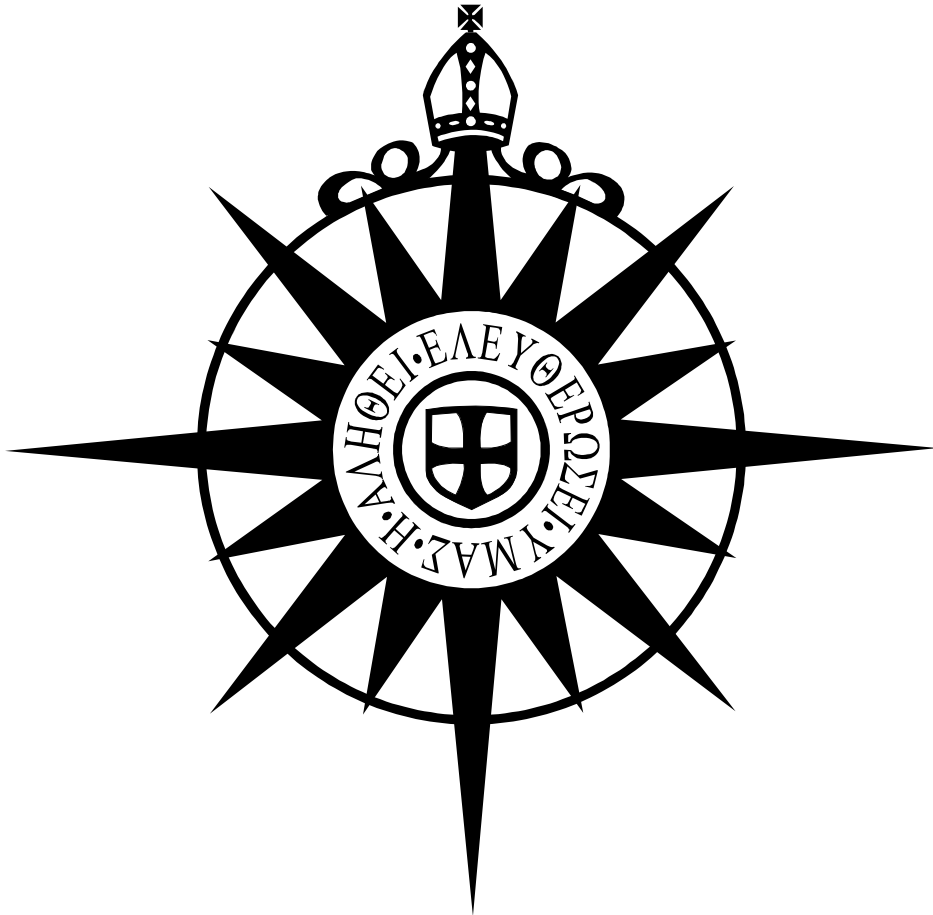


**GUIDELINES FOR THE
CREATION OF NEW
PROVINCES AND DIOCESES**



**RESOLUTIONS PASSED
BY THE
ANGLICAN CONSULTATIVE
COUNCIL**

GUIDELINES FOR THE CREATION OF NEW PROVINCES AND DIOCESES

The following extracts from Reports of the Anglican Consultative Council are attached:

1. ACC-1, 1971, Limuru, Kenya
Resolution 21 - Creating and Dividing Provinces
Resolution 22 - Criteria for the size of a Diocese
2. ACC-4, 1979, Ontario, Canada
Guidelines for the Drafting and Revising of Provincial Constitutions
3. ACC-5, 1981, Newcastle-upon-Tyne, England
Resolution 28 - New Dioceses and Provinces
4. Joint Meeting of the Primates of the Anglican Communion and the Anglican Consultative Council, Cape Town, 1993
Resolution 52 - Guidelines for Provincial Constitutions
5. ACC-11, 1996, Panama City
Resolution 12 - Creation of New Provinces

ACC-1, 1971 . LIMURU, KENYA

21. Creating and Dividing Provinces (p. 32)

Although there is no official definition of a province of the Anglican Communion, it can be described as the smallest complete unit of the Anglican Church because it exists under a College of Bishops – each of whom with his clergy and laity is autonomous within a diocese. A college requires to be more than a mere trio of bishops and is severely limited if it consists of less than four diocesan bishops. A province must have some common constitution, its geographical and political area must allow good communications, and, however much it transcends linguistic, national, or cultural boundaries, its peoples must have a community of concern which can unite them in a community of worship.

In the light of this outline, the Council makes the following recommendations:

- (a) It is expected that a new province should normally contain at least four dioceses.
- (b) It must be ensured that the remaining area of the former province is not unduly weakened in finance, personnel, or institutions.
- (c) The proposed province must have financial stability, adequate leadership, proper administration, and accessibility to and from each diocese.
- (d) There must be the good will of the existing province in order not to create difficulties of disunity after division.
- (e) Before the creation of a new province there should be consultation with the Anglican Consultative Council or its Standing Committee for guidance and advice, especially in regard to the form of constitution most appropriate.

22 Criteria for the Size of a Diocese (p. 32)

The people of God who make up a diocese may come from diverse communities but should come from a natural area in which they live individual and corporate lives. The bishop, under God, is in a special way responsible with them and his clergy for the faith, teaching, unity, mission, and worship of that area, commonly called a diocese. Thus he represents the whole Church in and to his diocese, and his diocese in and to the councils of the Churches. He should also foster close relationships with other Churches and as far as possible with other faiths. The Council therefore suggests that the following are the criteria for the size of a diocese in which the bishop may exercise his episcopate properly:

- (a) It should be of a size to enable those living in it to feel they belong to a witnessing fellowship.
- (b) It should be large enough for it to be seen as the Church uniting people of different activities, backgrounds, and cultures.
- (c) It should be large enough to engage the bishop fully and small enough for him to have a sufficiently intimate knowledge of his clergy and people.

- (d) It should have sufficient measure of financial and administrative independence and not be so small as to be unable to organize and plan its work effectively.
- (e) Its boundaries should coincide as far as possible with those of the community and therefore dioceses will vary in size.

Where a diocese or region is too large for one bishop, either in population or in geographical extent, the Council believes that consideration might be given to the possibility of sustaining a diocese by means of a college of bishops. When such a pattern is followed, this Council would emphasize the importance of each area of a diocese having a bishop whom it could regard as its own.

ACC -4. 1979. ONTARIO. CANADA

6 Guidelines for Provincial Constitutions and Metropolitan Authority

The ACC has an advisory function in respect of the creation and division of Provinces (Terms of Reference No. 2, see p. vi). In this it has been guided by the criteria set out in Limuru Resolution 21, re-affirmed by ACC-3 (Trinidad, pp. 59-60). Experience has, however, shown that further thinking is necessary on the question of the sufficiency of a Province, guidelines for Provincial Constitutions, and on Metropolitan Authority. On the sufficiency of a Province the Council notes that ACC-3 questioned 'Whether four dioceses are sufficient for a Province.' While there may be exceptions for political reasons, more important than the number of dioceses is that a Province must be sufficiently large to have a potential for growth to provide (a) indigenous leadership (both clerical and lay) in mission, ministry, and administration; (b) some degree of cultural though not necessarily national homogeneity, and (c) an adequate financial base. The Standing Committee has produced a review of the Guidelines for Provincial Constitutions which the Council has considered and endorsed. This review indicates that:

- (a) the terminology at present in use not only reflects excessively its origins in English ecclesiastical and civil law, but the same terms are often used with different meanings by different Provinces,
- (b) technical terms are sometimes used without definition of their meaning;
- (c) the structure of the constitutions varies as between one Province and another;
- (d) the functions of a constitution vary from those which seek to legislate in close detail to those which aim to provide for a wide degree of flexibility. We realise that it would not be possible to achieve uniformity in the use of terminology, but we recommend that the following should be borne in mind in the drafting or revising of Provincial Constitutions:

A *Guidelines for the Drafting and Revising of Provincial Constitutions*

- (1) Only those matters should be included which affect:
 - (i) each and all of the dioceses of the Province
 - (ii) the criteria by which a Province may be validly accepted or remain as part of the Anglican Communion
 - (iii) relationships with other Provinces of the Anglican Communion
 - (iv) relationships between the Province and other Churches or Communions.
- (2) Technical terms should be clearly defined.
- (3) As far as possible the structure of Provincial Constitutions should follow the same broad outline and order as that suggested below.
- (4) Uniformity of structure does not imply uniformity of expression or content. Within such a common pattern each Province should be free to determine its own methods and terms of appointment of bishops, clergy and lay officers, synodical procedures, administration, liturgical patterns, disciplinary measures.
- (5) The requirements for the Constitution of a Province covering more than one country or nation are different from those where a Province is coterminous with a country or nation. In the former case it will be necessary for the diocese or dioceses within the jurisdiction of each separate national government to make special provision for their own local situation; e.g. selection and training of clergy, liturgical usage, finance and property, etc.
- (6) In general Provincial Constitutions should allow on the one hand for the operation of the Holy Spirit in continuous growth, development and adjustment to changing ecclesiastical and social environments, while on the other hand providing a basis of stability from which to make appropriate alterations from time to time. With this end in view Constitutions should be as short, clear and simple as is consistent with their being comprehensive.
- (7) We suggest that the following outline Constitution should be used in the drafting or revising of Provincial Constitutions, and that each Province should provide its own definitions and glossary of terms.

Outline for a Provincial Constitution

PART ONE

- A. PREAMBLE (including brief factual historical note on foundation and extent of Province)
- B. FUNDAMENTAL DECLARATIONS
 1. Doctrine
 2. Worship
 3. Ministry
 4. Relation of Province to its Dioceses, to other Provinces of the Anglican Communion and to other Churches and Communions
 5. Procedure for Amendment

Note: This Part is sometimes referred to in a more restrictive sense as 'the Constitution'. It establishes the Province of as a constituent member of the Anglican Communion. It also establishes the legal and governmental basis of the Province of

It should be possible to change 'the Constitution' only with difficulty and by special procedures, and after consultation with the Anglican Consultative Council.

PART TWO

A. METROPOLITICAL AUTHORITY

1. Functions of the Metropolitan or Presiding Bishop
2. Procedure for Election
3. Tenure of Office
4. Procedure for absence, incapacity, resignation, retirement and on death of the Metropolitan or Presiding Bishop.

B. BISHOPS

5. Office and Functions of Diocesan, Coadjutor, Suffragan and Assistant Bishops
6. Procedure for Election or Appointment and Confirmation
7. Terms of Office
8. Persons eligible
9. Consecration and Installation
10. Procedure for absence, incapacity, resignation, retirement and on death of a Diocesan Bishop.

C. THE PROVINCIAL SYNOD OR ASSEMBLY

11. Powers and frequency
12. Composition
13. Officers
14. Quorum
15. Procedures
16. Administration and Finance of Synod

D. LITURGICAL MATTERS

17. Procedure for Ordering and revising of liturgical services.

E. DECLARATIONS AND ECCLESIASTICAL DISCIPLINE

18. Declarations on appointment by bishops, clergy and lay ministers
19. Declarations by members of Provincial Synod
20. Ecclesiastical offences and their treatment
21. Ecclesiastical Courts and their procedures
22. Tenure of Office

F. FUNDS AND PROPERTY OF PROVINCE

G. DEFINITION OF TERMS:

Such as:
Fundamental Declaration
Article/Canon/Regulation/Law
Province
Diocese
Resolution
Rule/Standing Order
Synod
Validity and irregularity

H. PROCEDURE FOR AMENDMENT:
Articles/Canons/Regulations/ Laws

Note: Unlike the Fundamental Declarations of Part I, Part II (sometimes described as 'the Canons', or 'the Articles', or 'the Regulations', or 'Church Law') should be open to amendment by processes which while safeguarding stability, do not frustrate adaptive change; i.e. without too great difficulty and by agreed procedures.

In a Province which includes more than one nation a greater measure of autonomy needs to be given to the constituent dioceses (see 2(e) above).

PART THREE

RULES OF ORDER AND PROCEDURE

Note: These are to do with the normal procedures by which business is conducted in meetings of the Province.

B *Guidelines on Metropolitan Authority*

- (1) Metropolitan Authority (however diverse its exercise may be in different parts of the Anglican Communion), is to be understood as the focus of ultimate decision-making in a Province, and the process by which it is exercised. By Province we understand to be 'a self-governing Church composed of several dioceses operating under a common Constitution and having one supreme legislative body' (ACC-3 p. 59). The concept of Metropolitan Authority affirms the conviction that no diocese can exist in isolation. The norm is that each diocese is one of several which have been formed together into a Province.
- (2) Dioceses receive pastoral support through their membership in a Province and grow within the general Anglican ethos which they in turn help to form. The concept of Metropolitan Authority relates to this general welfare and growth of the whole Church in which it is exercised.
- (3) Metropolitan Authority has been expressed primarily through the canonical responsibilities laid upon bishops. This authority is usually exercised by an Archbishop functioning as Metropolitan. However Provincial or General Synods are now almost universally recognized as the bodies through which

the Bishops, together with the Metropolitan, exercise their authority synodically with the clergy and laity for the government and good ordering of the Church. Thus the decisions of a Provincial Synod are, and are seen to be, acts of the whole body, and represent, as far as it is discernible, the common mind of the Church. Metropolitan Authority is exercised today largely within synodical structures, but sometimes may still be exercised individually by the Metropolitan (Primate, Primus, Presiding Bishop, etc.).

- (4) The degree to which Metropolitan Authority is exercised individually or corporately in association with the House of Bishops or the Provincial Synod, is determined by the Constitution and Canons of the particular Province. Metropolitan Authority includes the following:
- a. The exercise of pastoral oversight including discipline over the jurisdiction concerned, ensuring that both the Provincial constitution and canonical development are in accordance with general Anglican tradition and practice, and that the provisions of the Provincial Constitution and Canons are adhered to.
 - b. Authorising the amalgamation or division of dioceses and the creation of new dioceses.
 - c. Authorising and confirming the election, and/or translation, of Bishops.
 - d. Consecrating or issuing the mandate for the consecration of bishops.
 - e. The provision of adequate episcopal oversight in the case of vacancies.
 - f. Provision for effecting changes in the Constitution and Canons of dioceses in so far as they pertain to faith and order, or relations with other parts of the Anglican Communion.
 - g. Ensuring the calling of meetings of the Synods of the jurisdiction.
 - h. Receiving or hearing appeals for which provision is made in the appropriate Constitution and Canons.
- (5) The word 'authority' is used in English in two distinct senses which correspond to the Latin words *auctoritas* – the weight of opinion which must be respected, and *imperium* – the right to be obeyed. In a provincial structure the office of Metropolitan possesses considerable *auctoritas* but only such *imperium* as is given by the Constitution and Canons of the Province concerned. In extra-Provincial dioceses related to a particular Archbishop, Metropolitan Authority must include a greater measure of *imperium* than is customarily given within a Provincial structure, but this must lessen as synodical structures develop.

Resolution 16: Guidelines on Provincial Constitutions, etc.

The Council strongly urges the use of

1. *the appended Guidelines on Provincial Constitutions and on Metropolitan Authority and*
2. *the appended Outline for the Development of a Provincial Constitution by Provinces in formation and existing Provinces in the drafting and/or revising of Constitutions.*

ACC -5. 1981. NEWCASTLE–UPON–TYNE. ENGLAND

9. New dioceses and Provinces

Resolution 28: New dioceses and Provinces

The Council re-affirms the criteria set out in the Report of ACC-4 (pages 54-55) on the formation of new dioceses, and further urges that, when new dioceses or Provinces are being contemplated, the authorities in the diocese or Province as appropriate consult with the Secretary General of the ACC at an early stage.

JOINT MEETING OF THE PRIMATES OF THE ANGLICAN COMMUNION AND THE ANGLICAN CONSULTATIVE COUNCIL

CAPE TOWN 1993

RESOLUTION 52: Guidelines for Provincial Constitutions

Resolved, that this Joint Meeting of the Primates of the Anglican Communion and the Anglican Consultative Council, directs the addition of the following clause to the 'Guidelines for Provincial Constitutions and Metropolitan Authority' agreed to at ACC-4 (Resolution 16).

At the consecration of a Bishop, the Bishop should undertake canonical obedience in all things lawful to the Metropolitan and to the upholding of provincial and diocesan constitutions.

ACC-10, 1996 PANAMA CITY

Resolution 12: Creation of new Provinces

Resolved that this Council

1. affirms its commitment to assisting in the creation of new Provinces, where conditions indicate that such a development is appropriate in the Anglican Communion;
2. urges those involved in promoting the creation of new Provinces to consult the Council through its Secretary General and other officers from the earliest stages in their discussions;
3. affirms the guidelines set out in previous Council resolutions;
4. adopts the additional guidelines as set out in the appended Schedule;
5. requests the Secretary General to publish as a separate document a summary of the Council's views for circulation to Primates, Provincial Secretaries and all others concerned with promoting the creation of a new Province; and
6. requests the Secretary General to keep these matters under review and to report to the next meeting.

Schedule (Additional Guidelines)

1. For the Primate, or any other Council or body having metropolitan authority for the relevant dioceses, to make contact with the ACC as soon as a proposal for formation of a new Province is under serious consideration.
2. This referral might (and ideally would normally) be accompanied by an invitation to the ACC for a visit by the Secretary General, or by someone nominated by the Secretary General, to the dioceses or region, if possible to co-incide with some other activity of the Anglican Communion requiring the Secretary General's presence in the area. The purpose of the visit would be to discuss the application of the ACC's guidelines to the specific situation in the local area.
3. Once initial consultation had taken place, and it was agreed in principle that it would be expedient to form a new Province in the region, the promoters would appoint a drafting committee, to consider the outline draft constitution set out by the ACC. They would address any issues arising from it that had not yet been considered by the promoters, and set up clear lines of communication and a timetable for consultation with the dioceses concerned, with their metropolitan authority, and with the ACC.
4. The drafting process in itself is likely to take some considerable time, but the ACC can provide significant assistance in advising both on the content of constitutions (by comparison with those used elsewhere in the Communion), and on the arrangements that may need to be made for that stage of the discussion.
5. On receipt of the first (and any subsequent) draft constitution by the ACC, the Secretary General may, in consultation with the Standing Committee as appropriate, appoint a committee, or call upon individual consultants, to make observations on its behalf for further consideration by the promoters and their advisors.

6. Having agreed on the form of the new constitution, the proposers are asked to submit their application for revision of the scheduled list to the ACC not less than 15 months ahead of the next meeting of the full Council.
7. The Secretary General in accordance with Article 3(a) will then consult with the Primates, either at their next scheduled meeting or individually, to seek the two-thirds majority approval required by its constitution.
8. The proposal of revision of the schedule (to add the new Province to the scheduled list) will be put on the agenda for approval at the next full meeting, subject to any outstanding consents of Primates.
9. The Secretary General will be charged with informing the Archbishop of Canterbury at every stage as to the ACC's view on the eligibility of the applicant body for recognition as an autonomous Province of the Anglican Communion.