

REGULATIONS RE. PARISH FAIR SHARE, APPEALS AND REMITTANCES

R.5.11- DIOCESAN APPORTIONMENT AND PARISH FAIR SHARE

1. The Diocesan Apportionment means the amount required to be raised in a year by the diocese and which is designated in the three-year Budget approved by the 2006 Synod as the "Budgeted Parish Fair Share" (hereafter referred to as "Budget" or "Diocesan Budget"), including assessments and apportionments of the General Synod and the Provincial Synod, and funds for such other purposes as may be approved by the Diocesan Synod or Executive Committee. Each parish shall pay its Fair Share of the Diocesan Budget as calculated by the Synod Office. A Parish's Fair Share of the Budget is the amount in dollars that is determined by multiplying the amount of the Diocesan Budget by a fraction that has as its numerator the average Assessable Income for the parish over the immediately preceding three years and its denominator the total of the average Assessable Income over the same three year period for all parishes in the Diocese. The Director of Administration shall, no later than the last day of August in each year, notify the Incumbent and Church wardens of each parish of the parish's Fair Share amount for that Parish for the next ensuing calendar year.

3. e) **Annual Returns and Appeals Process**

Upon receiving written notice of its fair share amount, the Incumbent and Church Wardens may, after serious reflection, research and discussion in the parish, appeal the amount in accordance with the following process, which shall take place entirely within the same calendar year as the notice of the fair share amount is issued, except in the case of an appeal to Executive Committee which may take place the following year as herein provided.

- i) Notice of Appeal shall be in writing and shall be delivered to the Archdeacon on or before the earlier of the following two dates: six weeks following the date on which the letter notifying the parish of the Fair Share amount was mailed, and October 15.
- ii) The Notice of Appeal shall include reasons for the appeal and supporting documentary evidence.
- iii) The Archdeacon shall forthwith investigate the appeal, including meeting with the Incumbent and Churchwardens and other interested leaders of the parish.
- iv) The Archdeacon shall, on or before October 31, write and submit a report to the Director of Administration expressing the Archdeacon's findings and recommendations, including the Notice of Appeal and supporting documents. The Archdeacon shall deliver a copy of the report without enclosures to the Incumbent of the parish.
- v) In his or her discretion, the Archdeacon may also deliver a copy of the Report to the Bishop, if in the opinion of the Archdeacon, some immediate action by the Bishop is warranted.
- vi) The Director of Administration shall forthwith consider the Appeal and attempt to resolve it through further discussion with representatives of the parish.
- vii) If the Appeal is not resolved, then it shall be considered at the November meeting of the Administration and Finance Committee at which the Director of Administration and, if requested by the Parish or by the Director of Administration, the representatives of the parish shall make representations.
- viii) The Administration and Finance Committee shall give written notice of its decision to the Incumbent of the parish no later than November 30.

- ix) The decision of the Administration and Finance Committee is final, unless the parish appeals it to the Executive Committee by delivering written notice of its intention to appeal delivered with supporting documents no later than December 15.

- x) Immediately upon receipt of a notice of intention to appeal to Executive Committee, the Director of Administration shall cause the matter to be listed on the agenda of the first sitting of the Executive Committee in the following year. That meeting of the Executive Committee shall choose a subcommittee comprising three members, two of whom are laity and the third member is a cleric, to hear the appeal. At least one member of the subcommittee shall be a member of Executive Committee, who shall serve as Chair. This subcommittee shall meet to hear the appeal as soon as is conveniently possible, and shall hear representations and submissions from representatives of the parish and from officials of the Diocese as it sees fit. The subcommittee shall render a written report within thirty days of its meeting, and shall deliver a copy of its report to the Secretaries of Synod, who shall transmit it forthwith electronically to all the members of Executive Committee who have provided the Secretaries of Synod with an e-mail address. The report of the subcommittee is deemed to have been confirmed by Executive Committee on the seventh day after it has been electronically sent to the members of Executive Committee, unless a majority of the members of Executive Committee object to the report by notice returned to one of the Secretaries of Synod either electronically or by written notice delivered within the same seven days. If objection is so made by the majority of the members of the Executive Committee, then the report of the subcommittee shall be referred to the next meeting of Executive Committee for its consideration. The Executive Committee may then refuse the report or may confirm it with or without variation. The report once confirmed with or without variation by Executive Committee is a final determination of the appeal.

- xi) If a parish fails to pay its Fair Share amount, and has not availed itself of the appeal process, the Director of Administration may request the Archdeacon to investigate the matter and report the result of the investigation to the Director of Administration, copied to the Incumbent of the parish. The report shall then be dealt with in the same manner as if an appeal had been made by the parish, in accordance with subsections (v) through (x) of the foregoing sub-paragraph, except that time limits are in the discretion of the Director of Administration in consultation with the Chancellor.

- xii) The appeal process, whether initiated by the parish, or by the Director of Administration, may result in any of the following actions or recommendations, or others as appropriate:
 - A) Fair Share arrears be written off;
 - B) a Fair Share amount be reduced;
 - C) a shortfall be made up from some other source of funds available to the parish;
 - D) a parish take a specific action to reduce costs or increase revenue or re-order its financial priorities;
 - E) the Bishop be asked to consider taking disciplinary action against a cleric;

- F) the Bishop be asked to consider the disestablishment of a parish or of a congregation.

R.5.07 - PARISH REMITTANCES TO SYNOD

5. Delay and Default

Any delay on the part of a parish in making remittances for the remuneration of the clergy shall be reported by the Director of Administration to the Archdeacon in whose archdeaconry that parish is found, for his or her investigation and such action as he or she considers appropriate. If the delay in remittance by any parish continues for three months, the same

shall be reported forthwith by the Director of Administration to the Executive Committee which with the concurrence of the Bishop, may consult the Archdeacon aforesaid, the principal officers of the parish concerned, the Diocesan Stewardship Consultants if any, and such other persons as the Executive Committee considers appropriate, with the object of arriving at a decision about the future financing of the parish that is in default.

6. Added Penalty for Delay and Default

A rate of interest of 2% per month or 24% per annum shall be assessed against any parish for each day of delay if and to the extent that the bank order or cheque or monies required of any parish is dishonoured or is not received.