and Structure who is a party or an advisor to a party shall not participate in providing an interpretation to the Commission.
 6. Guidance from the Commission on Theology and Church Relations
In the event that questions of interpretation of doctrine arise, the Commission shall on its own initiative or upon the request of either party seek guidance from the Commission on Theology and Church Relations. The Commission shall base its decision on the doctrinal position of the church as articulated by the Commission on Theology and Church Relations. Any member of the Commission on Theology and Church Relations who is a party or an advisor to a party shall not participate in providing a decision to the Commission.
 7. Prohibition of Publicity
While a case is still undecided publicity shall not be given to the issues in the case by any party to the case, or his advisors and witnesses or by representatives of an entity involved in the case.
 8. Disposition of Records
All records of cases in which a final decision has been rendered by the Commission on Adjudication shall be placed in the custody of the Board of Directors.
- b. Time of Effectiveness
The Rules of Procedure shall become effective immediately upon their having been approved by the Board.
 - c. Distribution and Publication
The secretary shall distribute the Rules of Procedure, and any revisions to the Rules of Procedure, without delay to the president, all regional

pastors, and the reconciliation committees. Notice of their availability shall be published in the official periodicals of LCC.

d. Changes

The Rules of Procedure may be changed from time to time by the Commission, with the changes approved by the Board. Changes shall become effective upon being approved by the Board.

e. Applicability of Changes to Actions in Progress

Any changes to the bylaws and/or Rules of Procedure shall not be effective as to cases in progress unless all parties to the case and the Commission shall consent to the application of the changes to that case.

7.049 Expenses

Each party to a case shall assume his respective expenses, including the expenses of his adviser(s). LCC shall pay the expenses of the Commission, including the cost of furnishing transcripts of the proceedings and evidence to the parties to the case.

7.051 Case Panels

a. Membership of Case Panel

Each case coming before the Commission shall be heard and decided by a panel of at least five Members, at least two of whom shall be pastors and at least two of whom shall be laymen, including at least one lawyer. The members of the case panel shall be selected by the Chairman of the Commission on Adjudication.

b. Disqualification

No member of the commission shall be appointed to a case panel if he is in a conflict of interest. Should an allegation of conflict of interest arise, a member of the Commission may be disqualified. Disqualification may be by the voluntary act of the Member himself, by the Commission on its own initiative, or by the Commission following up on the complaint of any party to the case.

c. Provision for a Full Case Panel

In the event a member of the Commission is disqualified, and if, as a result of such disqualification, there is an insufficient number of individuals to form a case panel to hear and decide a case (7.051a), the provision of bylaw 7.037e. shall prevail for that case only.

7.053 Case Manager

For each case with which the Commission deals, a member of the Commission who is not on the Case Panel shall serve as Case Manager. Ordinarily, this will be the Chairman of the Commission, or the Vice-Chairman (if the Chairman is on the Case Panel), or another member of the Commission appointed by the Chairman (if both the Chairman and Vice-Chairman are on the Case Panel). The Case Manager shall:

- a. Monitor the case, that the matters are carried out in accord with the bylaws and Rules of Procedure and in a timely manner;
- b. Provide to any party to a case, his adviser, the regional pastor, or the president information regarding the procedures connected with the case;
- c. Provide periodic progress reports to the concerned parties, as deemed appropriate.

7.055 Procedure for Suspension and Commencing the Adjudication Process

In any case which could result in the suspension or termination of the membership of a Member (pastor, deacon or Member Congregation), the following procedural steps shall be taken.

a. Written Notification of the Complaint

When there arises a situation which could result in the suspension or termination of membership of a Member (pastor, deacon, or congregation) from LCC under Article VI of the Synodical Constitution, a statement of the complaint shall be presented in writing by the complainant to the regional pastor of the region in which the Member serves.

b. Investigation of the complaint; Notification of the Member

The regional pastor shall investigate the complaint. The regional pastor also may initiate investigative action on the basis of his own knowledge of such matters (including as provided for in bylaw 1.013) which could lead to suspension and/or termination of the Member. In either case, a copy of the written complaint shall be sent to the involved Member by the regional pastor.

c. Restricted Status

During the time that the regional pastor is investigating such a matter involving a pastor or deacon he may place the Member on Restricted Status (see Bylaw 5.035).

d. Options of the Regional Pastor

Upon the completion of his investigation, the regional pastor may either:

1. conclude that there is no reason to pursue the matter further and dismiss the matter, in which case he shall notify the Member and the complainant in writing of his decision, or
2. conclude that there is a basis for suspending the Member (cf. Bylaw 1.013) and proceed to the next step, written notification of suspension.

e. Advice to Observe Civil Laws in Certain Cases

In the event an Individual Member (pastor or deacon) is placed on restricted status or suspended in connection with the allegation of any action for which there are applicable provisions in law, the regional pastor shall advise the Member's employer to follow the stipulations of the current civil statutes with regard to the Member's continuing to serve in his office of ministry.

f. Written Notification of Suspension, Procedures

When the regional pastor has determined it is warranted to suspend the Individual Member, the regional pastor shall inform the involved Member in writing that his membership in LCC is suspended; the suspension shall be effective upon the Member's receipt of the written notification. The suspension of a Member shall remain in effect until the adjudication process has been completed, and all appeals have been exhausted. When the regional pastor sends a copy of the written information to the involved Member, he shall also send a copy of the Rules of Procedure, and shall give written notice therewith that

1. the involved Member has 15 days from the date his suspension became effective to notify the chairman of the Commission, through the office of the regional pastor, if he wishes the matter to be adjudicated, subject to the option to defer action as provided below (7.055.i.), and
2. that failure to file such notice in writing within the prescribed time will be regarded as consent to termination of membership.

- g. Options of the Suspended Member
 - 1. Resignation from LCC within 15 Days
The suspended Member may resign from membership in LCC at any time within the 15-day period which began on the effective date of his suspension, in which case the regional pastor shall inform the president and shall notify LCC through the official periodicals of LCC and the matter shall be ended.
 - 2. Written Notification of Request to Appeal to Adjudication
The suspended Member may, within the 15-day period that began on the effective date of his suspension, give written notification to the Chairman of the Commission on Adjudication, through the regional pastor, of his request to appeal the suspension to the Commission on Adjudication.
 - 3. Refrain from Any Response
If the suspended Member refrains from any response (resignation or request for appeal) within the 15-day period that began on the effective date of his suspension, his failure to respond shall be understood as consent to the termination of his membership, and the matter shall be ended.
- h. Notification of Commission on Adjudication
If the suspended Member requests, through the regional pastor, that the case be heard by the Commission on Adjudication, the regional pastor shall, within seven days after his receipt of the request for appeal, forward the information to the Commission on Adjudication.
- i. Option to Defer Action
Either the regional pastor or the Commission on Adjudication may defer actively processing the case if it involves a separate proceeding which, should first be resolved (see. 7.043)
- j. Disqualification of the Regional Pastor
In the event that the regional pastor is a party to the case (7.013.d.) or unable to act, he shall be disqualified from the case, and the president shall authorize another regional pastor to function in this instance as the regional pastor: to investigate the complaint and, if necessary, to suspend the Member and to submit the case to the Commission on Adjudication as herein provided. The validity of any challenge to the eligibility of the regional pastor to act shall be determined by the President.
- k. Inaction of a Regional Pastor on a Complaint
If the regional pastor fails to act within 60 days after having been notified in writing of a complaint which could, if proven, lead to the termination of the membership of a Member, the complainant may petition the president, who by virtue of the power given him in the Synodical Constitution (Article X), shall make inquiries and may on his own initiative institute proceedings, take administrative action, and, if necessary, lay a case before the Commission on Adjudication. If after a reasonable time the president does not intend to institute proceedings, he shall so inform the complainant and the involved Member in writing.

7.057 Hearings

- a. Preliminary Meeting Regarding Issues and Facts
The Rules of Procedure shall permit the chairman of the Commission to meet with the parties prior to a hearing of the case in order to determine the issue(s) in the case and the facts on which the parties agree.
- b. Minimum Time for the Member to Prepare
If the suspended Member requests that the matter be adjudicated, he shall have a minimum of 30 days, beginning with the date of his filing of his request with the Commission on Adjudication, in which to prepare his case prior to any hearing.

7.059 Progress Reports; Timely conclusion

- a. Progress Reports
The Commission on Adjudication, through the Case Manager, shall keep all parties to the case, and the regional pastor and president, informed as to the procedural progress it is making in the case.
- b. Timely Conclusion
The Case Panel shall bring the case to a timely conclusion, ordinarily within no more than 90 days from the effective date of suspension, except
 - 1. where a longer time is deemed necessary to guarantee the rights of all parties,
 - 2. as permitted under bylaw 7.043 or
 - 3. for other good cause.

7.061 Decisions

- a. Decisions in Writing
The decisions of the Commission shall be in writing and shall make a finding of facts and shall state the conclusion(s) of the Commission and reasons for its conclusion(s). In its decisions, the Commission has options which include, but are not limited to
 - 1. upholding or rescinding the excommunication of (a) communicant member(s) from a Member Congregation,
 - 2. rescinding the suspension of a Member (pastor, deacon, Member Congregation), with the result that the Member continues in membership in good standing,
 - 3. upholding the suspension of a Member (pastor, deacon, Member Congregation), with the result that the Member's membership in LCC is terminated,
 - 4. recommending specific remedies, including financial reimbursements, for the parties to follow.
- b. Majority Vote
The Commission shall decide each case by the vote of a majority of the case panel qualified to decide the case, provided, however, that in the case of excommunication a tie vote will be deemed a decision in favour of the individual under excommunication.
- c. Quorum
No decision of the Commission shall be valid or binding unless at least a majority of the case panel thereof shall have been involved in all stages of the decision-making process.
- d. Timely Decision
Except as permitted by bylaw 7.055.i. above, the Commission shall make every effort to render its decision within 90 days from the effective

date of suspension in any case involving termination of the membership in LCC.

e. **Finality of Decisions**

The decisions of the Commission shall be binding upon all parties to the case and such parties shall take whatever steps which are within their authority to implement such decisions.

7.063 Appeal to President's Ministry Council

- a. If the Commission on Adjudication issues a decision against the suspended Member, the Member may make an appeal to the President's Ministry Council, but only on grounds relating to procedure, new information, possible bias of the Commission or such other reasons as may be set forth in the Rules of Procedure. The regional pastor who suspended the Member shall exclude himself from any deliberations concerning the appeal.
- b. If the Commission issues a decision that the case against the suspended Member is not sustained, the regional pastor who suspended the Member may appeal to the President's Ministry Council (excluding himself from any deliberations of the Council), on the same grounds.
- c. The President's Ministry Council shall determine whether or not the matter is to be returned to the Commission on Adjudication for a re-hearing.

7.065 Reporting and Executing the Decision

a. **Reporting the Decision**

The decision of the Commission on Adjudication shall be reported to the parties, to the regional pastor, and to the president. Upon expiry of the period of time in which an appeal is possible, the regional pastor or the president shall take such action to further implement or publicize the decision as shall be appropriate under the circumstances.

b. **Financial Reimbursement**

In any case in which a Commission on Adjudication shall decide that the suspension of a pastor or deacon of the Synod should be set aside, the Commission shall, as part of its decision, determine the extent to which (if any) and the manner in which the individual shall be reimbursed for any loss of income suffered during the period of suspension. The parties shall accept such determination as binding on them.

c. **Execution of Decision**

The Commission on Adjudication may make any necessary recommendation to any authorized person in order to ensure that its decisions are implemented.

VIII. FRATERNAL ORGANIZATIONS

8.001 Statement of Purpose

- a. LCC has declared itself firmly opposed to all societies, lodges, and organizations of an unchristian or antichristian character.
- b. The Commission on Theology and Church Relations shall assist the pastors and the Member Congregations in fulfilling their commitment to witness publicly and privately to the one and only Gospel set forth in the Holy Scriptures.

8.003 Responsibilities of Pastors and Congregations

- a. Pastors and communicant members of Member Congregations alike must avoid membership or participation in any organization that in its objectives, ceremonies, or practices is inimical to the Gospel of Jesus Christ or the faith and life of the Christian church.
- b. It is the solemn, sacred, and God-given duty of every pastor properly to instruct his people concerning the sinfulness of organizations that--
 - 1. explicitly or implicitly deny the holy Trinity, the deity of Christ, or the vicarious atonement;
 - 2. promise spiritual light apart from that revealed in the Holy Scripture;
 - 3. attach spiritual or eternal rewards to the works or virtues of men; and/or
 - 4. embrace ideologies or principles that clearly violate an express teaching of the Holy Scriptures concerning the relationships of men to one another.
- c. The responsibility of diligent and conscientious pastoral care requires that pastors do not administer Holy Communion nor admit to communicant membership members of such organizations, who after thorough instruction, refuse to sever their affiliation with organizations, since Holy Communion expresses an exclusive spiritual relationship of the communicant to his Lord and to his brethren (Matt. 10:32; 1 Cor. 10:16-17; 1 Cor. 11:25). Earnest continuous efforts should be put forth to bring individuals to a clear-cut decision regarding their contradictory confessions, in order that they become or remain communicant members of the congregation, as the case may be.
- d. The responsibility of conscientious pastoral care recognizes that a pastor will occasionally encounter an exceptional case in which he is called to administer Holy Communion to a person who is outwardly connected with such an organization. Such exceptional cases ordinarily involve an individual who:
 - 1. has accepted the pastoral care of the congregation and is being instructed by its pastor in an effort to lead him to see the inconsistency of his contradictory confession and witness, and
 - 2. has renounced to the pastor and/or church council the unchristian or antichristian character of the organization of which he is a Member. In such exceptional cases the pastor should consult with his brethren in the ministry or his regional pastor, as the case may require. He should, furthermore, beware of procrastination and the giving of offense to Members of either the congregation or sister congregations.
- e. LCC instructs its officials to exercise vigilant care and urges all pastors and congregations to carry out these provisions and faithfully eradicate all compromise or negation of the Gospel through Members' identification with objectionable organizations. It shall be the duty of every Member, pastor, and especially officers of LCC to admonish those pastors and congregations that fail to offer counter-testimony and take decisive action in matters pertaining to this subject. Refusal to heed brotherly admonition shall lead to suspension and eventual termination of membership in LCC.

IX. DOCTRINAL REVIEW

9.001 Definition

- a. Doctrinal review is the exercise of LCC's responsibility for every doctrinal statement made in its material as defined in 9.003.
- b. The prime concern of doctrinal review is that the doctrine set forth be in accord with the Scriptures and the Lutheran Confessions.

- c. The primary responsibility for doctrinal supervision and review lies with the president (Synodical Constitution Article X).

9.003 Material Subject to Doctrinal Review

- a. All official periodicals and journals of LCC as well as any material with doctrinal content issued publicly by boards, commissions, or other subordinate groups of LCC except as stipulated in these Bylaws shall be subject to doctrinal review.
- b. The rights to produce study documents and exploratory material plainly designated as such and published by boards, commissions, or other subordinate groups established under the Statutory or these bylaws. When such material is to be issued publicly, it shall be subject to doctrinal review.
- c. Each region is accountable to LCC through its regional pastor for the content of its published materials.
- d. Each of the schools with which LCC has entered into a Memorandum of Understanding is accountable to LCC through its respective president and Board of Regents for the content of its professional journals and all of its published materials which are not the official publications of LCC. The Members of the editorial board of such publications shall serve as its doctrinal reviewers.
- e. Auxiliary organizations recognized by Article XII of these Bylaws shall be held directly accountable for their material. However, in accord with his office as defined in Article X of the Synodical Constitution, the president may require doctrinal review.
- f. Official reports of the boards, commissions, and committees of LCC prepared in response to directives from LCC shall not be subject to doctrinal review.

9.005 Personnel and Appointment

- a. Each commission, and other subordinate group established under the Statutory Bylaws, or these Synodical Bylaws shall advise the president of the number and desired competency of doctrinal reviewers needed by it and may suggest a list of qualified persons. The president shall appoint reviewers for each group according to its needs. They shall be broadly representative of the membership of LCC.
- b. Reviewers shall be appointed for renewable four-year terms. An appointment may be terminated prior to the completion of the appointed term if the reviewer is unable or unwilling to carry out the reviewing tasks assigned. In the event of such termination, the president shall appoint another reviewer to complete the unexpired term.

9.007 Duties of Doctrinal Reviewers

- a. The reviewer shall make a careful evaluation of the doctrinal content of all items submitted to him.
- b. The reviewer's primary concern is that items submitted to him be in agreement in their doctrinal content with the Scriptures and the Lutheran Confessions.
- c. The reviewer shall also be concerned that the items submitted to him do not contain statements that are inadequate, misleading, ambiguous, or lacking in doctrinal clarity.
- d. The reviewer shall further be concerned that resolutions of the Convention be honoured and upheld and that positions deviating from the doctrinal resolutions of the Convention be clearly identified as such.

9.009 Procedure for Doctrinal Review

- a. Each commission, and other subordinate group established under the Statutory Bylaws, or these Synodical Bylaws shall establish procedures that ensure that its material as specified in bylaw 9.003 be sent for doctrinal review to one of the reviewers referred to in bylaw 9.005.
- b. Since time requirements vary according to the type of material being reviewed, the procedure in each case shall be worked out to the mutual satisfaction of the producing group and the publisher.
- c. The identity of the authors and reviewers shall not be disclosed without the approval of the president. Consultation may at times be advisable, however, where clarification is necessary.
- d. When the author is also a reviewer, his material shall be assigned to another reviewer.
- e. The reviewer may request that specific material assigned to him also be reviewed by another reviewer.
- f. Where changes appear to be necessary, the reviewer(s) shall submit a documented critique which shall be made available to the author, the sponsoring group, and the publisher.
- g. The author shall consider the critique and make necessary revisions until there is agreement between author and reviewer.
- h. Should any problem arise between the author, a reviewer, the publisher, or any other party involved, with respect to the material submitted for review, the sponsoring group shall endeavour to resolve it to the satisfaction of the reviewer. If it cannot do so, the problem shall be submitted to the Commission on Theology and Church Relations under the appeals procedure stated in bylaw 9.011.

9.011 Appeals Procedure for Materials Prior to Publication

- a. An appeal may be initiated by an author, the sponsoring group, or an executive staff member of that group.
- b. When an appeal is initiated, the material in question is to be submitted to the chairman of the Commission on Theology and Church Relations.
- c. After receipt of an appeal, the chairman of the Commission on Theology and Church Relations shall inform all concerned and shall appoint three members of the Commission to serve as a review panel and shall designate one as its chairman. A panel member shall disqualify himself on the basis of any kind of personal involvement in the issue.
- d. To aid objectivity, the identity of the author and review panel shall ordinarily not be disclosed. However, consultation may at times be necessary for clarification.
- e. In making its recommendation the panel shall decide whether the item in question:
 - 1. is suitable for publication or
 - 2. may be published after alteration or
 - 3. may be published as a study document or
 - 4. shall be denied publication.
- f. The decision of the panel shall be determined by a majority vote and shall be final so far as the Commission on Theology and Church Relations is concerned. A report together with the panel's minutes shall be submitted to the chairman of the Commission on Theology and Church Relations.

- g. The chairman of the Commission on Theology and Church Relations shall report the decision to the author, the original reviewers, the sponsoring group, and the president.

9.013 Appeals Procedure for Materials Already Published

- a. A challenge to the doctrinal review certification of a published item may be initiated by any Member of LCC.
- b. A challenge to the doctrinal review certification of a published item should be submitted to the chairman of the Commission on Theology and Church Relations.
- c. In order for the Commission on Theology and Church Relations to consider a challenge, the challenger is obliged to provide specific references of how the published item is not in agreement with Scripture and the Confessions.
- d. After receipt of the challenge, the chairman of the Commission on Theology and Church Relations shall inform the president and the sponsoring group and shall appoint three members of the Commission to serve as a review panel and shall designate one as its chairman.
- e. To aid in maintaining objectivity, the identity of the challenger and the identity of the panel will ordinarily not be disclosed.
- f. The panel shall after reviewing the published material declare
 - 1. the doctrinal review certification of the published material is affirmed because the item is in agreement with Scripture and the Confessions; or,
 - 2. the doctrinal review certification of the published material is revoked because the item is not in agreement with Scripture and the Confessions.
- g. If the panel revokes the doctrinal review certification, it must identify the part(s) of the item in need of clarification, amplification, and/or deletion in order to bring it into agreement with Scripture and the Confessions and withdraw the publication until such agreement is reached.
- h. The panel will appoint one of its members to be the doctrinal reviewer for the recycling of the revised material to assure the item's agreement with Scripture and the Confessions if republished.

X. OFFICIAL PERIODICALS

10.001 Editorial Policy

- a. Both the print and the electronic editions of *The Canadian Lutheran* shall be the official periodicals of LCC.
- b. It shall as a primary purpose promote growth and strengthen the individual Christian life, include official reports and notices, promote LCC's work, provide current synodical news, transmit to the congregations, information concerning LCC's positions and programs, serve as a forum for the responsible exchange of opinion on issues confronting LCC, and report general church news of interest to LCC.
- c. The Board shall supervise the editing and publication of the official periodicals.

10.003 Editors

The editor of LCC's official periodical shall be appointed by the Board from a list approved by the President's Ministry Council.

10.005 Doctrinal Review

Matters relating to doctrine shall be approved under the prescribed procedure for doctrinal review before publication.

XI. INTER-CHURCH RELATIONS

A. LUTHERAN COUNCIL IN CANADA

11.001 Representation

- a. Voting representatives of LCC to the Lutheran Council in Canada shall be named by the president on recommendation of the Commission on Theology and Church Relations. These representatives shall participate in the activities of the Council according to its constitution and these Bylaws and in keeping with the theological and constitutional principles of Lutheran Church-Canada. They shall submit formal reports to the president and to each Convention and shall keep the Commission on Theology and Church Relations informed of Council activities.
- b. Standing committee representatives of LCC to the divisions of the Lutheran Council in Canada shall be named by the president. They shall participate in the functions which concern their committee according to the constitution and bylaws of the Lutheran Council in Canada and in keeping with the theological and constitutional principles of LCC. They shall submit formal reports to the president and to each Convention.

B. CHURCH FELLOWSHIP

11.003 Procedure for Recognition

- a. When a church body applies for formal recognition of altar and pulpit fellowship with LCC, such recognition shall be proposed at a Convention only after the approval of the Commission on Theology and Church Relations.
- b. When a synodical mission applies for formal recognition as a self-governing partner church, such recognition shall be proposed at a Convention by the Board with the approval of the Commission on Theology and Church Relations.

XII. AUXILIARY AND LISTED SERVICE ORGANIZATIONS

12.001 Auxiliaries

- a. Requirements. An organization desiring auxiliary status may apply to the Convention, through the Board, if it satisfies the following requirements:
 - 1. It is national in scope, voluntary in membership and participation;

2. It identifies itself with Lutheran Church-Canada but is separately incorporated and is not part of LCC's constitutional structure;
 3. It is independent in the establishment and evaluation of its own objectives, activities, and programs, in its organization and administration, and in financial matters;
 4. It has as its primary function aiding LCC, specifically in programs that extend the ministry and mission of LCC;
 5. It is classified by Canada Customs and Revenue Agency as a charitable organization;
 6. Its membership is made up of persons who are baptized members of Member Congregations or that are Members of The Lutheran Church-Missouri Synod located in Canada;
 7. It enters into a Memorandum of Understanding with LCC.
- b. Responsibilities. An approved auxiliary shall:
1. Report annually, through its president, to the president and on request of the president to the Convention;
 2. Cooperate with the appropriate division, board, commission, and/or staff member of LCC and with other synodical auxiliaries;
 3. Provide LCC with an annual program report and financial statements audited by an independent chartered accountant or equivalent;
 4. keep LCC advised of any new program under consideration;
 5. Submit all material of a Biblical or theological nature for doctrinal review;
 6. Enter into contracts in its own name and be responsible for its own debts and liabilities and so indicate in agreements, promotional materials, and all other communications of a financial nature in accordance with criteria determined by the Board, so that it is clear that being an approved auxiliary is not a guarantee on the part of Lutheran Church-Canada for the fiscal solvency of or any financial responsibility for the organization or for services expressly or impliedly offered; and
 7. Be consistent with the doctrine and practice of Lutheran Church-Canada as set forth in the Scriptures and the Lutheran Confessions.
- c. Privileges. Auxiliary status in LCC provides for:
1. A listing of the organization and its officers in *The Canadian Lutheran Annual*;
 2. Recognition as an auxiliary in the *Handbook* of LCC;
 3. An opportunity to report to the Convention; and
 4. The opportunity to raise funds within LCC to support the auxiliary program.
- d. Recognition
1. An organization is given auxiliary status by a resolution of a Convention. For continued recognition as an auxiliary an organization must meet and continue to meet the requirements given above. When it no longer meets these requirements, an organization loses its auxiliary status. This determination shall be made by a Convention after an evaluation by the Board, based on consultation with the organization in question.
 2. The listing in *The Canadian Lutheran Annual* shall provide a statement that such a listing is not a guarantee on the part of the church body for the fiscal solvency of the organization or any financial responsibility for such organization or for services expressly or impliedly offered.
- The following organizations are recognized as approved auxiliaries:
1. International Lutheran Laymen's League
 2. Lutheran Women's Missionary League-Canada Inc.
 3. Concordia Lutheran Mission Society
 4. Lutheran Laymen's League of Canada

12.003 Listed Service Organizations

- a. Requirements. A service organization other than an auxiliary may apply to the Board for listing in *The Canadian Lutheran Annual* if it satisfies the following requirements:
1. It identifies itself with LCC but is separately incorporated
 2. It operates with freedom and self-determination as a ministry in harmony with LCC while complying with the responsibilities as outlined in bylaw 12.003b;
 3. It is involved in program activities that extend the mission and ministry of the church;
 4. It is independent in the establishment and evaluation of its own objectives, activities, and programs, in its organization and administration, and in financial matters while complying with the responsibilities outlined in bylaw 12.003b;
 5. It is classified by Canada Revenue Agency as a charitable organization;
 6. It has the Member Congregations as a source of voluntary financial support; and enters into a Memorandum of Understanding with LCC.
- b. Responsibilities.
- Such an organization shall enter into a relationship with LCC through the appropriate boards or commissions of LCC as designated by the Board through a letter of agreement or understanding as approved by the Board. In addition to any special criteria required by the respective boards or commissions, it shall be set forth in the letter of understanding that the organization shall:
1. Coordinate, cooperate, and communicate its programs through its designated board or commission;
 2. Provide that board or commission and the Board with an annual program report and financial statement audited by an independent chartered accountant or equivalent;
 3. Inform the appropriate board or commission of LCC as designated by the Board of the actual dollar amount raised, and the percentage of costs involved in fund-raising efforts;
 4. Enter into contracts in its own name and be responsible for its own debts and liabilities and so indicate in all of its contractual agreements of a financial nature, statements of ownership, bylaws, financial offers, and other legal documents, agreements, promotional materials, and all other communications of a financial nature in accordance with criteria determined by the Board, so that it is clear that listing in *The Canadian Lutheran Annual* is not a guarantee on the part of LCC of the fiscal solvency of or any financial responsibility for the organization or for services expressly or impliedly offered; and
 5. Be consistent with the doctrine and practice of Lutheran Church-Canada as set forth in the Scriptures and the Lutheran Confessions.
- c. Privileges. Being a listed service organization carries with it the following privileges:
1. The privilege of soliciting funds upon approval by the Board in conformity with regulating bylaws, resolutions, and policies of LCC;
 2. Eligibility of pastors and deacons serving such organizations to be placed or to remain on the roster of LCC if otherwise eligible;
 3. Listing of the organization in *The Canadian Lutheran Annual*; and
 4. the opportunity to report to the Conventions through its designated board or commission.
- d. Listing.
1. To be and remain a listed service organization, an organization must meet and continue to meet the requirements given above. Eligibility for

- continued listing shall be reviewed periodically by the Board and the designated board or commission.
2. The list in *The Canadian Lutheran Annual* shall provide a statement that such listing is not a guarantee on the part of the church body for the fiscal solvency of the organization or any financial responsibility for such organization or for services expressly or impliedly offered.

XIII. AMENDMENTS TO SYNODICAL BYLAWS

13.001 How Made

Amendments to these Synodical Bylaws may be made provided they are:

- a. Not contrary to the Act, the Statutory Bylaws or the Synodical Constitution;
- b. Submitted to the Commission on Constitutional Matters and Structure for clearance prior to presentation to the Convention;
- c. Presented in writing to a Convention
- d. Specified as an amendment and considered by a convention floor committee;
- e. Adopted by the affirmative vote of a majority of the delegates present and voting.

Rev. Bill Ney
Chairman - Commission on Constitutional Matters and Structure

ADOPTED by a majority votes of the delegates present and voting at a Convention this thirteenth (13) day of June 2022.

LUTHERAN CHURCH-CANADA

Per: Timothy Teuscher
President

Per: Grace Henderson
Secretary

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APPENDIX A

7 - 8 ELIZABETH II.

CHAP. 68

An Act to incorporate Lutheran Church-Canada.

[Assented to 4th June, 1959.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows: B

1. Albert Schwermann, professor, of the city of Edmonton, in the province of Alberta, Arne Kristo, clergyman, of the city of Toronto, in the province of Ontario, Maynard Pollex, clergyman, of the city of Hamilton, in the province of Ontario, Clare Kuhnke, manager, of the city of Winnipeg, in the province of Manitoba, and David Appelt, librarian, of the city of Saskatoon, in the province of Saskatchewan, together with such other persons, synodical districts and congregations as become members of the religious body hereby incorporated, are incorporated under the name of Lutheran Church-Canada, hereinafter called "the Corporation", for the purposes set out in this Act and for the purposes of administering the property, business and other temporal affairs of the Corporation.
2. The persons named in section 1 of this Act shall be the first directors of the Corporation.
3. (1) The head office of the Corporation shall be at the city of Edmonton, in the province of Alberta, or at such other place as may be decided by the Corporation.
(2) Notice in writing shall be given to the Secretary of State by the Corporation of any change of the head office and such notice shall be published forthwith in the *Canada Gazette*.
4. The objects of the Corporation shall be
 - a. to promote, maintain, superintend and carry on in accordance with the faith, doctrines, constitution, acts and rulings of the Corporation any or all of the work of that body;
 - b. to advance and increase the diffusion of the faith of the Corporation in all lawful ways;
 - c. to organize, establish, maintain and carry on residences, missions, churches, places of worship, parsonages, orphanages, homes for the aged, rest homes and institutions and agencies for promoting, reaching, propagating and disseminating the Lutheran faith and doctrine and for training persons for the said purposes;
 - d. to promote, organize, establish, maintain and carry on social service, welfare and guidance institutions and agencies;
 - e. to promote education, instruction and culture, and to organize, establish, maintain and carry on schools, colleges, academies, seminaries, institutions of learning, recreational halls, centers and agencies, and industrial, technical and agricultural institutes and farms;
 - f. to promote charity and to care for the poor, and to organize, establish, maintain and carry on charitable institutions, hospitals, clinics, dispensaries and cemeteries;
 - g. to organize, establish, maintain and carry on libraries and houses and agencies for printing, publishing and disseminating literature, newspapers, periodicals and works of education, religion, art and science;
 - h. to promote the spiritual welfare of all the congregations and mission fields of the Corporation.
5. The Corporation may from time to time make by-laws, not contrary to law, for
 - a. the administration, management and control of property, business and other temporal affairs of the Corporation;
 - b. the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation;
 - c. the appointment or disposition of an executive committee or any special committees or boards from time to time created for the purposes of the Corporation, and defining the powers of such committees or boards;
 - d. the calling of regular or special meetings of the Corporation or of the executive committee or the board of directors;
 - e. fixing the necessary quorum and the procedure to be followed at all meetings referred to in the preceding paragraph;
 - f. determining the qualifications of members;
 - g. defining and applying the principles, doctrine and religious standards of the Corporation;
 - h. generally carrying out the objects and purposes of the Corporation.
6. Subject to and in accordance with the by-laws enacted by the Corporation under section 5 of this Act, an executive committee consisting of such persons as the Corporation may from time to time elect or appoint thereto shall manage all the temporal affairs of the Corporation.
7. The Corporation may do all such lawful acts and things as are incidental or as may be conducive to the attainment of its objects.
8. The Corporation may exercise all its powers by and through an executive committee or through such boards or committees as may from time to time be elected or appointed by the Corporation for the management of its affairs.
9. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real and personal, corporeal and incorporeal, and any or every estate or interest whatsoever, given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the uses and purposes of the Corporation, or to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with the uses or purposes of the Corporation.
(2) The Corporation may also hold such real property or estate therein as is bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.
10. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses

and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or partly.

11. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation.
12. In so far as authorization by the Parliament of Canada is necessary, any person or corporation, in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes of the Corporation, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation.
13. Any deed or other instrument relating to real estate vested in the Corporation or to any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there is affixed thereto the seal of the Corporation and there is thereupon the signature of any officer of the Corporation duly authorized for such purposes.
14. The Corporation may make a gift of or lend any of its property, whether real or personal, for or to assist in the erection or maintenance of any building or buildings deemed necessary for any church, college, manse, school or hospital or for any other religious, charitable, educational, congregational or social purpose upon such terms and conditions as it may deem expedient.
15. (1) The Corporation may, from time to time, for the purposes of the Corporation
 1. borrow money upon the credit of the Corporation;
 2. limit or increase the amount to be borrowed;
 3. make, draw, accept, endorse or become party to, promissory notes and bills of exchange and every such note or bill made, drawn, accepted or endorsed by the party thereto, authorized by the by-laws of the Corporation, and countersigned by the proper party thereto, authorized by the by-laws of the Corporation, shall be binding upon the corporation and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown, and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;
 4. mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation, or which it is obligated to pay or the payment of which is guaranteed by it;
 5. issue bonds, debentures or other securities of the Corporation;
 6. pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient.(2) Nothing in the preceding subsection shall be construed to authorize the Corporation to issue any note or bill payable to the bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.
16. The Corporation may guarantee, with or without security, upon such terms as it may determine, any debts of, the performance of any obligations of and the repayment of any advances made to or for the purposes of, any Lutheran corporation, organization, association or society associated or affiliated with the Corporation.
17. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and may lend its funds or any portion thereof on any such securities.
18. The Corporation may exercise the rights and powers conferred upon it by this Act throughout Canada.